



An  
Bord  
Pleanála

**Board Order**  
**PL 29S.248477**

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## **Planning and Development Acts 2000 to 2017**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 4202/16**

**Appeal** by Philip O'Reilly of 18 Grosvenor Place, Rathmines, Dublin and by The Department of Foreign Affairs and Trade (DFAT) of 76-78 Harcourt Street, Dublin against the decision made on the 26<sup>th</sup> day of April, 2017 by Dublin City Council to grant subject to conditions a permission to Brown Table Solutions Limited care of Tyler Owens Architects of The Mash House, Distillery Road, Dublin in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** Change of use of the property from institutional office, administration and ancillary residential accommodation associated with the Loreto Sisters Religious Order to 95 number bedroom hotel with ancillary hotel services, to comprise eight number hotel bedrooms, hotel reception, lounge and kitchen in the existing building fronting Saint Stephen's Green with an additional three number hotel bedrooms in a new two-storey hotel penthouse level to that building (total height of building including hotel penthouse level will be 24.1 metres above ground level); hotel restaurant and spa centre in existing chapel building at the centre of the site and 84 number hotel bedrooms in a new nine storey, over basement, building to the rear (building height of 24.8 metres above ground level). Works will comprise (i) refurbishment, internal and external alterations to the existing four storey, over basement, institutional building fronting Saint Stephen's Green, to accommodate hotel kitchen and staff facilities at lower ground floor (basement); hotel entrance lobby and reception rooms at ground floor, hotel bar and function room at first floor;

eight number hotel bedrooms over second and third floor levels and construction of a new two-storey, three bedroom hotel penthouse level set back from the northern (front) building elevation, with a south facing terrace. External alterations comprise replacement windows to match original window frame detail; installation of a new internal fire escape stairs on front (north-western side) of the building from lower ground to fourth floor level, with associated access doors at each level and to be screened from Saint Stephen's Green by feature length treated glazed structure; blocking up of one number window in hotel kitchen at lower ground floor level (basement); new glazed link to chapel building (proposed hotel spa and restaurant) between lower ground and ground floor level. Internal alterations comprise the removal of substantial non original engineering works; installation of a new lift core from lower ground (basement) to fourth floor, to be located within existing stair core and provision of associated access doors at each level; partial wall removal for dry goods store and for wc at lower ground floor (basement); widening of opening and removal of door to opening in entrance lobby at ground floor; minor alterations and new partitioning at second and third floors; (ii) refurbishment, internal and external alterations to the existing single-storey, over basement, convent chapel building located at the centre of the site, along with demolition of non-original single storey, lower ground floor level, side extension and construction of replacement single storey, over basement, side extension, all to accommodate hotel spa treatment centre at lower ground floor (basement) and 265 square metres (88 number seat) hotel restaurant at ground floor. External alterations comprise the removal of three number windows on the eastern elevation of the existing building at ground floor level to allow connectivity within proposed hotel restaurant; reconstruction of outer walls at lower ground level, and glazed roof to western side of chapel building. Internal alterations comprise the reconfiguration of internal layout at lower ground floor level, including removal of internal walls, and installation of a new stairs between lower ground (basement) and ground floor; (iii) demolition of non-original part two, part three-storey, over basement, convent dormitory building, at the rear (south) side of the site and construction of a new detached nine storey, over basement, building, to comprise plant and stores at basement level and 84 number hotel bedrooms at ground to seventh floor levels and (iv) two number internal landscaped courtyards; bicycle parking at ground floor level; suds drainage and all

associated works necessary to facilitate the development, all at 77 Saint Stephen's Green, Dublin (Protected Structure).

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions 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**

Having regard to the nature, scale and design of the proposed development, the pattern of development in the area, the provisions of the Dublin City Development Plan 2016-2022, the comprehensive nature of the proposed development which includes the refurbishment and reuse of the significant building comprising the former Loreto Hall at number 77 Saint Stephen's Green South which is designated as a Protected Structure, and the former chapel building to the rear of the site, it is considered that, subject to compliance with the conditions set out below, the proposed development, including the proposed new build at the rear, would not adversely affect the character or architectural significance of the historic buildings on site or in the vicinity of the site, would not diminish the setting as part of the Z8 Georgian Conservation Area, would not seriously injure the amenities of properties in the vicinity, would be acceptable in terms of traffic safety and convenience and 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 30th day of March, 2017 and by the further particulars received by An Bord Pleanála on the 26th day of June, 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. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, and any statutory provision amending or replacing them, the use of the proposed development shall be restricted to the proposed hotel with ancillary restaurant/bar use, unless otherwise authorised by a prior grant of planning permission.

**Reason:** To protect the amenities of property in the vicinity.

3. The proposed development shall be amended as follows:
  - (a) The proposed penthouse floor and associated fire escape at penthouse level shall be omitted.
  - (b) The rear block shall be reduced by one entire storey and set back from the western elevation at sixth floor level as indicated in Option B on drawing number 2016-67-FI-200B and drawing number 2016-67-FI-300B submitted to the planning authority on the 30<sup>th</sup> day of March, 2017.

- (c) The width of the proposed rear block shall be reduced so that it is set back a minimum of two metres from the western site boundary between ground and second floors inclusive and is set back a minimum of three metres from the western boundary for all remaining floors of the building, that is, third to sixth floor.

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 interests of visual amenity and to protect the setting of the Protected Structure and adjoining Protected Structure.

- 4. Prior to commencement of development, the developer shall make a record of the existing Protected Structure. This record shall include: -
  - (a) a full set of survey drawings to a scale of not less than 1:50 to include elevations, plans and sections of the structure, and
  - (b) a detailed, labelled, photographic survey of all internal rooms (including all important fixtures and fittings), the exterior and the curtilage of the building.

This record shall be submitted to the planning authority prior to commencement of development and one copy of this record and a full set of drawings of the proposed works to the Protected Structure shall be submitted to the Irish Architectural Archive.

**Reason:** In order to establish a record of this Protected Structure.

5. All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and in the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Arts, Heritage and the Gaeltacht in 2011 and be supervised by a qualified conservation architect (or equivalent). The repair/restoration works shall retain the maximum amount possible of surviving historic fabric in-situ including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.

**Reason:** To ensure that the integrity of the historic structure is maintained and that the structure is protected from unnecessary damage or loss of fabric.

6. The hotel room windows on the western elevation of the rear block shall be developed in accordance with drawing number 2016-67-FI-306 submitted to the planning authority on the 30th day of March, 2017.

**Reason:** To protect the amenity of the adjoining property to the west.

7. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority details of all external finishes, materials, treatments and colours for the historic buildings to be retained on site and for the proposed new building.

**Reason:** In the interest of visual amenity.

8. Details for the effective control of fumes and odours from the ancillary restaurant area shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public health and to protect the amenities of the area.

9. No signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site or any adjoining lands under the control of the developer, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

10. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunications aerials, antennas or equipment, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area.

11. 12 number bicycle parking spaces shall be provided on site. The layout and marking demarcation of these spaces shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** To ensure that adequate bicycle parking provision is available to serve the proposed development, in the interest of sustainable transportation.

12. Access, servicing/loading arrangements and any works to footpaths and kerbs shall be in accordance with the detailed requirements of the planning authority for such works and details of these shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of amenities and public safety.

13. 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.

**Reason:** In the interest of public health.

14. All public service cables for the development, including electrical and telecommunications cables, shall be located underground throughout the site.

**Reason:** In the interest of visual and residential amenity.

15. The sound levels from any loudspeaker announcements, music or other material projected in or from the premises shall be controlled so as to ensure the sound is not audible in adjoining premises or at two metres from the frontage.

**Reason:** To safeguard the amenities of the area and in the interest of orderly development.

16. The restaurant in the former chapel shall only be used as a licensed restaurant/café and shall not be used as a public bar, dance hall or nightclub, save with a prior grant of planning permission. In particular, the restaurant in the old chapel shall be used primarily for the consumption of food in association with the proposed restaurant use and shall not be provided with speakers or amplified music.

**Reason:** In order to preserve the amenities of the area and in the interest of clarity and consistency.

17. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which 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, and
- (b) employ a suitably-qualified archaeologist prior to commencement of development. The archaeologist shall assess the site and monitor all site development works.



The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site,  
and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

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 area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

18. 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 noise management measures and off-site disposal of construction/demolition waste and a Traffic Management Plan for construction phase.

**Reason:** In the interest of public safety.

19. A plan containing details for the management of waste and recyclable materials shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and recyclable materials, in the interest of protecting the environment.

20. Site development and building works shall be carried out only between 0700 hours and 1800 hours Mondays to Fridays, between 0800 hours and 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In the interest of protecting the residential amenities of adjoining properties.

21. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the satisfactory provision of services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory completion of the development.

