



Planning and Development Acts 2000 to 2019

Planning Authority: Dublin City Council

Planning Register Reference Number: 3572/18

APPEAL by Creekvale Limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin and by Others against the decision made on the 22nd day of July, 2019 by Dublin City Council to grant subject to conditions a permission to Cathedral Leisure Limited care of Thornton O'Connor Town Planning of 1 Kilmacud Road, Upper, Dundrum, Dublin.

Proposed Development: Development of a hotel consisting of the removal of part of existing floor space (2,614 square metres) which principally includes the removal of non-original fabric to Protected Structures of no architectural significance (including fabric such as flat roofed extensions, stud partitions, block work services enclosures, infill floor and ceiling sections, stair enclosures, atrium and lift shaft, block fabric to original openings) in addition to the limited removal of original fabric to facilitate permeability and connectivity (including the provision of openings in existing masonry); change of use of building fabric to be retained (1,703 square metres) from current commercial use (offices, storage and workshop), ancillary car parking and residential use to use as a hotel; and the provision of an additional 4,154 square metres to facilitate a development with a gross floor area of 5,857 square metres (a total 1,540 square metres larger than existing premises which has a gross floor area of 4,317 square metres). The proposed

development will range in height from part one to part eight storeys and the hotel will comprise 98 number bedrooms in addition to ancillary facilities including bar, restaurant and function areas. The development includes modifications to non-original shop fronts and conservation works to existing structures including roof repair to early buildings, masonry repointing, removal of cementitious render and replacement with lime-based render, masonry consolidation, repair/replacement of rainwater goods, repair/replacement of non-original window joinery, creation of new openings through existing masonry, structural and services intervention, architectural modifications and general internal and external works for the repair, maintenance and upgrading of the buildings. The development includes cycle parking spaces; hard and soft landscaping including courtyards and inaccessible upper level outdoor planted spaces; the provision of an enclosed upper level terrace with retractable roof lights; signage; lighting; plant; service and refuse areas; and all associated works above and below ground, all on a 0.212 hectare site at numbers 133 and 133A Capel Street, numbers 136A and 136B Capel Street, numbers 7 and 7A Meetinghouse Lane and number 23 Little Mary Street, Dublin (all protected structures with the exception of number 7A Meetinghouse Lane , RPS numbers 1213, 5064, 8772). Part of the site is also known as the former Boland's Bakery (including structures to the rear opening onto Meetinghouse Lane) referred to as number 133B Capel Street in the Record of Protected Structures (also RPS number 1213). The proposed development can be accessed via number 133 Capel Street, number 7 Meetinghouse Lane and number 23 Little Mary Street. The proposed development was revised by further public notices received by the planning authority on the 26th day of May, 2019

Decision

REFUSE permission for the above proposed development in accordance with 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

Notwithstanding the improved layout at ground floor and mezzanine floor levels in Building B, and the revised approach which reduces the quantum of fabric removal from the protected structures and ensures that the significance of the site is further revealed, the Board considered that, having regard to

- the Urban Development and Building Heights Guidelines for Planning Authorities, issued by the Department of Housing Planning and Local Government in December 2018,
- the increased height, scale and massing of development recently permitted/constructed in the area,
- the poor design response of the revised proposal (submitted to the planning authority as significant further information) in contrast with that of the original proposal, in terms of height, façade treatment, and architectural expression,

the revised proposal would not constitute an adequate response to the context and opportunity of this urban site and would not, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board considered that the revised proposal would not constitute an adequate response to the context and opportunity of this urban site and would not, therefore, be in accordance with the proper planning and sustainable development of the area.

John Connolly

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this day of 2020.