



An
Bord
Pleanála

Inspector's Report PL29S.248104

Development	Proposed roof level extensions to permitted hotel development to provide 4 additional bedrooms (A Protected Structure).
Location	72-74 Harcourt Street, Dublin 2.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	4300/16.
Applicant(s)	Olema Consultants.
Type of Application	Permission.
Planning Authority Decision	Refuse permission.
Type of Appeal	First Party.
Appellant(s)	Olema Consultants.
Observer(s)	None.
Date of Site Inspection	29 th May 2017
Inspector	Ronan O'Connor

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1.0 Site Location and Description

- 1.1. The appeal site is located at the lower end of Harcourt Street, close to the junction with Clonmel Street. A portion of the building sits over Stable Lane, which is accessed under an archway through the building.
- 1.2. On site is a 5 storey building over basement building (with the fourth floor mansard level set back) which is a 20th century construct, with a neo-Victorian era street frontage with an existing 4 storey rear over basement extension which is in the process of being extended upwards by 2 storeys on foot of a recent planning permission. The building to the rear is currently clad in scaffolding and the entire premises is currently being renovated, extended and fitted out on foot of the recent permission to change the use from an office to a hotel.
- 1.3. The building is a Protected Structure under the current Dublin City Development Plan.

2.0 Proposed Development

- 2.1. Proposed roof level extensions to permitted hotel development to provide 4 additional bedrooms.

3.0 Planning Authority Decision

3.1. Decision

Refuse permission for one reason relating to impact on the roofline and setting of the Protected Structure and on the setting of the historic Georgian streetscape.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the planning officer reflects the decision of the planning authority.

Points of note are as follows:

- Concerns in relation visual impact.
- Regard was had to previously consented developments on the site.

- Is considered development would be visible along the streetscape and from longer ranging views.

3.2.2. Other Technical Reports

Drainage – No objection subject to conditions.

3.3. Prescribed Bodies

An Taisce – Object – proposed additions are not appropriate to the Protected Structure and would be injurious to the streetscape.

Transport Infrastructure Ireland – No observations.

3.4. Third Party Observations

1 submission was received. This is summarised as follows:

- No further floors or development should be allowed.
- Impact on skyline and historic fabric of city.
- Will lead to conflict with Luas Line resulting from increase in traffic.
- Photomontages do not show what the final outcome will be.
- Will be visible from street and from Clonmel House and from old High School.

4.0 Planning History

3682/16- Grant - Modifications to hotel development permitted under 2189/16.

2189/16 – Grant – Change of use of office building to a hotel and addition of 2 levels of accommodation to the rear providing 152 bedrooms in total.

5.0 Policy Context

5.1. Development Plan

Dublin City Development Plan 2016-2022

5.1.1. The site is zoned Z8 – To protect the existing architectural and civic design character, and to allow only for limited expansion consistent with the conservation objective.

5.1.2. Relevant policies and standards of the Dublin City Development Plan 2016-2022 include:

- Policy CHC2 - To ensure that the special interest of protected structures is protected.
- Policy CHC5 – To protect Protected Structures and preserve the character and the setting of Architectural Conservation Areas.
- Section 16.2.1 Design Principles

5.2. **Natural Heritage Designations**

None

6.0 **The Appeal**

6.1. **Grounds of Appeal**

6.1.1. The grounds of appeal, as submitted by Simon Clear & Associates, on behalf of the appellants, are as follows:

- Building dates from late 20th century and front façade is a pastiche elevation.
- The proposed development would not add an additional floor to the already permitted structure.
- The structure is located 6.5m from the parapet edge and not 3.5m as stated in the planning officer's report.
- From long distance views there is no view of anything above or behind the parapet line.
- In line with the zoning objective for the site and provisions of the CDP.
- Development at the Dean Hotel is not relevant.

6.2. **Planning Authority Response**

6.2.1. None

6.3. **Observations**

None

7.0 **Assessment**

7.1. The following assessment covers the points made in the appeal submission, and also encapsulates my *de novo* consideration of the application. The main planning issues in the assessment of the proposed development are as follows:

- Principle of Development
- Conservation and Design/Impact on Protected Structures
- Other Issues
- Appropriate Assessment

7.2. **Principle of Development**

7.2.1. Given the permitted change of use to a hotel, the principle of additional hotel rooms is acceptable, subject to the detailed considerations below.

7.3. **Conservation and Design/Impact on Protected Structures**

7.3.1. The building is a Protected Structure, although it is a late 20th century Georgian Pastiche with a contemporary style rear addition. As such the historic value of the building is questionable. However, it does read as a Georgian frontage in keeping with neighbouring buildings and therefore makes some contribution to the streetscape.

7.3.2. The proposed roof level addition constitutes a relatively small amount of additional floorspace to the already permitted hotel on this site. The extension is set back 6.5m from the parapet edge and there will be only very limited views of the extension from long views south of the site on the opposite side of Harcourt Street. There will not be views from the north of the site from either short or long views, due to the curvature of the street which serves to obscure direct views of the roof-top. Longer views from

the rear of the site from Iveagh Gardens are obscured by the already permitted extension to the rear of the building.

- 7.3.3. As such given the very limited visibility of the proposal it is not considered that there will be any material impact on the setting of the Protected Structure, or adjacent Protected Structures, nor on the historic streetscape.

7.4. Other Issues

- 7.4.1. There are no proximate residential uses to the site and as such there will be no impact on residential amenity.
- 7.4.2. I do not consider the additional 4 bedrooms will result in any discernible impact on the public transport network over and above the permitted 152 bedroom hotel.

7.5. Appropriate Assessment

- 7.5.1. Having regard to the nature and scale of the proposed development, the nature of the receiving environment, and the proximity to the nearest European Site, no Appropriate Assessment issues arise and it is not considered the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. I recommend that planning permission should be granted, subject to conditions, as set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the zoning objective for the site, the pattern of development in the vicinity and the policies of the current Dublin City Development Plan 2016-2022, it is considered that the proposed development would not seriously injure the residential or visual amenity of the area and would not detract from the character or setting of the Protected Structure. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area

10.0 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. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

3. Water supply and drainage arrangements, including the 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. 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 hours of working, noise management measures and off-site disposal of construction/demolition waste.

Reason: In the interests of public safety and residential amenity.

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.

Rónán O'Connor
Planning Inspector

06th June 2017