

An  
Bord  
Pleanála

## Board Order ABP-312392-21

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Dublin City Council**

**Planning Register Reference Number: 3652/21**

**Appeal** by Hillquarter Investments Limited care of Marston Planning Consultancy of 23 Grange Park, Foxrock, Dublin against the decision made on the 1<sup>st</sup> day of December, 2021 by Dublin City Council to refuse permission for the proposed development.

**Proposed Development:** A new single storey café structure and associated covered pergola structures to be located on both sides of a new landscaped and terraced garden within the existing forecourt and car park at the front of the Landsdowne Hotel, a proposed external wheelchair lift located beside the front entrance number 29 with associated alterations to a front window to facilitate access, internal alterations at basement level to facilitate access from the lift and also to provide for an accessible w.c. Permission also sought for retention of the use of the existing smoking area and sunken garden at the rear of the hotel for public use together with retention of the glazed canopy structures and associated landscaping works, all at the Landsdowne Hotel, 27/29 Pembroke Road, Dublin, a Protected Structure.

## Decision

**REFUSE permission and refuse retention permission for the above proposal in accordance with the reasons and considerations set out below.**

## Reasons and Considerations

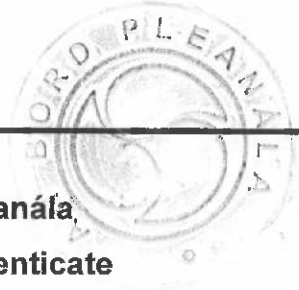
1. The development proposed for retention to the rear of the hotel would seriously injure the residential amenity of the existing dwellings adjoining the site to the rear of the hotel along Pembroke Lane by reason of noise nuisance and disturbance. The proposed development would be contrary to the area's 'Z2 – Residential Neighbourhoods (Conservation Areas)' zoning in the Dublin City Development Plan 2022-2028, which seeks "to protect and/or improve the amenities of residential conservation areas" and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. With regard to the development and associated works proposed at the front of the hotel, the Board considered that introducing new structures forward of the building line would adversely impact the character and setting of the protected structures and adjacent protected structures and set an undesirable precedent to development in the foreground of protected structures and would materially contravene 11.5.1 and Policy BHA 2 of the Dublin City Development Plan 2022-2028. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission for the proposed development at the front of the hotel, the Board considered that introducing new structures forward of the building line would adversely impact the character and setting of the protected structures and adjacent protected structures and set an undesirable precedent to development in the foreground of protected structures, and would be contrary to Policy 11.5.1 and Policy BHA 2 of Dublin City Development Plan 2022-2028. The Board agreed with the planning authority that the proposed development at the front of the hotel would, as currently designed, give rise to a significant and injurious adverse visual impact on the architectural character and setting of the Protected Structures. The Board, therefore, did not agree with the Inspector that the form and design proposed would not be visually intrusive and would not materially affect the character and setting of the Protected Structures. Hence, the Board considered that the proposed development at the front of the hotel would materially contravene Policy 11.5.1 and BHA 2 of the Dublin City Development Plan 2022-2028.



Mary Cregg

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



Dated this 7<sup>th</sup> day of July 2023.