



Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3056/23

Appeal by Maurice McGrath care of William Doran, Planning and Project Management Consultant of 7 Saint Mary's Road, Ballsbridge, Dublin against the decision made on the 14th day of March, 2023 by Dublin City Council to grant, subject to conditions, a permission to Vision Wave Limited care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The development will consist of: Alterations to development previously approved under planning authority register reference 3281/20 comprising: (i) opening up of existing party wall between numbers 58 and 59 (from first to third floor level) and provision of new stair core within new-build element (from basement to fifth floor level) to ensure compliance with fire safety regulations; (ii) fitting of louvred screens to the windows of bedroom numbers 114, 115, 214, 215, 314 and 315 within new-build element (at first to third floor level); and, (iii) all ancillary works, including general reconfiguration of all floor levels (from basement to fifth floor level), necessary to facilitate the development. The proposed works will result in a revised number of hotel bedrooms (77 number), at number 3 Parnell Street (a

Protected Structure), numbers 4, 5 and 6 Parnell Street (a corner site with Jervis Lane Upper, Dublin) and numbers 58 and 59 Capel Street, Dublin (which abuts Jervis Lane Upper, Dublin to the rear).

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.

Reasons and Considerations

Having regard to the City Centre zoning of the site, the nature and scale of the proposed development, and the provisions of the Dublin City Development Plan 2022-2028, it is considered that, subject to compliance with the conditions set out below, the development would be consistent with Policy BHA11 (Rehabilitation and Re-use of Existing Older Buildings) and would not detract from the character and setting of number 3 Parnell Street, a Protected Structure, and would not seriously injure the amenities of existing residents of the area. 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, 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. Development shall be carried out and completed in accordance with planning register reference number 3281/20 (appeal reference number ABP-309511-21) for this site except for the amendments authorised under this permission as described in the public notices.

Reason: In the interest of clarity.

3. Details of the materials, colours and textures of all the external finishes to the proposed extensions shall be as submitted with the application, unless otherwise agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. The developer shall enter into water and/or wastewater connection agreements with Uisce Éireann, prior to commencement of development.

Reason: In the interest of clarity and public health.

5. 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.

6. The developer shall pay to the planning authority a financial contribution in respect of the LUAS C1 Line 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 the

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 the Board 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.



Stewart Logan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 24th day of May 2024.