

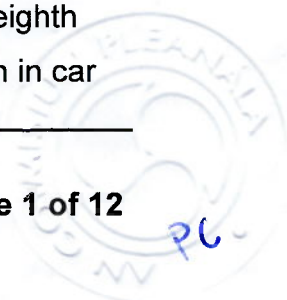
Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2910/25

Appeal by An Taisce against the decision made on the 7th day of January 2026 by Dublin City Council to grant, subject to conditions, a permission to KW Investment Funds ICAV in accordance with plans and particulars lodged with the said Council:

Proposed Development: The proposed development comprising of amendments to An Bord Pleanála Ref. ABP-311618-21 (Dublin City Council Register Reference 2062/21) consisting of the following: - Reconfiguration and reduction of the basement levels and repositioned vehicular ramp; Revised ground floor layout including additional pedestrian entrance from St. Stephen's Green with the consolidation of vehicular access from St. Stephen's Green only, additional office space, provision of a community café (circa 55 square metres) within a retained structure at the rear of the site and change of use from permitted café/restaurant to an event/entertainment space (circa 483 square metres); Inclusion of the existing Russell Court Residential Apartment Building within the application site boundary to facilitate the refurbishment of nine number existing apartments; Extension of floor plates from first to sixth floor level; Provision of office space at seventh floor; a newly added eighth floor; Revised car and bicycle parking arrangements, with a reduction in car



parking and increase in cycle parking now proposed; Alterations to permitted facades and materials; And all associated and ancillary site development works and landscaping alterations inclusive of removal of the permitted sunken garden and provision of new publicly accessible courtyards, hard and soft landscaping and boundary treatments. Overall, the development at Stokes Place arising from this amendment application will result in a nine-storey building over a one part two floor basement providing office (circa 40,800 square metres), event / entertainment (circa 483 square metres) and community floorspace (circa 55 square metres). In addition, nine number of the existing Russell Court apartments are to be refurbished as part of these proposals. The development also includes all associated and ancillary landscaping and development works, inclusive of car and cycle parking, boundary treatments, loading bay, bin store and plant rooms, all at Stokes Place, St. Stephen's Green South and Harcourt Street, Dublin. The site is generally bounded by Numbers 92-100 St. Stephen's Green (Protected Structures) to the north and east; Harcourt Street to the west; Numbers 87-91 Harcourt Street (Protected Structures) and buildings on Clonmel Street to the south; and Iveagh Gardens (Protected Structure) to the southeast.

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 location of this brownfield site within the canal ring of the city, in an area well served by public transport and the planning history of the site including the extant permission granted by the Commission under Register Reference ABP 311618-21, and the provisions of the Dublin City

Development Plan 2022-2028, including in particular policies SC1 (consolidation of Inner City), SC2 (City Character), SC11 (Compact growth), SC14 (Building Height), QHSN11 (15 minute city), BHA2 (Protected Structures), BHA9 (Conservation Areas) and Appendix 3, the Urban Development and Building Heights Guidelines for Planning Authorities, the pattern and character of development in the area, and the height and scale of the proposed development, it is considered that, subject to compliance with the conditions below, the proposed development would not seriously injure the visual amenities of the area, would not detract from the architectural heritage of the area, and would comply with the policies of the development plan. 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, and as amended by the further plans and particulars received by the planning authority dated 2nd day of December 2025, and in accordance with the parent permission ABP-311618-21, 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 southern elevation of Block B shall be set back 2.4 metres from the southern boundary of the site from the upper ground floor to the fourth floor inclusive. A set of detailed drawings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the development.

Reason: In the interest of visual amenity and protecting the amenity value of the adjacent Iveagh Gardens including the mature trees in proximity to the site boundary and the protected wall and to provide for circulation space around the proposed development.

3. Drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

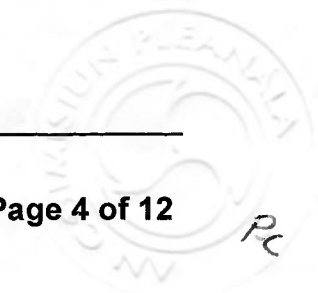
Reason: In the interest of public health.

4. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Uisce Eireann.

Reason: In the interest of public health.

5. No signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site ad adjoining lands under the control of the applicant unless otherwise authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

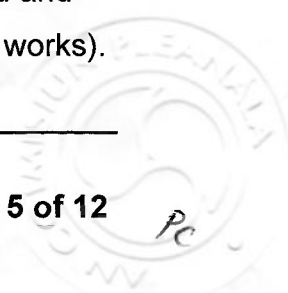


6. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:
- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
 - (b) employ a suitably qualified archaeologist prior to the commencement of development. The archaeologist shall under licence to the National Monuments Service, assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the archaeological and historical background of the site,
- (ii) the nature and location of archaeological material on the site established through archaeological testing, and
- (iii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and arising from this assessment, the developer shall agree in writing with the planning authority, in consultation with the National Monuments Service, details regarding any further archaeological requirements (including if necessary, any necessary archaeological monitoring and/or excavation/s to be programmed and funded by the developer prior to commencement of construction works).



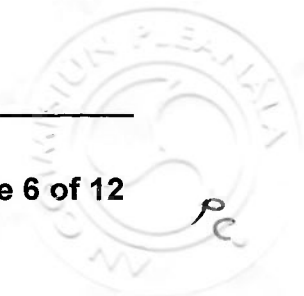
In default of agreement on any of these requirements, the matter shall be referred to An Coimisiún Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any archaeological remains that may exist within the site.

7. The developer, in consultation with Transport Infrastructure Ireland, shall ensure that the surrounding LUAS rail infrastructure is suitably protected during the construction and operational phases of the development. Detailed plans and proposals in this regard shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect key transport infrastructure and ensure a satisfactory standard of development.

8. (a) Cycle parking shall be secure, conveniently located, sheltered and well lit. Shower and changing facilities shall also be provided as part of the development. Key/fob access shall be required to bicycle compounds. Cycle parking design shall allow both wheel and frame to be locked. E bike charging facilities shall be provided.
- (b) A maximum of 34 number car parking spaces is permitted. Car parking spaces shall be permanently allocated to the proposed use and shall not be sold, rented or otherwise sub-let or leased to other parties.
- (c) The vehicular access on St Stephens Green shall be for entry only. No egress from the site onto St Stephens Green, aside from emergency vehicles is permitted.



- (d) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.

Reason: In the interests of clarity, public safety and amenity.

9. No additional development, including lift motor enclosures, air handling equipment, storage tanks, ducts or external plant, or telecommunication antennas, shall be erected at roof level other than those shown on the plans and particulars lodged with the application. All equipment such as extraction ventilation systems and refrigerator condenser units shall be insulated and positioned so as not to cause noise, odour or nuisance at sensitive locations.

Reason: In the interests of visual and residential amenities.

10. (a) Noise resulting from operations affecting nearby noise sensitive locations shall not exceed the background level by 10 dB(A) or more or exceed the Environmental Protection Agency's NG4 (Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities) limits whichever is lesser (as measured from the facade of the nearest Noise Sensitive Locations).
- (i) Daytime (0700-1900) 55 dB LAr, T (rated noise level, equal to LAeq during a specified time interval EPA NG4)
- (ii) Evening (1900- 2300)- 50 dB LAr, T
- (iii) Night-time (2300- 0700)- 45 dB LAr, T.

Clearly audible and impulsive tones at noise sensitive locations during the evening and night shall be avoided irrespective of the noise level.

- (b) There shall be no outbreak of amplified music from any activities, at these premises.
- (c) There shall be no speakers located externally or in such a way that music played on the premises is audible outside the premises.
- (d) All early morning deliveries shall take place after 0700 hours.

Reason: To protect the amenities of property in the vicinity of the site.

11. Site development and building works shall be carried out between the hours of 0700 to 1800 hours Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written agreement has been received from the planning authority.

Reason: To safeguard the amenity of property in the vicinity.

12. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) the location of the site and materials compound(s) including area(s) identified for the storage of construction refuse;

- (b) the location of areas for construction site offices and staff facilities;
- (c) details of site security fencing and hoardings;
- (d) details of on-site car parking facilities for site workers during the course of construction;
- (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
- (f) measures to obviate queuing of construction traffic on the adjoining road network;
- (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;
- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (j) the containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater;
- (k) the off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil; and

- (l) the means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of public safety and amenity.

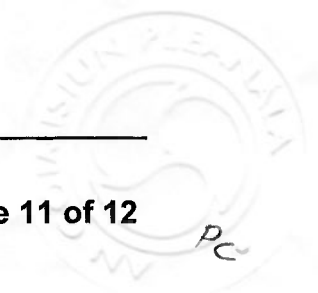
13. Prior to the commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, public open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Coimisiún Pleanála for determination.

Reason: To ensure the satisfactory completion and maintenance of the development.

15. 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 Coimisiún 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.

16. The developer shall pay to the planning authority a financial contribution in respect of Luas Cross 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 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 Coimisiún 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 (as amended) be applied to the permission.



Paul Caprani

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *19th* day of *June* 2025