

An
Bord
Pleanála

Board Order
ABP-320481-24

Planning and Development Acts 2000 to 2022

Planning Authority: Dublin City Council

Planning Register Reference Number: 3687/24

Appeal by John Byrne and Noeleen Mooney of 79 and 80-81 Meath Street, Dublin against the decision made on the 9th day of July 2024 by Dublin City Council to grant, subject to conditions, a permission to Midsal Homes Limited care of Thornton O'Connor Town Planning of Number 1 Kilmacud Road Upper, Dundrum, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Amendment permission to the permitted hotel development granted under Dublin City Council Register Reference 4262/19 and amended under Register Reference 4017/20 (An Bord Pleanála Reference PL29S.309781). The development will principally consist of: the provision of a new stair core and amendments to the layout of all permitted stair cores, as required for the fire safety certificate, resulting in an increase in floor area by circa eight square metres; a reduction in the number of hotel bedrooms from 265 number to 235 number bedrooms; a minor increase in the maximum height of the building by 0.58 metres to cater for lift overruns; minor revised elevational treatments; internal changes to the permitted internal layout; and all associated works on a 0.1401 hectare site on lands at

Molyneux Yard and Engine Alley and the site to the rear of Number 83 Meath Street, Dublin (the site includes Number 75 Molyneux Yard).

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 to the provisions of the Dublin City Development Plan 2022-2028, the permitted development on the site, and to the layout and design of the proposed amendments, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of adjoining properties and would not have a significant adverse impact on the structural integrity of properties in the vicinity of the site. It is further considered that the proposed amendments to the permitted hotel, appeal reference ABP-309781-21 and planning authority register reference 4262/19, would not seriously detract from the character or setting of Saint Catherine's Church and Grotto and would not impact the character and special interest of the Thomas Street and Environs Architectural Conservation 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. Apart from any departures specifically authorised by this permission, the development shall comply with the conditions of planning authority register reference 4262/19, as amended by appeal reference ABP-309781-21, unless the conditions set out hereunder specify otherwise. This permission shall expire on the same date as the parent permission, planning authority register reference 4262/19.

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

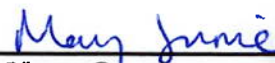
3. The proposed development shall be amended as follows:
 - (a) The standard windows proposed on the northern elevation shall be replaced with the obviated windows in accordance with Planning Reference Number 4262/19.
 - (b) The window proposed on the southern elevation on the seventh floor which serves the corridor shall be manufactured from opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Revised drawings showing compliance with these requirements shall be submitted to and agreed in writing with the planning authority prior to the commencement of development.

Reason: In the interest of clarity, visual amenity and to prevent overlooking.

4. 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 Gurrie

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 18 day of February 2025.