



An
Bord
Pleanála

Inspector's Report ABP-311780-21

Development	Protected Structure: Change of use to Hotel to include modification, demolition and construction of extension and all ancillary site works
Location	24 & 25 Frederick Street South, Dublin 2
Planning Authority	Dublin City Council South
Planning Authority Reg. Ref.	3484/20
Applicant(s)	24 South Frederick St. Propco Limited
Type of Application	Planning Permission
Planning Authority Decision	Refused Permission
Type of Appeal	First Party Appeal
Appellant(s)	24 South Frederick St. Propco Limited
Observer(s)	None
Date of Site Inspection	12 th August 2022
Inspector	Susan Clarke

1.0 Site Location and Description

- 1.1. The subject site, measuring 390 sq m is located on Frederick Street South and consist of two buildings (No. 24 and 25) both of which are designated Protected Structures (Refs. 2989 and 2990). The site is located between the junctions of Nassau Street and Setanta Place. The Setanta Place centre is located directly to the rear of the site. Trinity College is located directly to the north and St. Stephen's Green is located to the south.
- 1.2. The two terrace buildings are two bay, four storeys over basement Georgian buildings and are understood to be dated from c.1730s. No. 24 contains a gallery at basement and ground floor levels, offices at first and second floor levels and a yoga studio at the third floor level. No. 25 contains a framer at basement level, design gallery and retail on ground and first floor. It is stated that the second and third floors are offices. The NIAH states that the buildings form part of a largely unified Georgian terrace lining the northeast side of South Frederick Street and constitute one of the most coherent and intact examples of a group of formerly gable-fronted houses in the city.

2.0 Proposed Development

2.1. Original Proposal

The development will consist of:

- Change of use from Art Gallery, Retail, Yoga Studios and Offices to Hotel use (25 No. bedrooms);
- Demolition of the non-original rear annexes from lower ground level to 2nd floor level (148 sq m);
- Construction of a ground floor level rear extension (76 sq m) over an extension at lower ground/basement level (51 sq m);
- Replacement of the non-original PVC windows to the rear of the existing properties with sliding sash timber windows;
- Internal room modifications including an interconnecting link between No. 24 and 25 at ground floor level; a link bridge suspended over an internal courtyard connecting to the proposed extension;

- Signage, lighting bin storage, plant; and
- Associated site works.

The development will decrease the gross floor area of Nos. 24 and 25 Frederick Street South from 814 sq m to 793 sq m.

The proposed hotel will be functionally linked to the Trinity Townhouse Hotel which is located at Nos. 12, 29 and 30 Frederick Street South, Dublin 2.

2.2. Request for Further Information

Following a Request for Further Information, the following key amendments were made to the scheme:

- Omission of the lobby from the principle front room at ground floor of No. 25
- Omission of the proposed bedroom (No.5) on the ground floor of No. 24 fronting on to Fredrick Street and replacement with a reception area.
- Reduction in the number of bedrooms from three to two on the first and second floor of both No.24 and 25.
- Reduced the need for lobbies on the upper floor with implementation of water storage and a misting system.
- Construction of a three/four storey extension (eight bedrooms) to the rear of the buildings.

The above amendments result in the total number of bedrooms being reduced from 25 No. to 21 No.

3.0 Planning Authority Decision

3.1. Decision

The Local Authority issued a Notification of Decision to Refuse Permission on 29th September 2021, for three reasons:

1. *The proposed development, by itself and by the precedent for which a grant of permission would set, would be contrary to the stated provisions of the Core Strategy of the City Development Plan 2016-2022, which recognises residential*

units as a scarce resource and which need to be managed in a sustainable manner so that the housing needs of the city are met. The proposed development, resulting in the permanent loss of residential units within an area designated as a Rent Pressure Zone, would also be contrary to the core principles of the Dublin Housing Strategy 2016-2022 which requires that the planning and building of housing and residential space in the city contributes to sustainable and balanced development. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

- 2. The design, form, scale, height, proportions, siting and materials of the proposed extensions do not relate to nor complement the special architectural character of the Protected Structures. Therefore the proposed works would have a serious negative impact on the architectural detail and character of the Protected Structures and their curtilage, would therefore contravene Policy CHC2 (a),(b),(c) and (d) and Policy 11.1.5.3 of the Dublin City Council Development Plan 2016-2022, would set an undesirable precedent in the city centre for similar developments to protected structures and would, therefore, be contrary to the proper planning and sustainable development of the area.*
- 3. The proposed demolition of the historic warehouse structure and the proposed amalgamation of the historic building plots would give rise to an unacceptable loss of original historic fabric, form and features which contribute to the special interest and would therefore cause serious injury to the special architectural character, integrity, setting and curtilage of the Protected Structures, would be contrary to Policy CHC2 (a),(b),(c) and Section 11.1.5.3 of the Dublin City Development Plan 2016-2022, would set an undesirable precedent in the city centre for similar developments to protected structures and would, therefore ,be contrary to the proper planning and sustainable development of the area.*

3.2. Planning Authority Reports

3.2.1. Further Information

Following the initial DCC reports and consideration of submissions, the Planning Authority issued a request for Further Information on 26th November 2020. The information requested can be summarised as follows:

- Clarify the recent use of the upper floor of No. 25 and provide a justification for the proposed hotel use and for the potential loss of residential units.
- The Conservation Officer recommended the submission of revised drawings illustrating:
 - proposed lobby shall be omitted
 - omit the proposed bedroom No.05 on the ground floor of No.24
 - reduce the number of bedrooms to 2 No. per floor in each building
 - consider an alternative fire management strategy that would eliminate the requirement for lobbies
 - retain the extant warehouse building to the rear of No. 25
 - consider the construction of a new two-storey structure, to the rear of No. 24 that would be located in the same location (i.e. to the rear of the site rather than in the centre of the rear gardens)
 - revise the proposal to demolish the entire party wall (external boundary wall) between No.'s 24 and 25 South Frederick Street to the rear and the subsequent amalgamation of these historic building plots.

3.2.2. Planner's Report

The Planner's Report forms the basis for the Planning Authority decision and can be summarised as follows:

- The applicant has not adequately demonstrated that the upper floors of No.25 have not been recently used as residential units and the applicant has not submitted a justification for the loss of these residential units. The subject site is located within a rent pressure zone, where there is high demand for long term

residential rental properties. It is considered that the proposal is contrary to the Core Strategy.

- The proposed development would also result in an undesirable precedent for similar type development in the area which may then result in the further unacceptable loss of existing long term residential rental properties in the locality.
- The proposed amendments to the main buildings were noted by the Planning Officer.
- However, the Planning Officer concurred with the Conservation Officer and stated that the three-storey over basement extension would have a greater impact than that originally proposed in the application. The proposed extension would have a significant negative impact on the architectural character of the protected structures, especially the rear elevation and is therefore not acceptable.

3.2.3. Other Technical Reports

- **Conservation Report:**

20th November 2020

- prefer that Protected Structures and historic buildings in the city centre be brought into long-term residential use, welcoming any proposal to return the historic buildings to single family or multi-occupancy long-term use.
- the physical impact that an intensification of use has on the delicate historic fabric of the Protected Structure due to the subdivision of the primary rooms to the front of the Protected Structures coupled with the introduction of new en-suite facilities in each of the bedroom is generally not supported.
- would prefer if one bedroom suite only per floor were introduced in order to safeguard the historic fabric and special architectural character of the building. Recognise this may not be achievable and therefore will concede to accepting a revised proposal that would propose two en-suited bedrooms per floor.

- proposed subdivision of the principle historic rooms to the front of the buildings at each level, the introduction of 3 No. ensuite bedrooms at each level plus entrance lobbies is wholly unsympathetic and has no cognisance of the significance of the special architectural character of the building nor the legibility of its historic floor plan.
- do not support the proposal to demolish the extant historic warehouse to the rear of No. 25 and its replacement with a new two-storey flat roof structure that straddles both plots and in terms of its architectural articulation, bears no relationship to the historic buildings nor their building plots. The applicant shall consider the retention of the extant warehouse structure at the rear of the site as part of a sensitive adaptive reuse proposal.
- unacceptable to demolish the entire party wall (external boundary wall) between No.'s 24 and 25.
- omit the proposed bedrooms at the front of the building at upper ground floor and ensure that rooms that would accommodate a more public use.

27th September 2021

The Officer recommended further information be sought in relation to the above comments. However, on receipt of the RFI Response, the Officer recommended that permission be refused for the proposed development reiterating the concerns as outlined above and:

- the development has been altered to such a degree that it bears no relationship to the original proposal.
- The party walls date from the 1800's at the time of the construction of the rear warehouse. The walls are of architectural significance and should be retained.
- The design, form, scale, height, proportions, siting and materials of the new extension do not relate to nor complement the special architectural character of the subject buildings.

- The demolition of the historic warehouse structure would cause serious injury to the form, features, legibility and fabric, which contribute to the special character of the Protected Structures.
- **City Archaeologist's Report:** No objection, subject to condition.
- **Drainage Division:** No objection, subject to condition.
- **Road Planning Division:** No objection, subject to condition.

3.3. **Prescribed Bodies**

TII: No objection, subject to condition.

3.4. **Third Party Observations**

No third-party observations were made to the Local Authority in respect of the proposed development.

4.0 **Planning History**

No planning applications identified relating to the site.

5.0 **Policy Context**

5.1. **Architectural Heritage Protection – Guidelines for Planning Authorities**

This guidance, which is a material consideration in the determination of applications, sets out comprehensive guidance for development in conservation areas and affecting protected structures. It promotes the principle of minimum intervention (Para.7.7.1) and emphasises that additions and other interventions to protected structures should be sympathetic to the earlier structure and of quality in themselves and should not cause damage to the fabric of the structure, whether in the long or short term (7.2.2)

5.2. **Dublin City Development Plan 2016-2022**

Land Use Zoning

The appeal site has a zoning objective 'Z5 – City Centre' within the Development Plan with a stated objective 'to consolidate and facilitate the development of the central

area, and to identify, reinforce, strengthen and protect its civic design character and dignity'. Hotel is 'permitted' on lands zoned 'Z5'. The primary purpose of zone 'Z5' is to sustain life within the centre of the city through intensive mixed-use development. The strategy is to provide a dynamic mix of uses that interact with each other, help create a sense of community, and which sustain the vitality of the inner city both by day and night.

As stated above, both buildings are designated Protected Structures (Refs. 2989 and 2990).

Built Heritage and Culture

Policy CHC 2 - To ensure that the special interest of protected structures is protected. Development will conserve and enhance Protected Structures and their curtilage and will:

- (a) Protect or, where appropriate, restore form, features and fabric which contribute to the special interest,
- (b) Incorporate high standards of craftsmanship and relate sensitively to the scale, proportions, design, period and architectural detail of the original building, using traditional materials in most circumstances,
- (c) Be highly sensitive to the historic fabric and special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials,
- (d) Not cause harm to the curtilage of the structure; therefore, the design, form, scale, height, proportions, siting and materials of new development should relate to and complement the special character of the protected structure.

Policy CHC5 - To protect Protected Structures and preserve the character and the setting of Architectural Conservation Areas.

The policies of the Plan in relation to Protected Structures are set out in Section 11.1.5.1.

Tourism

Policy CEE12 - Promote and facilitate tourism, including the necessary significant increase in hotels, cafes, restaurants etc.

Policy CEE13 - Work with stakeholders to deliver the ambitious targets set out in 'Destination Dublin – A collective Strategy for Growth to 2020', including aims to double the number of visitors by 2020 and to promote and support the development of additional tourism accommodation at appropriate locations throughout the city.

5.3. **Natural Heritage Designations**

The site is not located within or close to any European site.

6.0 **The Appeal**

6.1. **Grounds of Appeal**

A First-Party Appeal, which is accompanied by a response from Dr Jason Bolton, was submitted to An Bord Pleanála on 26th October 2021 by the Applicant opposing the Local Authority's decision. The grounds of appeal can be summarised as follows:

- The buildings are not in residential use and so the development would not result in the loss of any residential units. The applicant confirmed that the buildings are subject to commercial lease agreements and commercial rates are paid. A Lease Agreement and Office Service Agreement were also submitted.
- DCC and ABP have granted permission for developments which result in the loss of residential units (DCC Reg. Ref. 2409/20; ABP 309215).
- The Dublin Conservation Officer agrees that the existing extension can be removed and replaced and thus it is clear that the extant extension to the rear of No. 24 cannot reasonably be considered to contribute to the architectural heritage character of the Protected Structures.
- Neither the NIAH or Dublin Civic Trust consider the later annexes or buildings to the rear of the properties to be of any special significance.
- The risks of wear-and-tear and the introduction of ensembles to accommodate the proposed use are the same as those that would present for long-term residential (presumably multi-occupancy) use of the buildings. Hotel use cannot reasonably be considered to necessarily damage the special architectural heritage values of the buildings.

- The Applicant met all the recommendations contained in the Conservation Officers Report: two ensuite bedrooms per floor as recommended by the Conservation Officer; omission of front lobby; omission of the ground floor bedroom and design of an alternative fire safety strategy.
- The appraisals by Christine Casey (2005), the Dublin Civic Trust (2012) and the NIAH (2016) all emphasised the importance of the original Georgian terrace and the survival of the early appearance of the rear elevations. The provision of protection for the nearby No. 10 South Frederick Street as an archaeological monument under the National Monuments Acts 1930 to 2014 reinforces the significance of the Georgian houses on South Frederick Street.
- Many warehouses are of architectural heritage significance as they contribute to the streetscape and urban grain or are examples of experimentation and innovation in design, function or technology. However, the warehouse at No. 24 does not share any of these special architectural heritage characteristics. The warehouse was permanently cut off from warehouse or retail use 50 years ago when the original stable lane was removed and built erasing the entire rear streetscape of the terrace. This warehouse was not considered by multiple authorities to retain significant architectural heritage value or to contribute to the architectural heritage values of the Protected Structures. The warehouse should more reasonably be considered a defunct remnant of a past Victorian alteration (itself much-altered during the 20th century) to a Georgian house.
- Other mews buildings of adjacent structures on the terrace were entirely removed during the construction of the Setanta Centre a half century ago.
- The original party wall was removed in the 19th century and replaced with a new boundary marker in the form of the north wall of the warehouse.
- The Conservation Officer has inappropriately reworded Policy 11.1.5.3 of the Development Plan to state *“proposal for amalgamation between protected structures **(and in this case historic building plots)** which would comprise the original plan form will be considered unacceptable where they adversely affect the historic integrity and special interest of the structure. Breaches between party walls will not be considered acceptable in sensitive parts of the protected structures”*. Text in bold inserted by CO. The Applicant argues that

this policy is limited and restricted to the interior of the Protected Structure and not the historic plot boundary.

6.2. **Planning Authority Response**

No response received.

6.3. **Observations**

None.

7.0 **Assessment**

I have examined the file and considered national and local policies and guidance and inspected the site. I have assessed the proposed development including all the documentation on file. I am satisfied that the issues raised are as follows:

7.1. **Principle of the Development**

- 7.1.1. The subject site is located within zoning objective Z5 which seeks '*to consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity*'. Hotel is permissible within this zoning. It is proposed that the hotel accommodation is to be functionally linked to the Trinity Townhouse Hotel (located at Nos. 12, 29 and 30 Frederick Street). Section 14.8.5 of the Development Plan outlines that the primary purpose of this use zone is to sustain life within the centre of the city through a dynamic mix of uses which interact with each other, help create a sense of community, and which sustain the vitality of the inner city both by day and night. It is stated that, ideally, this mix should occur both vertically and horizontally, and that while a general mix of uses (e.g. retail, commercial, residential etc.) will be encouraged throughout the area, retail will be the predominant use at ground floor on the principal shopping streets. I consider that the proposed reception (No. 24) and breakfast area (No. 25) at ground floor level would provide an active street frontage on Frederick Street South (see Dwg. No. 1907-A-PL-02-014 Additional Information).
- 7.1.2. The first reason for refusal states that the proposed development would be contrary to the Core Strategy as the proposal would result in the permanent loss of residential

units within an area designated as a Rent Pressure Zone. The Local Authority first queried whether or not No. 25 was in residential use in the RFI. I note that the Local Authority did not make such an inquiry with respect to No. 24. The Applicant outlined in the Response for Further Information (July 2021) that the upper floors of No. 25 are regularly registered as office use and that commercial rates are paid demonstrating same. Furthermore, it is stated that a commercial lease and service agreement is in place for the use of all floor levels of No. 25. A copy of the lease was included with the Response. The Applicant reaffirmed in the First Party Appeal that the upper level of the subject premises is not in residential use. I did not have full access to the buildings during my site visit and as such, I cannot confirm if there is any residential use present on the upper floors. Notwithstanding this, I concur with the Applicant that even if the upper floor of No. 25 was to be in residential use, the proposed development would not result in a significant loss of residential units.

7.1.3. While I note the Conservation Officer's preference for the site to be brought into long-term residential use, I consider the principle of developing a hotel is acceptable having regard to the applicable land use zoning. In addition, the location of the development in such close proximity to sustainable transport modes such as Luas and bus services, as well as within close walking distances of tourism hotspots supports the development as a sustainably located hotel. I consider that the proposed use is acceptable at this location and would not lead to an over-concentration or excessive scale of any particular use that would undermine the Development Plan objectives to maintain a dynamic mix of uses in the area. In terms of the alterations to the buildings to accommodate the proposed hotel use and the intensification of the site, I concur with the Applicant that it is likely that alterations would also be required to accommodate multifamily units in the structures.

7.1.4. In conclusion, I consider that the proposed development can be viewed positively in the policy context and that the proposal is in accordance with the overall objectives of Z5 areas. On the basis of the above it is clear that the proposed development is acceptable in principle.

7.2. Main Buildings

- 7.2.1. In my view, the Conservation Officer's reports, dated 20th November 2020 and 27th September 2021, respectively, are somewhat contradictory. The Conservation Officer initially stated that the introduction of three ensuite bedrooms plus entrance lobbies is wholly unsympathetic and has no cognisance of the significance of the special architectural character of the building nor the legibility of its historic floor plan. The Conservation Officer stated that "*It was requested at pre-planning stage that a compromise the CO [c]ould accept the front room historic footprint to remain fully intact, with the rear room facilitating intervention for the ensuite, i.e. only 2 bedrooms per floor.*" However, despite the Applicant revising the proposed development to provide two bedrooms per floor space, the Officer did not make any new comments in relation to the revised plans, but rather repeated that the proposal would be wholly unsympathetic in the updated Report (27th September 2021).
- 7.2.2. In terms of the proposed amendments to the two main buildings as presented as part of the RFI Response, I am satisfied that they will not adversely impact the Structures' architectural heritage value. I note that the works proposed to No. 24 at lower ground floor level involve *inter alia* the removal of an existing 1737 heritage door (also proposed at ground and first floor levels) at the foot of the stairs and widening the doorway to provide for a new larger one. The Architectural Heritage Impact Assessment (dated September 2020) states that the amendments to the layout of the lower ground floor will alter the layout and character of the level and that the changes are not easily reversible. Whilst I agree with the comments, I do not consider that the proposed amendments will significantly impact the overall integrity of the Structures' architectural heritage. The proposal will provide for four bedrooms in the main building (and a courtyard, and ancillary hotel accommodation in the proposed rear extension) at lower ground floor level (see Dwg. No. 1907-A-PL-02-013, Additional Information).
- 7.2.3. Significant amendments were proposed at RFI stage to the originally proposed scheme at ground floor level, resulting in the omission of the proposed lobby in No. 25 and the provision of the reception in No. 24 and the breakfast area in No. 25. Inclusion of a water misting system for fire safety purposes significantly reduced the extent of intervention with the original floor plans. With the exception of the provision of an accessible bedroom in No. 24, which would result in the construction of minor partition walls, and one interconnecting link between No. 24 and 25, otherwise the overall

layout of this floor level will largely remain intact. In terms of the first floor level, the partition wall between the two main front rooms would be removed to provide for one bedroom in No. 24. In addition, minor alterations involving the partial removal of walls and construction of new partition walls would be required to provide for two bedrooms per floor in each building. Similarly natured works are proposed at second and third floor levels in each building. I consider these works to be acceptable. The replacement of the non-original PVC windows to the rear of the existing properties with sliding sash timber windows is welcomed.

- 7.2.4. In summary, whilst the alterations to the main building's historic floor plans are regrettable, I am satisfied that the proposed works would not adversely impact the structures' overall architectural heritage value and would facilitate the buildings being maintained in active use. In addition, I am satisfied that the proposed amendments to the front elevations (i.e. the provision of two emergency lights and a brass sign) will not negatively impact the buildings' character.

7.3. **Proposed Rear Extension**

Demolition of Warehouse and Rear Extensions

- 7.3.1. The proposed development involves the demolition of the warehouse and extension to No. 25 and extensions to No. 24. The Conservation Officer argued that the demolition of the historic warehouse structure would cause serious injury to the form, features, legibility and fabric, which contribute to the special character of the Protected Structures. The Officer stated that the warehouse to the rear of No. 25 is a characterful building and has been present to the rear of No. 25 for more than 150 years.
- 7.3.2. The Applicant's Architectural Heritage Impact Assessment (dated August 2021) states that neither Christine Casey (*Dublin – the city within the Grand and Royal Canal and the Circular Road with the Phoenix Park*, 2005), the Dublin Civic Trust (2012) or the NIAH's description of Nos. 24 and 25 make no reference to the warehouse or rear structures behind the main buildings. The Applicant states that many warehouses are of architectural heritage significance as they contribute to the streetscape and urban grain or are examples of experimentation and innovation in design, function or technology. However, the warehouse does not share any of these special architectural heritage characteristics. The warehouse was permanently cut off from warehouse or retail use 50 years ago when the original stable lane was removed and built on

(Setanta Centre), erasing the entire rear streetscape of the terrace. The warehouse is merely a remnant of a past alteration to a Georgian house. The Applicant further states that the provision of protection for No. 10 South Frederick Street as an archaeological monument under the National Monuments Acts 1930 to 2014 reinforces the significance of the Georgian houses on South Frederick Street.

- 7.3.3. Having regard to the Architectural Heritage Impact Assessment (dated August 2021) and structural survey, I am satisfied that the existing rear extensions and warehouse to the main buildings do not retain significant architectural value. Having regard to the foregoing, I do not consider the principle of demolition of the warehouses to be unacceptable.

Party Wall

- 7.3.4. In terms of the rear party wall between the two subject plots, the Conservation Officer states that it dates from the 1800s at the time of the construction of the rear warehouse. The Officer argued that the loss of the party wall and amalgamation of the plots would not be supported. On the contrary, the Applicant states that the original party wall between the two plots appears to have been removed throughout the nineteenth century, and replaced by the north elevation of the extant warehouse to the rear of No. 25. Furthermore, the Applicant states that there was no trace of any Georgian or early boundary wall observed during a site visit in August 2021. The Applicant concludes that there is no surviving historic party wall between No. 24 and No. 25. I am satisfied that the Architectural Heritage Impact Assessment (dated August 2021) is robust. As such, I consider that the removal of the warehouse and by default the party wall between the two plots to be acceptable. I note that the design of the proposed rear extension emphasises the line of the original party wall through the use of materials (white plaster on No. 24 and cream colour brick façade on No. 25).

Proposed Rear Extension

- 7.3.5. In my view, the originally proposed two storey (lower ground and ground floor levels) first proposed by the Applicant could be considered acceptable in terms of its scale and massing, use of materials and its overall impact on the Protected Structures, I do not consider that that the revised four storey (lower ground to third floor) is acceptable. The lift shaft extends to 10.34m in height, while the rear extension along No. 24 has a parapet height of 8.84m and a parapet height of 7.86m along No. 25 (see Dwg. No.

1907-A-PL-04-005 Additional Information). The extension has a width of approx.10.5m. As such, despite the NIAH highlighting the importance of the buildings' rear elevations, the elevations would largely be screened off. Notwithstanding that the rear elevation is not fully visible due to the development of the Setanta Centre (see Dwg. No. 1907-A-PL-04-006), the bulky nature of the proposal would not complement the Structures. While the extension through the use of materials and setback distance, would to some degree maintain the legibility of the historic building form on the plots and would be disguisable to the original buildings, by reason of its inappropriate scale, massing and height on a confined site, it would detract from the architectural character and setting of the Protected Structures and the wider terrace. Whilst the proposal's plot ratio may be below the indicative standards outlined in the Development Plan, I consider the proposal to be excessive and would represent an overdevelopment of the subject site. Owing to the visual dominance and mass and height of the rear extension, the proposed development would not only have a significant negative impact on the character and integrity of the subject Protected Structures, but also on the character and setting of the neighbouring Protected Structures (see Dwg. Nos. 1907-A-PL-04-008 and 1907-A-PL-04-009). Having regard to the proposed water storage and misting system proposed in the revised extension, but which is not in the original proposal, and the benefit of this system in terms of reducing the interference with the main buildings, in my view it is not feasible to recommend permission be granted for the original proposal. Accordingly, I recommend that planning permission is refused for the proposed development.

8.0 Appropriate Assessment

- 8.1.1. The proposed development involves the change of use of two inner city buildings to hotel use and the construction of a rear extension to provide for a total of 21 No. bedrooms on a brownfield site of c. 390 sq m. It is proposed to connect to the existing surface water and wastewater network serving the area. The surrounding area is predominantly composed of artificial surfaces and is characterised by a mix of largely commercial and retail development of varying scale.
- 8.1.2. Having regard to the minor nature of the proposed development and the location of the site in a serviced urban area and the separation distance to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the

development would be likely to have a significant effect individually or in combination with other plans or projects on a European site. I note that a screening statement prepared by Wright Ecology was submitted with the planning application documentation, which comes to the same conclusion (i.e. Stage 2 Appropriate Assessment is not required).

9.0 Recommendation

I recommend that planning permission be refused for the proposed development based on the reasons and considerations set out below.

10.0 Reasons and Considerations

Having regard to the special architectural heritage interest of the existing Georgian townhouses on the narrow plots at a prominent central city location and which are included on the record of protected structures, it is considered that the proposed rear extension would constitute a visually obtrusive form of development due to its design, form, scale height and proportions, and would represent an overdevelopment of the subject site which would adversely affect the character and setting of the protected structures. As a result, the proposed development would be contrary to Section 11.1.5.1 and Policy CHC 2(d) of the Dublin City Development Plan 2016- 2022, would set precedent for similar development and would be contrary to the proper planning and sustainable development of the area.

Susan Clarke
Planning Inspector

19th August 2022