



Board Direction

Ref: PL29S.246118

The submissions on this file and the Inspector's report were considered at a further Board meeting held on 15th June 2016.

The Board decided by a majority of 3:2 to grant permission, generally in accordance with the Inspector's recommendation, and in accordance with the draft reasons, considerations and conditions set out below.

REASONS AND CONSIDERATIONS

Having regard to:

- the city centre location of the proposed development, and the Z10 Inner Suburban (Sustainable Mixed-Use) zoning objective for the site as set out in the Dublin City Development Plan 2011-2017,
- the nature, scale and design of the proposed hotel,
- the Grand Canal Conservation Area,
- the historic 1700s buildings within the site at 35, 36 and 37 (a protected structure) Charlemont Street, and the nature and extent of the proposed works to these historic buildings, and
- the pattern of existing and permitted development in the area,

it is considered that, subject to compliance with the conditions set out below, the proposed development would be a permissible use under the land use zoning objective for the site as set out in the Development Plan, would integrate satisfactorily with the Protected Structure and historic buildings and with the established character and pattern of existing and permitted development in the area, would not seriously injure the visual or residential amenities of the area or of property in the vicinity, would not seriously detract from the Grand Canal Conservation Area, and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. Plans Partic incl. FI 25th November, 2015

2. The proposed development shall be amended as follows:
 - (a) Three floors of the proposed glazed link to the rear of the atrium shall be omitted.
 - (b) The third floor level of the northern block shall be omitted; the proposed setbacks at the upper levels shall be retained.
 - (c) The roofs of the new build to surround the protected structure to the north and south (at first floor level) and to the rear/west (at second floor level), as well the first floor roof to the glazed link adjoining the courtyard (at second floor level) shall be glazed only.
 - (d) The roof terrace adjacent to 20 Charlemont Mall, and all balconies serving bedrooms on the northern block shall be omitted. The glazing surrounds to these balconies and terrace shall be omitted. All the doors to the terrace/balconies shall be replaced with windows having a cill height to match adjacent windows. The replacement window design shall be such that access is not available to the terrace/balconies.
 - (e) All windows to the northern elevation of the northern block shall be fitted with louvered screens or with angled windows or other measures to prevent the overlooking of residential property to the north.
 - (f) A high quality lighting and landscaping scheme shall be provided for the entire length of the pedestrian way.
 - (g) Cycle parking shall be secure, conveniently located, well-lit and easy to use. Appropriate shower, changing, locker and drying areas shall be provided.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenity of the protected structure, the residential amenity of property in the vicinity, pedestrian safety and amenity, and sustainable transport.

3. The proposed works to the three historic buildings shall be carried out under the supervision of a conservation architect qualified to at least Grade 2 RIAI or equivalent. A detailed conservation method statement in relation to the works to historic buildings shall be prepared by the conservation architect, and shall be submitted to and agreed in writing with the planning authority prior to commencement of development. It shall contain complete details of all works to the historic buildings, and shall incorporate the following:
 - (a) All repair works to the historic buildings shall be carried out in accordance with best conservation practice and the provisions of the "Architectural Heritage Protection Guidelines for Planning Authorities" issued by the Department of Environment, Heritage and Local Government (2005).

- (b) Detailed plans and particulars shall be provided of the interface between the proposed new build and the historic buildings.
- (c) The historic joinery within the three existing buildings shall be retained. Intervention to the historic fabric of these buildings shall be minimised in accordance with the requirements of the planning authority.
- (d) A formal planting and paving scheme shall be provided to the courtyard and front entrance area to No 37 Charlemont Street; the proposed timber decking shall be omitted.

Reason: To protect architectural heritage.

- 4. The proposed aparthotel accommodation shall not be used for long-term letting or any form of long-term or permanent residential accommodation, and shall be used as hotel accommodation only.

Reason: The aparthotel accommodation does not comply with the requirements of the “Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities” (2015), and is therefore suited to uses associated with the hotel only.

- 5. Prior to the commencement of development, an architectural survey of the twentieth-century annex to the front of 37 Charlemont Street, including an inventory and photographs, shall be completed by a conservation architect qualified to at least Grade 2 RIAI or equivalent, and shall be submitted to and agreed in writing with the planning authority. A copy of the survey shall be lodged with the Irish Architectural Archive (DOCOMOMO) in accordance with the requirements of the planning authority.

Reason: In the interest of the preservation by record of architectural heritage.

- 6. CommFinishes

- 7. The proposed pedestrian/cycle link shall be maintained open to the public during the hours of 07:00 – 21:00. Any hotel deliveries/collection via this pedestrian/cycle link shall be strictly limited to these hours, and shall not use this route outside of those hours. Delivery/collection vehicles shall not obstruct pedestrian and cycle access.

Reason: In the interest of pedestrian and cycle permeability and neighbouring residential amenity.

- 8. RoofPlant

- 9. UrbanWaste1

10. Prior to the commencement of development, a pre-construction bat survey shall be carried out by a suitably qualified and experienced ecologist in all the existing structures on this site, in accordance with the requirements of the planning authority, following consultation with the National Parks and Wildlife Service.

Reason: To protect bats.

11. Arch A

12. CDW

13. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including the following:

- (a) location of the site and materials compound including the area for the storage of construction refuse,
- (b) location of areas for construction site offices and staff facilities,
- (c) details of site security fencing and hoardings,
- (d) details of on-site car parking facilities for site workers during the course of construction,
- (e) a construction traffic management plan, incorporating details of the timing and routing of construction traffic to and from the construction site and associated signage, to include proposals to facilitate the delivery of any abnormal loads to the site,
- (f) measures to obviate queuing of construction traffic on the adjoining road network,
- (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,
- (i) construction hours,
- (j) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
- (k) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained; such bunds shall be roofed to exclude rainwater,
- (l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enters local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety

14. Section 48

15. Section 49

Board Member: _____ Date: 28th June 2016
Fionna O' Regan