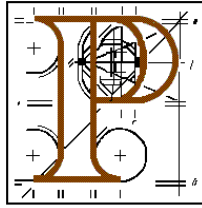


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

Dublin City

Planning Register Reference Number: WEB1196/12

An Bord Pleanála Reference Number: PL 29N.242067

APPEAL by Alice Hanratty and others of 4 Henrietta Street, Dublin against the decision made on the 10th day of May, 2013 by Dublin City Council to grant subject to conditions a permission to Commissioners of Public Works in Ireland care of O'Connor Whelan of 6 Northbrook Road, Ranelagh, Dublin.

PROPOSED DEVELOPMENT: A Memorial to the Victims of Abuse in institutions involving the creation of a covered walkway through an existing podium and connecting a new hard and soft landscaped civic area located at the western extremity of the Garden of Remembrance. The new civic area incorporates seating, water features, feature lighting and sculptured elements. The proposal also provides for a gated opening in the railings along Parnell Square West to access the memorial, new service access gates to Parnell Square North and all associated site development works (the application site area measures 2,140 square metres), development all at the Garden of Remembrance, Parnell Square, Dublin (as revised by the further public notice received by the planning authority on the 15th day of April, 2013 which included significant further information).

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. The proposed development would be partly located within the Garden of Remembrance at Parnell Square which is a designated Conservation Area in the Dublin City Development Plan, 2011 to 2017. The design and conception of the garden rely on an axial layout which directs attention towards the raised podium containing the Lir statue. The proposed development, which would introduce a new opening directly on this axis would detract from the architectural coherence of the space, would damage its legibility and would significantly transform the nature of the space from that which was originally conceived. The proposed development would, therefore, seriously detract from the amenity of the space, would be in conflict with policy FC26 of the said Development Plan which seeks to protect and conserve the city's cultural and built heritage, would be in conflict with policy FC41 of the said Development Plan which seeks to protect and conserve the special interest and character of Conservation Areas, and would not be in accordance with the proper planning and sustainable development of the area.

2. The Garden of Remembrance is a State memorial which is used for State ceremonial occasions and in this regard it is of national importance. Having regard to the location of the proposed development to the rear of the raised podium, the proposed physical connection between a second unrelated memorial and the existing memorial by way of a passageway under the raised podium, the removal of the central section of the podium steps which form part of the processional route through the Garden of Remembrance, and the overlapping nature of the two memorials, it is considered that, notwithstanding the importance of the creation of a memorial to commemorate the victims of institutional abuse, the proposed development would have an adverse impact on the setting, character and function of the Garden of Remembrance. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2013.