

An
Bord
Pleanála

Board Order
ABP-308870-20

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 2974/20

Appeal by Philip O'Reilly of 18 Grosvenor Place, Rathmines, Dublin and by Colin Galligan care of Hughes Planning and Development Consultants of 70 Pearse Street, Dublin against the decision made on the 18th day of November, 2020 by Dublin City Council to grant subject to conditions a permission to Exchequer Developments Limited care of Avison Young of 4th Floor, 2-4 Merrion Row, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The proposed development will consist of the refurbishment/reconfiguration, partial sundry demolition and expansion of the Central Hotel (a protected structure RPS Reference Number 2719) to result in an overall amalgamated hotel of 6,554 square metres with a total of 125 bedrooms within five storeys over basement with a six storey element with plant level (above Number 12 Dame Court) and will include the following:

(1) Demolition of existing two storey building Number 12 Dame Court (circa 245 square metres) and its replacement with a six storey building (overall height circa 22.205 metres) including a basement area amalgamated with the hotel with lift and stairs, access for deliveries and refuse storage, and electricity sub-station at ground floor level and hotel bedrooms from

mezzanine through fourth floor levels with plant level above building. The external elevational treatment to street is a profiled glazed façade with perforated/profiled metal panels to match the adjacent rooftop extension.

(2) Refurbishment and reconfiguration of existing Central Hotel and associated premises as follows:-

(A) Basement level - removal of internal partitions/walls to facilitate reconfiguration/refurbishment of basement areas of Central Hotel and Numbers 11, 14, 15 and 16 South Great George's Street to provide ancillary hotel areas including the internal alterations to the Rí-Rá nightclub as a speakeasy and the creation of its entrance lobby, toilets, storage/plant/attenuation and staff areas. Change of use of basement areas of Numbers 14, 15 and 16 South Great George's Street from ancillary retail storage to form part of an amalgamated hotel use as plant, administration space, public and staff toilet areas and part kitchen;

(B) Ground floor level - amalgamation of numbers 14, 15 and 16 South Great George's Street into the Central Hotel and associated change of use from retail to café/delicatessen and bar/restaurant. Reconfiguration/refurbishment of internal areas of reception, lounge and associated backroom areas and a covered winter garden link to The Exchequer Lounge. The change of use of the following; ground floor of number 11 South Great George's Street from public bar to retail use (as Christian Science Reading Room moved from its current location at Number 15 South Great George's Street); ground floor of Number 14 South Great George's Street from retail use to bar/restaurant use; ground floor of Number 15 South Great George's Street from retail use to bar/restaurant use; ground floor of Number 16 South Great George's Street from retail use to café/delicatessen use; ground floor area at entrance to existing Exchequer Bar to change to become part of hotel reception; ground floor area as part of the existing Globe Bar/Rí-Rá nightclub from public bar use to retail use as part of the amalgamated hotel;

(C) First floor level - refurbishment and provision of bedrooms (to include removal and insertion of partitions/WC facilities, insertion of risers); refurbishment of existing 'library bar' (and associated alterations); change of use of part of Library bar as two number bedrooms; removal of infill block connected by stair to existing retail unit at Number 14 South Great George's Street; removal of existing keg room and addition of a garden terrace; removal of ancillary space in courtyard to provide a landscaped platform area (including void to existing basement passageway), maintenance access only;

(D) Second and Third floor levels - refurbishment and provision of bedrooms (to include removal and insertion of partitions, insertion of risers and removal of exit passageway (external) between existing east and west parts of hotel), introduction of an inaccessible landscaped terrace at second floor level;

(E) Fourth floor level - removal of existing fourth floor level Mansard roof structure of the Central Hotel fronting onto Dame Court and Exchequer Street and its replacement with a new fourth floor level in its place to comprise a screen of narrow vertical metal fins, in front of a wall of glazing and metal panels with a standing seam metal roof in the same colour and material and two number dormers facing onto Exchequer Street (new plant areas within pitched roof space); removal of eastern side of pitched slate roof along South Great George's Street and provision of bedrooms/storage (with flat roof above), the removal of a chimney on Dame Court close to Exchequer Street and the heightening of the remaining chimneys to the ridge height of the new roof to Dame Court; replacement of the two number pediments on the South Great George's Street elevation in terracotta and brickwork; provision of external balcony/terrace areas;

(F) removal of existing lift shafts and stair cores (including chimney) from basement/ground to fourth floor levels and provision of new stairwells/lift shafts/servicing ducts/risers/dumb waiters as well as revisions to circulation/access (including provision of new opes) and removal of internal walls/partitions/replacement of doors as necessary; new glazed opening in existing staircase; glazed finish to internal façade of new northern 'wing' (which includes bedrooms and access first to fourth floor levels), and

(G) external works to include: new canopies/signage, refurbished and replacement shopfronts (and lighting) on Exchequer Street and South Great George's Street façades (including replacement of existing non-original entrance canopy), replacement of windows at ground floor level; repointing and replacement of existing windows with matching timber sliding sash windows as required; the new façade to the courtyard comprises a glazed screen with vertical metal fins incorporating some metal panels and solar shading devices in the same metal finish; installation of secondary glazing units to bedrooms; revised entrance treatment and signage throughout above shopfronts to South Great George's Street and Exchequer Street including the new centralised entrance and the replacement glazed screens to Dame Court; the introduction of five number basement lights on Dame Court and all associated site development works, all on a 0.1265 hectare site at The Central Hotel, Numbers 1-5 Exchequer Street and Numbers 11, 14, 15 and 16 South Great George's Street and Number 12 Dame Court, Dublin.

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 planning history for the site, to the Dublin City Development Plan 2016-2022, according to which the site is within an area subject to the zoning objective Z5 “to consolidate and facilitate the development of the central area and to identify reinforce, strengthen and protect its civic design character and dignity”, to the established range of land uses and the architectural character within the street network in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the development plan objective for the site, would not seriously injure the integrity and setting of the protected structure or the visual amenities or architectural character of the Architectural Conservation Area within which the site is located 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 lodged with the planning authority on the 22nd day of October, 2020, 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 developer shall provide for and shall submit and agree in writing with the planning authority the following requirements: -
 - (a) The Bi-folding windows shall be omitted and replaced with the sash windows as detailed as Option 2 on drawing number CH2-P-151.4 P2 submitted to the planning authority on the 22nd day of October, 2020.
 - (b) A record of all surviving historic fabric to be repaired/fire upgraded/refurbished and retained to include doors, architraves, windows and linings, plaster ceilings and cornices, timber, floorboards and other floor finishes and all other historic fabric.
 - (c) Details of the range and extent of repointing/cleaning/repair works to brick and stonework on facades.
 - (d) Details of the extant historic floor finishes at ground floor and proposed floor finishes.
 - (e) Details of historic features of interest encountered during the works and facilitate an inspection by the planning authority if as required.

- (f) Details, including samples for colours and materiality of the new roofscape, illustrated on drawing number CH2-P-134 P2 submitted to the planning authority on the 22nd day of October, 2020.
- (g) Details, including samples of signage and colours for all shopfronts, awning boxes and awning fabrics.
- (h) Details to include, materials, colours and/finishes for metal doors and new metal canopy over the Exchequer Street entrance, illustrated on drawing number CH2-P-151 P2 submitted to the planning authority on the 22nd day of October, 2020.
- (i) Details for the junctions of the proposed new frontage at Number 12 Dame Court with the existing buildings and Number 13 Dame Court.
- (j) Details of arrangements for retention of the historic separating/party walls and back walls, using nibs and downstands to ensure the historic floor plan is articulated and retained in essence, between Numbers 14 and 15 South Great Georges Street at ground floor level.
- (k) Details of openings within new corridors connecting through historic party walls which shall be articulated to reflect the passing through the different buildings (nibs/downstands).

Reason: To ensure that the integrity of this protected structure is maintained with works being carried out in accordance with best historic building conservation practice.

3. The developer shall comply with the following requirements to the satisfaction of the planning authority:
 - (a) The proposed development shall be carried out under the direction of an architect with specialist expertise in historic building conservation and in accordance with the recommendations within the Architectural Heritage Protection: Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in, 2005.
 - (b) All permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or surviving historic fabric and shall be carried by experienced conservators to the highest conservation standards and historic fabric shall be protected throughout the construction stage. Fabric for repair off site shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

Reason: In the interests of clarity and best historic building conservation practice.

4. 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 relating to the proposed development, and
 - (b) employ a suitably qualified archaeologist prior to the 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.

5. Construction and demolition waste shall be managed in accordance with a Construction Waste and Demolition Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July, 2006.

Reason: In the interest of sustainable waste management.

6. Hours of construction shall be confined to the hours of 0700 and 1900 Mondays to Fridays excluding bank holidays and Sundays and 0800 hours and 1400 hours on Saturdays only. 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 the protection of the amenities of the area.

7. Details of the materials, colours and textures of all the external finishes to the proposed development which shall include the provision of samples for the proposed new roof shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

8. Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreement(s) with Irish Water.

Reason: In the interest of public health.

9. Drainage arrangements, including the attenuation and 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.

10. All service cables associated with the proposed development (such as electrical, communal television, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interests of orderly development and the visual amenities of the area.

11. Notwithstanding the exempted development provisions of the Planning and Development Regulations, 2001, as amended, no additional development shall take place above roof level, including lift motors, air handling equipment, storage tanks, ducts or other external plant or the erection of telecommunications equipment other than those already shown on the drawings submitted with the application, unless authorised by a prior grant of planning permission.

Reason: To protect the residential amenities of property in the vicinity and the visual amenities of the area.

12. Details of the proposed signage, size, materials, method of illumination if any proposed, shall be submitted to the planning authority for written agreement prior to commencement of development. Any additional signage shall be the subject of a separate planning application.

Reason: In the interests of visual amenity and residential amenities.

13. Prior to the commencement of development, a fully detailed Servicing Management Plan shall be submitted to, and agreed in writing with, the planning authority. The implementation of the measures provided for in the plan shall be managed, monitored and reviewed by the operator of the development.

Reason: In the interests of pedestrian and vehicular safety and convenience

14. 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 details of:
- (a) location of the site and materials compound,
 - (b) location of areas for construction site offices and staff facilities,
 - (c) site security fencing and hoardings,
 - (d) timing and routing of construction traffic to and from the construction site and associated directional signage,
 - (e) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
 - (f) mitigation measures for noise, dust and vibration, and monitoring of such levels,
 - (g) containment of all construction-related fuel and oil,
 - (h) arrangements for storage and removal of construction and demolition waste and measures for management of surface water run-off,

- (i) arrangements to ensure that during the construction and demolition phases, works are in accordance with the standards in British Standard 5228 'Noise Control on Construction and Open Sites, Part 1. Code of practice for basic information and procedures for noise control, and
- (j) arrangements for management of demolition and construction stage impacts on pedestrian facilities and circulation on Dame Court.

A monitoring system and record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interests of orderly development, public amenity and safety and the proper planning and sustainable development of the area.

15. 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.

16. The developer shall pay to the planning authority a financial contribution in respect of the LUAS Cross City Scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 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. The application of any indexation required by this condition 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.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

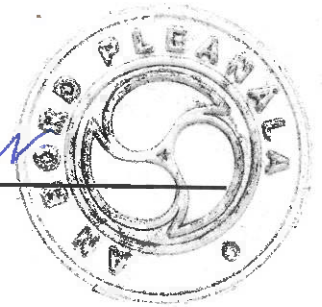
Terry Prendergast

Terry Prendergast

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this *27th* day of *May*, 2021.