

Planning and Development Acts 2000 to 2020

Planning Authority: Dublin City Council

Planning Register Reference Number: 3240/20

Appeal by Linrath Holdings Limited care of Doyle Kent Planning Partnership Limited of 71 Carysfort Avenue, Blackrock, County Dublin against the decision made on the 15th day of March, 2021 by Dublin City Council in relation to the application by Linrath Holdings Limited for permission for development comprising change of use from offices to guest house and to carry out the following minimal works: (a) removal of two fixed-glazed windows from the front elevation (one at ground floor level and one at basement) and replacement with traditional up and down sash windows to match existing, (b) removal of mild steel grille from ground floor front window, (c) removal of one casement window in the rear elevation at ground floor level and replacement with traditional up and down sash window to match existing, (d) replacement of broken uPVC rainwater goods with traditional cast iron type, (e) removal of two unauthorised en-suite bathrooms, one in the basement and one in the ground floor front room, (f) removal of partition between ground floor front room and entrance hall, (g) removal of vertical ducting from stair landings over five floors, and (h) addition of short sections of stud partitioning to form staff toilet and waste sorting room at basement level, all at Number 1b Ormond Quay Lower, Dublin (a Protected Structure) in accordance with the plans and particulars lodged with the said Dublin City Council (which decision was to grant subject to conditions a permission for the change of use from offices to

guesthouse and the overall upgrade and associated refurbishment works and to refuse permission for the retention of seven number en-suites at ground, first, second and third floors).

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.

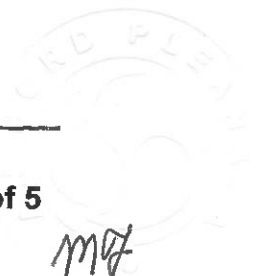
Matters Considered

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:-

- (a) the historic character of the protected structure at Number 1b Ormond Quay and its contribution to the architectural character of the Liffey Quays;
- (b) the provisions of the Dublin City Development Plan 2016 - 2022 including the zoning of the site as part of the city centre under objective Z5, policy CHC 2 – “to protect the special interest of protected structures” and policy CEE 13 (iii) - “to promote tourist accommodation”;



- (c) the “Architectural Heritage Protection Guidelines for Planning Authorities” issued by the Department of Arts, Heritage and the Gaeltacht in 2011; and
- (d) the information submitted during the course of the application and the appeal regarding the historic fabric of the protected structure and the manner in which the proposed development would be carried out,

it is considered that, subject to compliance with the conditions set out below, the proposed development would provide an appropriate and sustainable use for the protected structure that would support its conservation. It would make a positive contribution to the character of the area without giving rise to excessive intervention or serious injury to the historic fabric of the protected structure. The proposed development 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 16th day of February 2021, 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 guesthouse herein permitted shall be used for short-term occupation by tourists only.

Reason: To clarify the permitted use and to protect the character and amenities of the area.

3. (a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.
- (b) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the "Architectural Heritage Protection Guidelines for Planning Authorities" issued by the Department of Arts, Heritage and the Gaeltacht in 2011. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.
- (c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings) staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment.

Reason: To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

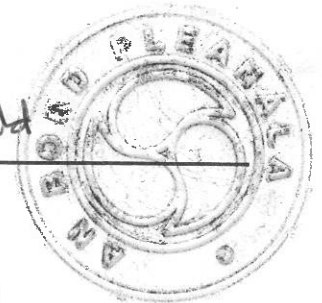
4. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

DR. Maria FitzGerald

Maria FitzGerald

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



Dated this 24th day of Dec. 2021.