

An
Bord
Pleanála

Board Order
ABP-318037-23

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 4041/23

Appeal by Wave Point Limited care of Tom Phillips and Associates of 80 Harcourt Street, Dublin against the decision made on the 21st day of August, 2023 by Dublin City Council to refuse permission for the proposed development.

Proposed Development: Permission for an extension comprising an additional floor level with penthouse suite to the existing hotel. The development consists of; (a) construction of an additional floor level to the existing eight storey building to provide for a 180 square metres penthouse suite associated with the existing hotel; (b) provision of a terrace at the proposed eighth floor level (ninth floor above ground level) fronting Ship Street Great, and two number terraces to the rear of the site; (c) relocation of solar panels to two number open flow forge deck structures behind screened areas to the rear of the site, as well as to the proposed roof and (d) all associated changes to elevations and materials associated with the works. The proposed total floor area of the hotel development with the extension is 6677.5 square metres, a gross increase of 225 square metres. The floors of the existing building below the proposed penthouse level will remain unchanged, and the

overall height of the hotel including the proposed will be a maximum of 30.02 metres to the highest ridge line from finished internal ground floor level all at 21 Ship Street Great, 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.

Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan 2022-2028, including the Z5 zoning objective for the area, Policy CEE28 'Visitor Accommodation', and Policy SC17 'Building Height', to the existing pattern of development in the area, and to the nature, height and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not unduly impact the character and heritage of the area, including Protected Structures within and around Dublin Castle, and would not seriously injure the amenities of the area or of property in the vicinity. 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. The external finishes of the proposed extension shall be as stated on drawing reference number 399-HRA -P-04-01, Proposed Elevations.

Reason: In the interest of visual amenity.

3. Apart from any departures specifically authorised by this permission, the development shall be carried out and completed in accordance with the terms and conditions of the permission granted on the 24th day of July 2017 under An Bord Pleanála appeal reference number PL 29S.247947, planning register reference number 2701/16, as amended by planning register reference numbers 3157/18, 4326/19, 4376/19 / PL29.306573, 2811/20 and 3331/22, and any agreements entered into thereunder.

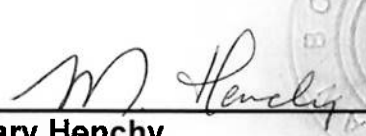
Reason: In the interest of clarity and to ensure that the development is carried out in accordance with the previous permissions.

4. The developer shall pay to the planning authority a financial contribution in respect of Luas Cross City 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. 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 Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

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.



Mary Henchy

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

Dated this 25th day of September 2024.