



An
Bord
Pleanála

Board Direction
PL29N.247365

The submissions on this file and the Inspector's report were considered at a Board meeting held on April 27th 2017.

The Board decided to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the Z5 land use zoning objective for the site in the Dublin City Development Plan 2016-2022, other policies and objectives of the Development Plan, and also having regard to the established hotel use on the site, the planning history pertaining to the site, the pattern of development in the vicinity, the site location in the city centre, and proximity to public transportation infrastructure, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not adversely impact upon the architectural heritage on the site or adjacent sites, would not be prejudicial to public health 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 The development shall be carried out and completed in accordance with the plans and particulars lodged with the application as amended by the further plans and particulars submitted on the 15th day of August 2016 and by the further plans and particulars received by An Bord Pleanála on the 7th day of November 2016 and the 21st day of February 2017, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2 The proposed south elevation, of the ground to third floors inclusive, of No. 7-11 Ormond Quay Upper shall be as indicated on the drawing titled 'Proposed South Elevation' (drg. No. P2001 by Henry J. Lyons Architects) received by the planning authority on the 24th day of March 2016, and not as indicated in the amended south elevation submitted on the 15th day of August 2016. The fourth floor/penthouse level shall be as indicated in the plan, sections and elevations submitted on the 15th day of August 2016.

Reason: In the interests of visual amenity, architectural heritage protection and clarity.

3 The ground floor plan shall be as indicated on the drawing titled 'Proposed General Arrangement Plan Ground Floor' (drg. No. P1010 Rev. B by Henry J. Lyons Architects) received by An Bord Pleanála on the 7th day of November 2016.

Reason: In the interests of sustainable modes of transportation and clarity.

4 All works to Nos 12 and 13 Ormond Quay Upper shall be carried out in accordance with the best conservation practice as detailed in the Architectural Heritage Protection Guidelines for Planning Authorities published by the Department of the Environment, Heritage and Local Government in December 2004. In that regard, prior to the commencement of development the applicant shall submit to, and agree in writing with, the planning authority the following:

- (i) Detailed design proposals of the glazed link to the rear of Nos. 12 and 13 Ormond Quay Upper;
- (ii) Details of the proposed landscaping and alterations to the rear of Nos. 12 and 13 Ormond Quay Upper;
- (iii) Detailed design proposals of the interface between existing structures to be retained and the new-build elements of the proposed development;
- (iv) Detailed design proposals for the outline of the former Nos. 8 and 9 Ormond Quay Upper at ground floor level referencing the site's connection with James Joyce's Ulysses;
- (v) A detailed survey/preservation by record of all structures to be demolished to the rear of Nos. 12 and 13 Ormond Quay Upper, a copy shall be made available to the Irish Architectural Archive;
- (vi) An inventory of all fixtures, fittings and finishes in the structures to be demolished to the rear of Nos. 12 and 13 Ormond Quay Upper and proposals for the salvaging of materials where feasible;
- (vii) A schedule of works to Nos. 12 and 13 Ormond Quay Upper which shall address, inter alia, the following: a schedule of remedial works to stabilise the structures; a schedule of works to the front and rear elevations; a schedule of structural works which shall avoid adverse impact and loss of fabric where possible; a schedule of internal finishes including all joinery, plain and decorative plasterwork, fireplaces and staircases; a schedule and layout of all services to Nos. 12 and 13;
- (viii) Details of signage, lighting and materials to be used on the facades of Nos. 12 and 13 Ormond Quay Upper, including works proposed to the ground floor sections of the facades of both buildings.

The works to these buildings shall be carried out under the supervision and guidance of personnel suitably qualified in conservation during the progress of the works.

Reason: In the interests of architectural heritage protection.

5 The hotel shall retain the name of, and operate as, 'The Ormond Hotel', unless otherwise agreed in writing with the planning authority.

Reason: To reflect and retain the site's connection with the city's literary culture.

6 Detailed proposals for the protection of structures and property adjacent the application site shall be submitted to, and agreed in writing with, the planning authority and shall include, inter alia, proposals regarding pre and post construction condition surveys and structural surveys; detailed survey works, and comprehensive monitoring proposals as referred to in the letter from MMOS Consulting Civil and Structural Engineers, dated 14th day of February 2017 and received by An Bord Pleanála on the 21st day of February 2017.

Reason: In the interests of clarity, architectural heritage protection, and the proper planning and sustainable development of the area

7 The glazing to the ground floor level of the hotel hereby permitted shall be kept free of all stickers, posters and advertisements.

Reason: In the interests of visual amenities of the area.

8 No external security shutters shall be erected on any part of the premises unless authorised by a further grant of planning permission. Details of all internal shutters shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

9 Details of works to the public realm along Strand Street Little, including pavement protection, kerbs and loading bay layout, shall comply with the detailed standards of the planning authority for such works and shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interests of amenity and traffic and pedestrian safety.

10 Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Details of the proposed flood protection and mitigation measures as referred to in section 4 of the 'Flood Risk Assessment' submitted to the planning authority on the 24th day of March 2016 shall be agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of public health and to mitigate flood risk.

11 The construction of the development shall be managed in accordance with a Construction Management Plan and a Construction Traffic Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. These plans shall provide details of intended construction practice for the development, including hours of working, noise management measures, off-site disposal of construction/demolition waste and the road network to be used by construction traffic.

Reason: In the interests of public safety, amenity and traffic safety.

12 The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site

13 The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Board

Date:27.04.17

Member

Paul Hyde