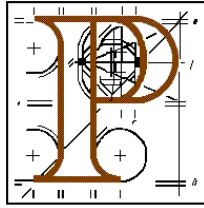


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Dublin City

Planning Register Reference Number: 2564/16

An Bord Pleanála Reference Number: PL 29S.246728

APPEAL by Nicholas J. McAuliffe care of Stanmore of 22 Lower Leeson Street, Dublin and by An Taisce of Tailors' Hall, Back Lane, Dublin against the decision made on the 20th day of May, 2016 by Dublin City Council to grant subject to conditions a permission to Realmside Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin.

PROPOSED DEVELOPMENT: Demolition of existing ancillary derelict structures (220 square metres); and the provision of a three to six storey over basement level hotel (with setback fourth and fifth floors) comprising 263 number bedrooms and related uses including café/bar/restaurant (569 square metres) and meeting/conference facilities (568 square metres), with a total gross floor area of 13,770 square metres which includes plant of 445 square metres. The development will also include: the provision of a new vehicular access to the site from The Combe, the provision of 23 number ancillary car parking spaces, bicycle parking, ancillary circulation, staff and administration areas, all hard and soft landscaping, boundary treatments, the retention and repair of the existing chimney breast remnant on the eastern boundary of the site adjoining Fallon's public house (a Protected Structure), attenuation measures including holding tank, waste storage areas, piped infrastructure and ducting, signage, changes in level and all associated site development and site excavation works above and below ground. All on a 0.3 hectare site, approximately at numbers 118-128 The Coombe, Dublin.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

It is considered that the proposed development, by reason of its bulk, mass and height, and by reason of excessive plot ratio, would constitute significant over-development of the subject site, and by reason of its design and materials, as well as its height in the context of the established heights of adjacent properties along Dean Street, would constitute an unacceptable insertion into the streetscape which would be out of character with its surroundings, including an adjoining protected structure. Furthermore, by reason of its height and bulk, and its proximity to adjacent boundaries, it is considered that the proposed development would have an overbearing impact on the adjoining residential properties to the east, and would seriously injure the residential amenities of such properties through overshadowing. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission subject to the omission of the second floor, the Board considered that such amendment would represent a material change to the proposed scheme which would require a new design for the development and in any event of itself would not be sufficient to deal with the reasons and considerations set out above, without further material amendments, including a considerably increased setback on any potential fifth floor, and also significant modifications to the design and external finishes of the front elevation of the entire development (including the removal of projecting elements). The Board also considered that the omission of further bedrooms to the east of the rear section of the proposed hotel, over and above those that had been omitted by the planning authority's condition number 4, which omission had been suggested in the observations submitted by New Row Place Management Ltd, would also have to be required in order to deal with impacts of the development on the residential amenities of adjoining properties and would, thereby, require further material revisions to the design of the development. Taken together, the Board considered that it would not be appropriate to deal with these matters by way of the imposition of conditions, compliance with which would not allow for the participation of interested third parties, and accordingly considered that the appropriate decision in this instance was to refuse permission.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.