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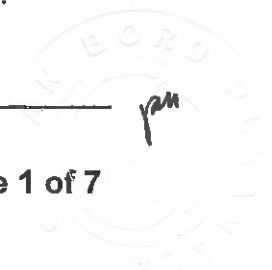
**Planning and Development Acts 2000 to 2021**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 2028/21**

**Appeal** by Eamonn Grace of Graces, 2 – 5 Rathgar Road, Rathmines, Dublin and by others against the decision made on the 9<sup>th</sup> day of March, 2020 by Dublin City Council to grant subject to conditions a permission to Rathmines Hospitality Limited care of Simon Clear and Associates of 3 Terenure Road West, Terenure, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** The development will consist of the following: Demolition of existing structures on site, with the exception of the two number arched gables on the streetfront; Construction of a four-storey hotel with a setback at third floor accommodating 78 number hotel bedrooms; Ground floor accommodating hotel reception, café, co-working space, staff facilities, linen store, office, kitchen, toilets, stores, plant and bin store; First floor accommodating co-working mezzanine level, and 22 number hotel bedrooms; Second and third floor accommodating 28 number hotel bedrooms on each floor; Signage, canopy, bicycle parking, plant at roof level and all associated site works and services, all at 10 Wynnefield Road, Rathmines, Dublin.



## Decision

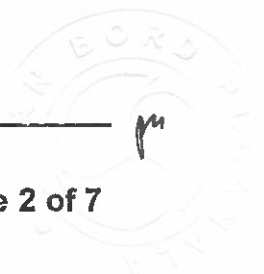
**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## 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 Dublin City Development Plan, 2016 - 2022 according to which the site is within Rathmines, a 'key district' and at a location which is subject to the zoning objective "Z4" – 'To provide for and improve mixed services facilities', and to the established pattern, character and uses of the surrounding development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities and character of the surrounding historic built environment particularly the two- and three-storey building to the south side of the site, fronting onto Rathgar Road and within the Rathmines townscape, would be acceptable in terms of traffic and public 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 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. 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.

3. Hours of construction shall only take place between the hours of 0700 and 1900 from Mondays to Fridays inclusive, between the hours of 0800 and 1400 on Saturdays and not at all on Sundays or 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 the protection of the amenities of the area.

4. Details of materials, colours and textures of all external finishes, 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 commencement of development.

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

5. The applicant shall obtain water and/or waste-water connection agreement(s) with Irish Water, prior to commencement of development.

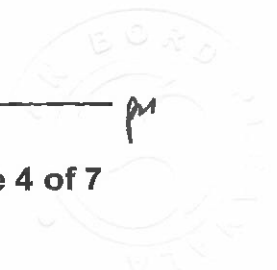
**Reason:** In the interest of public health.

6. Water supply and 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.

7. 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 visual amenities of the area.



8. 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.

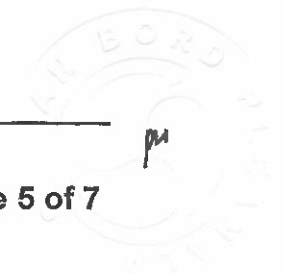
**Reason:** In the interest of clarity and visual amenity.

9. Details of the proposed signage, size, materials, method of illumination, if any proposed, shall be submitted to, and agreed in writing with, the planning authority 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.

10. Prior to the commencement of the 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.

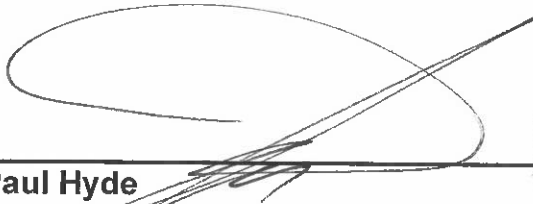


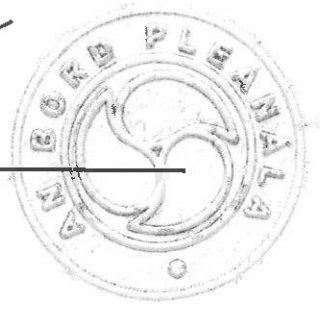
11. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

12. 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.

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



Dated this *11<sup>th</sup>* day of *February* 2022.