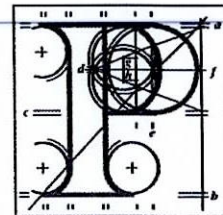


**Our Case Number:** ABP-313509-22

**Your Reference:** Dalata Hotel Group Plc



**An  
Bord  
Pleanála**

Dave Coakley  
Coakley O'Neill Town Planning  
NSC Campus  
Mahon  
Co. Cork

**Date:** 22th July 2022

**Re:** BusConnects Belfield/Blackrock to City Centre Core Bus Corridor Scheme  
Co. Dublin

Dear Sir,

An Bord Pleanála has received your recent submission on behalf of your client in relation to the above-mentioned proposed road development and will take it into consideration in its determination of the matter. As your client is a listed landowner on the Compulsory Purchase Order schedule, there is no fee required. A refund of €50 will issue to the debit/credit card used to make the payment.

Please note that the proposed road development shall not be carried out unless the Board has approved it or approved it with modifications.

The Board has also received an application for confirmation of a compulsory purchase order which relates to this proposed road development. The Board has absolute discretion to hold an oral hearing in respect of any application before it, in accordance with section 218 of the Planning and Development Act 2000, as amended. Accordingly, the Board will inform you in due course on this matter. The Board shall also make a decision on both applications at the same time.

If you have any queries in relation to this matter, please contact the undersigned officer of the Board.

Please quote the above-mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,

Sarah Caulfield  
Executive Officer  
Direct Line: 01-873 7287

HA02A

Tell	Tel	(01) 858 8100
Glaos Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Strategic Infrastructure Department  
An Bord Pleanála  
64 Marlborough Street  
Dublin 1

Our Ref: CON22122

12<sup>th</sup> July 2022

**RE: OBSERVATION ON STRATEGIC INFRASTRUCTURE DEVELOPMENT ABP REF: HA29N.313509.  
BUSCONNECTS BELFIELD/BLACKROCK TO CITY CENTRE CORE BUS CORRIDOR SCHEME AND  
ASSOCIATED COMPULSORY PURCHASE ORDER APPLICATION .**

A Chara,

We, Coakley O'Neill Town Planning Ltd. of NSC Campus, Mahon, Co. Cork, are instructed by our clients, Dalata Hotel Group Plc. of 4<sup>th</sup> Floor, Burton Court, Burton Hall Drive, Sandyford, Dublin 18 to make this observation to An Bord Pleanála in relation to the proposed BusConnects Belfield/Blackrock to City Centre Core Bus corridor scheme lodged on the 6<sup>th</sup> May 2022 under the Strategic Infrastructure Development Process which concerns lands at the Clayton Hotel Ballsbridge on the Merrion Road in Dublin 4.

We note the last date for an observation is the 12<sup>th</sup> July 2022.

Our clients have a material interest in this application as lands in their ownership fronting onto Merrion Road are outlined as being subject to both permanent and temporary acquisition.

We wish to highlight that our clients are not objecting to the scheme as a whole. They are very supportive of any scheme that promotes more sustainable forms of transport within Dublin City, which will alleviate the pressure placed on our roads by cars.

However, our clients cannot wholly accept the proposal in its current iteration owing to the potential harmful and detrimental impacts it may have on the continued operation of the Clayton Hotel Ballsbridge going forward, in addition to undermining its significant architectural heritage and the protected structure status arising as a result of same.

Hereunder we set out their concerns in relation to same.

## Introduction

Dalata Hotel Group Plc, is Ireland's largest hotel operator, with a current portfolio of 48 three and four star hotels, either owned, leased or managed, with approximately 10,500 rooms. Dalata successfully operate Ireland's two largest hotel brands, the Clayton and the Maldrón Hotels across Ireland and the UK, as well as managing a portfolio of partner hotels. The company has 5 operating hotel sites within the jurisdiction of Dublin City Council including the Clayton Hotel Ballsbridge.

## Site Location and Description

The hotel the subject of this observation is located in the Ballsbridge area of Dublin, approximately 3.5km to the south of the City centre. It is situated at the junction of Simonscourt Road and Merrion Road.

The Four Seasons Hotel is situated on the opposite side of Simonscourt Road, and the British Embassy is located immediately to the south. The RDS Arena is located nearby, along Simonscourt Road. The stadium hosts concerts, football and equestrian events and is the home grounds for Leinster Rugby.

The hotel site has a stated area of 0.9ha and comprises a substantial hotel building with a mature landscaped garden fronting onto the adjoining public roads. The main vehicular entrance to the hotel is off Simonscourt Road and the main pedestrian entrance is off Merrion Road. To the east, on the opposite side of the Merrion Road are residential areas.

The original building on the site, Thomas Prior House, built in the late 1800s, functioned as a school and it is a protected structure under the Dublin City Development Plan (Ref: 5089). The site was most recently redeveloped in the 1980s/1990s which saw it developed as a hotel and entailed major alterations and extensions, including two new bedroom wings and a very substantial underground element. This includes two basement levels of car parking, over which is a part basement floor.

The hotel currently has 341 bedrooms and consists of three principal building elements, all interconnected through corridors; the centrally positioned Masonic Female Orphan School, the school's assembly hall, Thomas Prior Hall, and a modern bedroom wing extension. The footprint of the building creates two courtyards.

Accommodation is split over the hotel's main five floors, plus 13 bedrooms which sit within an existing rooftop / sixth level which extends across approximately a third of the building's footprint. A mature landscaped area to the front onto Merrion Road contributes to the setting of the buildings.





Figure 1 – Site location in context of surrounding area

## Planning History

First developed as a hotel in the late 1980s, the site has been subject to a significant number of planning permissions since, the most relevant of which are as follows:

- Application Reg. Ref: 1232/97:** Conditional planning permission granted to Rhode (Ireland) Limited on the 22<sup>nd</sup> December 1997 to for apart-hotel development including the demolition of part of existing school building and back wall but preservation of front facades, tower and entire Hall Building in addition to the extensive preservation of existing trees and front lawns together with the erection of new five and six storey extensions. The development was to have a gross floor area of 21,080 sqm and provide 308 Guest Rooms with 179 car spaces to be located underground on two levels. The development to include meeting rooms together with a self-contained private health club of 1,030 sq. metres and restaurant of 440 sq. metres to be located at basement level. The permission granted was subject to 14 no. planning conditions. The development was commenced in late 1998 (Commencement Ref:981047)
- Application Reg. Ref: 2125/98, Appeal Case Reference PL.29S.109694:** Conditional planning permission granted to Rhode (Ireland) Limited by An d Bord Pleanála on the 19 April 1999 for five storey extension consisting of five additional guest rooms having a floor area of 130sq m to be located at end of rear block at junction with Simmons Court Road, within previously approved apart-hotel development. This permission was subject to 2 no. conditions This development was commenced in late 1999, (Commencement Ref: 992147)



- **Application Reg. Ref: 2126/98, Appeal Case Reference PL.29S.109690:** Conditional planning permission granted to Rhode (Ireland) Limited by An Bord Pleanála on the 19 April 1999 for change of use from leisure centre to twenty one guest rooms and four meetings at lower ground level within previously approved apart-hotel. This permission was subject to 1 No. planning condition. The development was commenced in late 1999, (Commencement Ref: 992146).
- **Application Reg. Ref: 2129/98, Appeal Case Reference PL.29S.109537:** Conditional planning permission granted to Rhode (Ireland) Limited by An Bord Pleanála on the 14<sup>th</sup> June 1999 for conversion of existing single storey hall for use as Restaurant with associated Basement Kitchen/Service area in lieu of previously sought Guest Rooms, together with 45 additional underground car spaces within previously approved apart-hotel. This permission was subject to 3 no. planning conditions. the use of the Hall as a restaurant was not acted upon.
- **Application Reg. Ref: 1308/99:** Conditional planning permission granted to Rhode (Ireland) Limited on the 21<sup>st</sup> July 1999 for the retention of alterations and extensions which occurred during the development of an Apart-Hotel at Thomas Prior House. Extensions to comprise additional floor area of 993sqm and to be located at Basement levels 1 & 2. Works to consist of relocation of car-ramp, reconfiguration of kitchen and plant rooms and loss of 17 car spaces; provision of underground water tank; storage space and additional 6 car spaces; additional 5 car spaces; and minor alterations to new facades on east and south elevations. This permission was subject to 2 no. planning conditions.
- **Application Reg. Ref: 2980/00:** Conditional planning permission granted to Rhode (Ireland) Limited on the 14<sup>th</sup> December 2000 for retention of five meeting rooms at basement level (ref 2129/98) and retention of two additional basement extensions to accommodate associated stairs and lift shaft providing access to hotel reception area and access to basement car park and directly to the exterior including disabled access, all to originally approved hotel development ref 1232/97. This permission was granted subject to 3 no. planning conditions.
- **Application Reg. Ref: 2710/08, Appeal Case Reference PL29S.231223:** Conditional planning permission granted to Thomas Prior (Ballsbridge) Limited on the 5<sup>th</sup> May 2009 for the use of the existing single-storey Thomas Prior Hall as a Hotel Function Room with ancillary private bar with new satellite kitchen and toilet facilities all being part of Bewley's Hotel, protected structure. Application sought in compliance with condition 3 of the original planning permission obtained for the development of the hotel under Grant Order P6725 dated 22 December 1997 and as replacement for the planning permission previously granted for a restaurant under ref 2129/98 (14 June 1999), the validity of which at this point expired. Works to involve restoration and conservation of existing unoccupied hall including retention of principal internal and external features; new matching timber wall panelling roof trusses, timber ceiling sheeting, roof vents and balcony features; glass and window work; removal of timbers where necessary to eliminate damp/rot; new kitchen facilities to service function room; cleaning of stone and brickwork externally; new roof at lobby; new fire doors. This permission was subject to 8 no. planning conditions. Condition no.4 of the City Council's permission was modified on the 29<sup>th</sup> April 2009 by An Bord Pleanála under appeal case reference PL29S.231223



- Application Reg. Ref: 3565/16:** Conditional permission was granted on the 7<sup>th</sup> March 2017 for development as follows: PROTECTED STRUCTURE: Permission for development which will consist of:
  - The demolition of existing fifth floor pitched roof structures,
  - The construction of a two storey extension to the east facing gable end of the northern bedroom wing to provide 4 No bedrooms,
  - The construction of a single storey roof top extension on the northern bedroom wing to provide 22 no. bedrooms,
  - The construction of a single storey roof top extension to the southern bedroom wing to provide 11 no. bedrooms and
  - All associated site and development works.

A total of 37 no. new bedrooms are proposed. The proposed development is within the curtilage of a PROTECTED STRUCTURE, Thomas Prior House, Ref:5086.

### Local Planning Policy

The relevant statutory development plan which governs the site remains the Dublin City Development Plan 2016-2022 until such time as the upcoming Dublin City Development Plan 2022-2028 is adopted. Extensive policy guidance is given in relation to the preservation of Dublin City's architectural heritage, and more specifically that of protected structures.

The site is zoned **Z1 - Sustainable Residential Neighbourhoods**, whose objective is to *protect, provide and improve residential amenities*.



Figure 2 – Site generally outlined in red zoned Z1 in context of Dublin City Development Plan 2016-2022

Further commentary is provided by way of the following:

*The vision for residential development in the city is one where a wide range of accommodation is available within sustainable communities where residents are within easy reach of services, open space and facilities such as shops, education, leisure, community facilities and amenities, on foot and by public transport and where adequate public transport provides good access to employment, the city centre and the key district centres.*

The property is identified on the Council **Register of Record of Protected Structures**. Reference 5089 refers to Thomas Prior House (former Masonic Female Orphan School) and includes its former assembly hall.

As stated previously, extensive policy guidance is provided within the Plan in relation to Dublin City's built heritage. Of particular note are the following objectives outlined in **Section 11.1.5 Policies and Objectives**:

**CHC1:** *To seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city.*

In relation to protected structures, Dublin City's Record of Protected Structures totals more than 8,500 entries. The following objectives are outlined in the Development Plan concerning same.

**CHC2:** *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**

*(e) Protect architectural items of interest from damage or theft while buildings are empty or during course of works*

*(f) Have regard to ecological considerations for example, protection of species such as bats.*

The development plan also notes the following in relation to the curtilage of protected structures:

*The curtilage of a Protected Structure is often an essential part of the structure's special interest. **In certain circumstances, the curtilage may comprise a clearly defined garden or grounds, which may have been laid out to complement the design or function.** However, the curtilage of a structure can also be expansive and can be affected by development at some distance away.*



Observation

This observation is made in relation to the BusConnects Belfield/Blackrock to City Centre Core Bus Corridor Scheme. As outlined previously, our clients have significant interest in the proposal owing to the potential negative impact of the scheme on their hotel, portions of which are being subject to both permanent and temporary acquisition. The extent of this is highlighted in Figure 3 below.

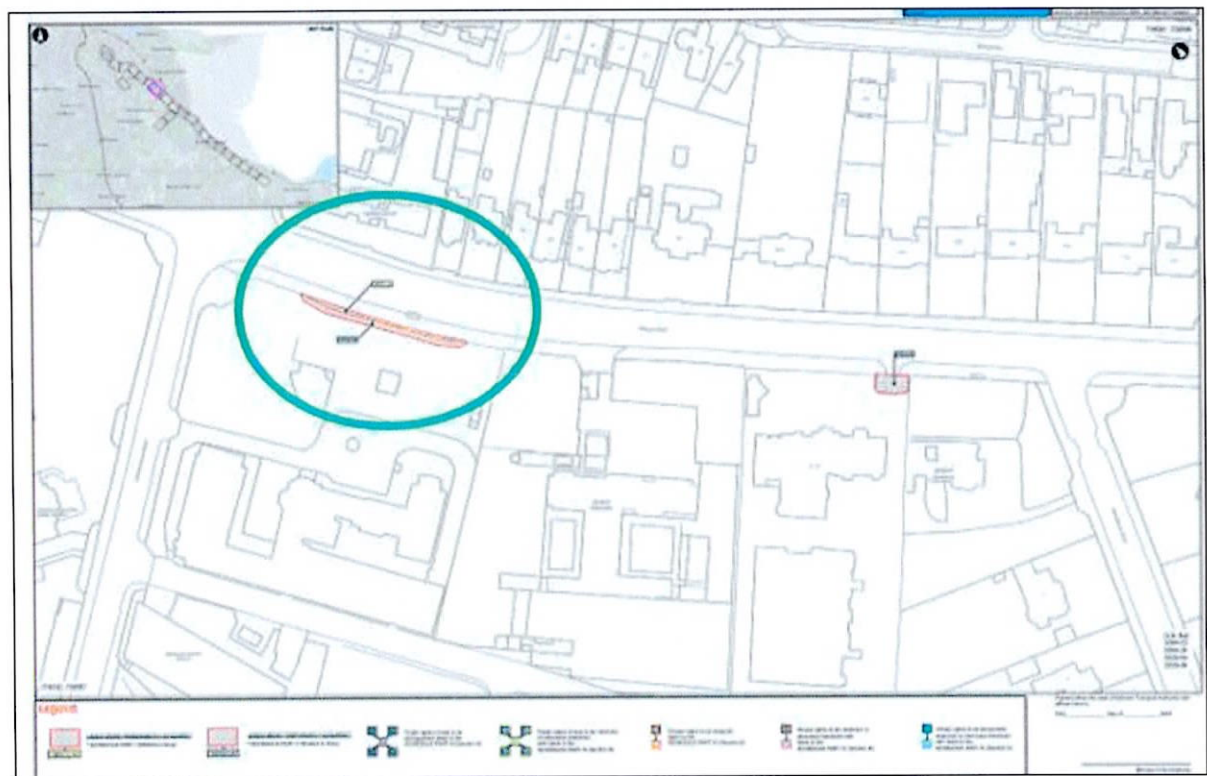


Figure 3 – Lands subject to permanent and temporary acquisition



Figure 4 – View of site from Merrion Road



As evident above, the proposed BusConnects scheme seeks permission for the acquisition of land in our clients ownership. This consists of a portion of the landscaped garden and iron fencing which fronts onto Merrion Road. This is outlined as follows:

- 44.6m<sup>2</sup> of land is to be permanently acquired by the Council under Part 1 of the CPO – **CPO Ref: 1007(1).1c**
- A further 115.1m<sup>2</sup> is to be temporarily acquired by the Council under Part 2 of the CPO – **CPO Ref: 1007(2).2c**

In making this observation, our clients wish to highlight their concerns with respect to the proposed works to the front of their property, in addition to the CPO acquisition of these lands. The lands in question provide extensive frontage onto Merrion Road. As a result, the loss of land both permanently and temporarily to accommodate the BusConnects route will have serious implications for the overall context of the site's existing built heritage character.

The current Hotel sits on a 10-acre site in South Dublin City and consists of 3 principal building elements; The centrally positioned Masonic Female Orphan School, dating from 1881, The school's assembly hall, Thomas Prior Hall (built c. 1891), to the South East and a bedroom wing extension dating from the seventies /eighties when the school was converted to Bewley's Hotel.

As highlighted above, the Hotel is a protected structure as prescribed under RPS No. 5086. This extends to the overall curtilage of the site, not just the existing structures, and as such, the preservation of the sites external gardens and boundary fencing carries the same importance as that of the existing buildings. This is a point of emphasis under **Objective CHC2 (d)** of the current City Development Plan which states:

***(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.***

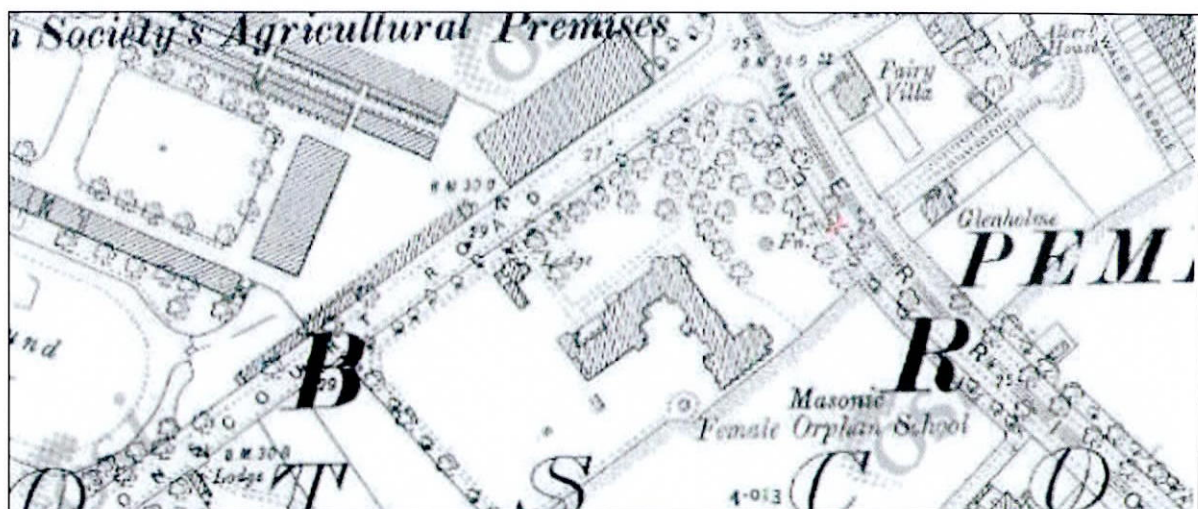


Figure 5 – Historic 25" map – 1897 -1917

The landscaped gardens to the front of the buildings form a unique and important setting and have formed part of the built heritage of the site since first constructed, as can be seen in the Historic 25" map extract above and in Figure 6 below.

In addition, it is important in the context of this submission that the hotel building is purposefully set back from the busy Merrion Road with the large, landscaped garden creating a buffer zone between traffic and hotel.



Figure 6: Landscaped setting viewed from Merrion Road.

The Architectural Impact Assessment submitted with the most recent planning application at the site, concluded:

*The building is of architectural significance and is a fine example of Queen Anne style. It has been very well preserved and is one of the most famously grand buildings in Dublin. The design of the building is also provocative to history students, and no doubt the odd conspiracy theorist, as it is distinctly marked by motifs and designs associated with the tradition of Freemasonry.*

*The building is both historically and socially significant, and connection to the building is a continuing source of pride to the masonic order as well as past students and staff.*

The proposed development seeks permission to incorporate a significant portion of this frontage onto Merrion Road to facilitate road widening measures to support the scheme put forward.



To earmark these land parcels for CPO to accommodate the BusConnects scheme would, it is submitted, seriously injure the overall built heritage value of the site as a whole and warrants attention by the Board.

It runs contrary to the Guidelines for Planning Authorities on Architectural Heritage Protection and the policies and objectives relating to same in the Dublin City Development Plan, 2016 on the basis that it will have an undue negative impact upon the Protected Structure on the site.

It is submitted that the exclusion of this element of the scheme will have no material effect on the benefits of the proposed BusConnects scheme and would not in any way undermine its overall objective of facilitating sustainable transportation in the city, which, it must be pointed out, should be properly achieved without undue negative impacts upon its architectural heritage.

For these reasons, our clients wish to state their objection to the CPO acquisition put forward by the National Transport Authority in respect of their lands, in addition to their associated SID Application to An Bord Pleanála as it relates to same.

Please forward all correspondence in relation to this observation this office.

Is Mise le Meas,

A handwritten signature in black ink, appearing to read 'Alan O'Callaghan'.

---

Alan O'Callaghan,  
Coakley O'Neill Town Planning Ltd.