



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 2537/19

Appeal by Appalachian Property Holdings Limited care of Brock McClure Planning and Development Consultants of 63 York Road, Dun Laoghaire, County Dublin against the decision made on the 13th day of May, 2019 by Dublin City Council to refuse permission for development comprising alterations and revisions to an existing planning permission (register reference number 4342/16 (An Bord Pleanála reference 29S.248844)) relating to the development of a hotel at 9-17 Saint Andrew's Lane, Dublin. The approved development permitted the demolition of an existing two storey building and replacement with an eight storey and plant level over lower ground floor hotel development consisting of 136 bedrooms, reception, bike store and lobby area, and associated back of house facilities including, linen store, staff rooms, changing areas and associated uses. The approved development also permitted works to the public realm. The proposed alterations comprise (1) the reconfiguration of the internal layout of the upper ground floor and first floor levels, (2) the reconfiguration of the roof profile to include the development of an additional storey to create a nine storey and plant level over lower ground floor development. The proposal would increase the number of bedrooms to 156, ancillary accommodation includes reception, bike store and lobby area, and associated back of house facilities including linen store, staff rooms, changing areas and associated uses in accordance with the plans and particulars lodged with the said Council.

Decision

GRANT permission for the reconfiguration of the internal layout of the upper ground floor and first floor levels in accordance with the said plans and particulars based on the reasons and considerations marked (1) under and subject to the conditions set out below. REFUSE permission for the reconfiguration of the roof profile to include the development of an additional storey to create a nine storey and plant level over lower ground floor development based on the reasons and considerations marked (2) under

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 (1)

Having regard to the zoning objective for the site in the current Development Plan for the area, the planning history of the site and the nature of the proposed development, it is considered that the proposed development, subject to compliance with the conditions set out below, would enliven Saint Andrew's Lane and would provide an acceptable level of quality and amenity for visitors to Dublin. As such, it is considered that the proposed development would 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, 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. Apart from the amendments granted under this permission, the development shall be carried out in accordance with, and shall comply with the conditions attached to, the permission granted under An Bord Pleanála reference 29S.248844, register reference number 4342/16.

Reason: In the interest of orderly development.

3. The area indicated in black on drawing number P5000705 - Proposed Upper Ground Floor Plan, submitted to the planning authority on the 19th day of March 2019, shall be used as plant associated with the proposed development, consistent with the permission granted under An Bord Pleanála reference 29S.248844, register reference number 4342/16.

Revised drawings illustrating this clarification shall be submitted to, and agreed in writing with, the planning authority within two months of the date of this Order.

Reason: In the interest of orderly development.

Reasons and Considerations (2)

Having regard to the prominent and sensitive location of the site, by reason of its important location within the historic city core and its proximity to the South City Retail Quarter, it is considered that the proposed additional floor would have a significantly detrimental visual impact due to its scale and bulk on the adjacent South City Retail Quarter Architectural Conservation Area. Furthermore, the proposal would, by reason of visual intrusion, have a significant and detrimental visual impact on a number of important views and vistas in the city including from Grafton Street towards Wicklow Street and from Drury Street towards Exchequer Street. The proposed development would, therefore, seriously injure the urban character and visual amenities of the historic city core and would be contrary to the proper planning and sustainable development of the area.

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

Dated this day of 2019.