



An  
Bord  
Pleanála

## Board Order ABP-302881-18

### Planning and Development Acts, 2000 to 2018

#### Planning Authority: Dublin City Council

**Application** by Dublin City Council and PSQ Developments Ltd for approval under section 175 of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an environmental impact assessment report lodged with An Bord Pleanála on the 26<sup>th</sup> October 2018.

**Proposed Development:** The proposed Parnell Square Cultural Quarter Development, including the New Dublin City Library and associated public realm works along Parnell Square North, comprising change of use, adaptive re-use of and extension to Nos. 23 - 28 Parnell Square North and the change of use and adaptive reuse of Nos. 20 - 21 Parnell Square North to provide a new library and cultural development, described as follows:

1. The adaptive reuse works to the Protected Structures Nos. 23 – 28 Parnell Square and Nos. 20 - 21 Parnell Square North include:

Change of use to all Protected Structures, from Institutional to Library and Cultural use, and including c. 344 sq.m. restaurant (basement and ground floor level), in Nos. 27 – 28. Alterations to rear façade to facilitate interconnection of the new extension to the rear of Nos. 23 - 27 including new bridge connections. Additional storey (plant room) part to rear of No. 27. Alterations to rear fenestration including provision of fire rated screens.

Provision of secondary glazing screens in No. 27. Façade remedial repair works and pointing renewal. Restoration of stone façade entrance to No. 23 including alterations to reinstate entrance with provision of new stepped entrance. Removal of entrance steps to No. 27 and provision of new ramped entrance with new door surround. Removal of existing signage and provision of new signage. Reordering of entrance to Nos. 20 and 21 including removal of steps to No. 21 and provision of new ramped entrance. Relocation of Memorial to Miami Showband. Provision of new internal lift to No. 26. Removal of 20th Century staircase in No. 26. Removal of staircase in No. 24 serving third floor level. Provision of external platform lift and new stairs serving basement level to Nos. 27 and 28. Provision of new stair serving basement to No. 23. Removal of existing cement render to the gables of No.20 (west elevation) and No. 23 (east elevation) and the repair, repoint and/or renewal of render to existing brick work. Roof renewal works to retained roofs of Nos. 20, 21, 23, 24 and 28 and the provision of new roofs to Nos. 25, 26 and 27 including roof terrace to Nos. 25 and 26. Provision of new rooflights. Reordering of internal layouts including removal of existing 20th Century subdivision and provision of new internal subdivision. Formation of new internal openings and alteration of existing openings. Alteration to and repair of external railings with provision of new gates and service hoist lift in front of No. 28. Structural upgrade strengthening works to floors. Acoustic upgrade works to floors. Improvement of the fire safety standard of the building incorporating improvement of the fire resistance of the building fabric including walls and floors; improvements to the fire protection of escape routes including upgrading of doors, lighting, services installation, signage, fire detection and alarm systems and life safety systems. Provision of new mechanical and electrical service installation including provision of vertical risers and horizontal distribution service ducts. Structural upgrade works to stairs and strengthening work to balustrades. Decoration and finishes renewal and repair. Provision of new stair to No. 27. Removal of 20th Century external balcony to front elevation of Nos. 20 and 21. Upgrade work to windows to be retained and replacement of twentieth century timber sash windows. External render renewal works. Internal plaster renewal works. Repair and renewal of

internal joinery. Alteration of floor levels and provision of internal ramps to accommodate changes in level. Repair and renewal of floor finishes. Lowering of basement floors and under pinning. Repairs and refurbishment works to front areas including ironworks and stonework. Conservation works to stone elements.

2. Demolition of: a 3 storey Amharclann (theatre) building and single storey link to the rear of Nos. 23 – 28 Parnell Square, and a two-storey return to the rear of No. 23 Parnell Square. The combined floor area of buildings to be demolished on site is c.2,000 sq.m.
3. A new extension cultural building, 5,720 sq.m. gross floor area, 5 storey in height over a single level basement (779 sq.m.) to the rear of Nos. 23 – 28 Parnell Square. The new building will accommodate: Library and Cultural Facilities and associated facilities including: 200 seater conference room and performance space, including 8 no. staff cycle parking spaces.
4. The total gross floor area (existing and new building) of the proposed Library and Cultural use amounts to c.11,198 sq.m.
5. Associated site development and boundary works, plant area, external roof garden and terraces.
6. Improvements to the public realm including a reconfigured roadway to facilitate a new public realm area, covering c.0.56 Ha of the existing public realm along Parnell Square North from Parnell West to Parnell East and between the Garden of Remembrance (to the south) and the New Dublin City Library, Hugh Lane Gallery (to the north). The public realm area includes for a two lane vehicular road, design including: widened footpaths, street furniture and the retention of historic paving, public street lighting, the reconfiguration of pedestrian crossing junctions at Parnell East and Parnell West, the relocation of 5 no. mobility impaired on street parking spaces, reconfigured set down areas including the removal of 47 no. on street car parking spaces,

and the relocation of the existing Dublin Bikes Facility and 100 no. cycle parking spaces.

7. Reconfiguration and site level changes at Bethesda Place and Frederick Lane North to facilitate fire tender, loading bay and service vehicles access.

The overall site area is c.0.99 hectares.

All at 23-28 Parnell Square (former Colaiste Mhuire School) and 20-21 Parnell Square (all Protected Structures), located either side of Hugh Lane Gallery (Protected Structure), Parnell Square North, Dublin 1, and otherwise generally bounded by Parnell Square North, East and West, the Garden of Remembrance to the south, Granby Row, Parnell Court, Bethesda Place, Sheridan Place/Court, Frederick Lane North and Frederick Street North to the North.

## **Decision**

**Approve the above proposed development based on the reasons and considerations under and subject to the conditions 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**

Having regard to the following:

- (a) EU legislation including in particular:

- The relevant provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU (EIA Directive) on the assessment of the effects of certain public and private projects on the environment,
- Directive 92/43/EEC (Habitats Directive) and Directive 79/409/EEC as amended by 2009/147/EC (Birds Directives) which set the requirements for Conservation of Natural Habitats and of Wild Fauna and Flora throughout the European Union.

(b) National Legislation including in particular:

- Section 175 of the Planning and Development Act 2000 (as amended) which sets out the provisions in relation to local authority projects which are subject to Environmental Impact Assessment (EIA).

(c) National Policy and Guidance including in particular:

- Architectural Heritage Protection: Guidelines for Planning Authorities, 2011, which sets out advice and recommendations relating to the protection of structures and the preservation of the character of conservation areas.
- The Design Manual for Urban Roads and Streets, 2013, which provides guidance on how to approach the design of urban streets in a more balanced way.

(d) Regional Policy including in particular:

- The Transport Strategy for the Greater Dublin Area 2016-2035, which includes aims and measures for improving conditions for pedestrians in Dublin City.

(e) Local Planning Policy including in particular:

- The provisions of Dublin City Development Plan 2016-2022, including Objective CHCO32 which seeks “to promote and facilitate the development of a mixed-use cultural facility in Parnell Square anchored

by a new City Library, stimulating the regeneration of the north inner city.”

- Dublin City Centre – Public Realm Study and Implementation Plan, 2016, which identifies The Parnell Square Cultural Quarter Project as a flagship project for the city.

(f) The following matters:

- the nature, scale and design of the proposed works as set out in the application for approval and the pattern of development in the vicinity,
- the documentation and submissions of the Local Authority, including the environmental impact assessment report and associated documentation submitted with the application, and the range of mitigation and monitoring measures proposed,
- other relevant guidance documents,
- the submissions and observations made to An Bord Pleanála in connection with the application,
- the likely consequences for the environment and the proper planning and sustainable development of the area in which it is proposed to carry out the proposed development and the likely significant effects of the proposed development on European sites, and
- the report and recommendation of the inspector including the examination, analysis and evaluation undertaken in relation to appropriate assessment screening and environmental impact assessment.

### **Appropriate Assessment Screening:**

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on designated European sites. The Board noted that the proposed development is not directly connected with or

necessary to the management of a European Site. The Board considered the nature, scale and location of the proposed development, the appropriate assessment screening report submitted with the application, the submissions on file and the report of the Inspector. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant effect on European sites, in view of the sites' conservation objectives, and a Stage 2 Appropriate Assessment (and submission of an NIS) is not therefore required.

### **Environmental Impact Assessment:**

The Board completed in compliance with section 172 of the Planning and Development Act 2000 an environmental impact assessment of the proposed development, taking into account:

- (a) the nature, scale, location, and extent of the proposed development;
- (b) the Environmental Impact Assessment Report and associated documentation submitted with the application;
- (c) the submissions from the applicant and the prescribed bodies;
- (d) the Planning Inspector's report.

The Board considered that the Environmental Impact Assessment Report, supported by the information submitted by the applicant identifies and describes adequately the direct, indirect and cumulative effects of the proposed development on the environment. The Board is satisfied that the information contained in the EIAR complies with the provisions of EU Directive 2014/52/EU amending Directive 2011/92/EU.

The Board agreed with the summary and examination, set out in the Inspector's report, of the information contained in the Environmental Impact Assessment Report and associated documentation submitted by the applicant and submissions made in the course of the application. The Board is satisfied that the Inspector's report sets out how these were addressed in the assessment and recommendation including environmental conditions and are incorporated into the Board's decision.

The Board completed an environmental impact assessment in relation to the proposed development and concluded that, subject to the implementation of the mitigation measures proposed, as set out in Section 6 of Volume 1 of the EIAR 'Summary of Mitigation Measures', and, subject to compliance with the conditions set out herein, the effects on the environment of the proposed development by itself and cumulatively with other development in the vicinity would be acceptable. In doing so, the Board adopted the report and conclusions of the reporting inspector.

The Board considered that the main significant direct and indirect effects of the proposed development on the environment are, and will be mitigated as follows:

- Positive long term impacts on population and human health through the creation of aesthetically pleasing indoor and outdoor public areas that will improve the townscape and visual setting and encourage increased physical activity.
- Positive impacts on movement and transportation in the vicinity of the site through widening of footpaths, provision of improved pedestrian crossings and traffic calming.
- Major positive impact is the provision of a new and sustainable function for currently vacant and unused protected structures - restoration, extension and reuse of the protected structures will also have an overall positive impact on the conservation area surroundings and the public realm in this area. A "do nothing" scenario in this case, whereby the current state of the site environment continues to evolve without the proposed project, would result in seriously adverse impacts for the condition of the protected structures.
- Adverse interventions to protected structures to include provision of Universal Access; removal of return to No. 23; and adjustment of rear window openings to form bridge access to new extension – mitigated by the fact that alterations are being carried out to the less intact No's. 25, 26 and 27 rather than more intact houses.
- Adverse impacts on population and human health in terms of adjoining residential amenity during the construction phase from noise, vibration,



dust, contaminated material, traffic and visual impact – mitigated through compliance with the Construction Management & Waste Management Plan and measures outlined with the waste management section of the Environmental Impact Assessment Report.

The Board is satisfied that this reasoned conclusion is up to date at the time of taking this decision.

### **Proper Planning and Sustainable Development:**

The proposed development is in accordance with the aims and objectives of the Dublin City Development Plan, 2016-2022 and is therefore acceptable in principle. Parnell Square North will develop as a destination where many cultural facilities and activities are co-located to give a special character to the area. The proposed use is appropriate for the protected structures and the special interest, character and setting of the buildings will be protected into the future. The proposed works to the public realm represent an acceptable contribution towards place-making that will generate a largely positive impact on the amenities of the area. Subject to amendment, the proposed street layout is acceptable in comparison to the current situation on the ground, and having regard to the potential usage of public realm along Parnell Square North. The Board concluded that the proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

### **Conditions**

1. The proposed development shall be carried out and completed in accordance with the plans and particulars, including the environmental impact assessment report (EIAR), and other associated documentation, lodged with An Bord Pleanála on the 26th day of October 2018, except as may otherwise be required in order to comply with the conditions set out below. Where any mitigation measures set out in the Environmental Impact Assessment Report or any conditions of this Approval require further details to be prepared by or on behalf of the Local Authority, these details

shall be placed on the file and retained as part of the public record.

**Reason:** In the interest of clarity and the proper planning and sustainable development of the area and to ensure the protection of the environment.

2. The proposed development shall be amended as follows:
  - (a) Parnell Square North shall be treated as a shared surface.
  - (b) Vehicular entry to Parnell Square North from Parnell Square West shall be reduced from two lanes to one lane, and may provide facility for bus and coach drop off/pick up on the eastern part of Parnell Square North.
  - (c) A segregated two-way cycle way shall be provided.
  - (d) The pedestrian crossing at Granby Row on Parnell Square West shall be relocated in a southerly direction to align with the widened footpath in front of the proposed Library.

Revised drawings showing compliance with these requirements shall be placed on the file and retained as part of the public record.

**Reason:** In the interest of pedestrian and traffic safety.

3. The mitigation measures and associated monitoring outlined in the plans and particulars relating to the development, including the environmental impact assessment report submitted with this application as set out in Section 6 of Volume 1 of the EIAR 'Summary of Mitigation Measures', shall be carried out in full except as may otherwise be required in order to comply with other conditions.

Prior to commencement of the development, details of a time schedule for implementation of the mitigation measures and associated monitoring shall be prepared by or on behalf of the Local Authority, these details shall be

placed on the file and retained as part of the public record.

**Reason:** In the interest of clarity and protection of the environment and in the interest of public health.

4. Prior to the commencement of development, the developer or any agent acting on its behalf shall prepare a Construction and Environmental Management Plan (CEMP) including demonstration of proposals to adhere to best practice and protocols. The CEMP shall include specific proposals as to how the CEMP will be measured and monitored for effectiveness, these details shall be placed on the file and retained as part of the public record.

**Reason:** In the interest of protecting the environment and public health.

5. Prior to commencement of development, the developer shall consult with the National Transport Authority with regard to proposals for the interface between Parnell Square North and the Core Bus Corridors (east and westside), and shall comply with NTA requirements in this regard, provided that such requirements do not conflict with condition No. 2 of this approval.

**Reason:** To protect the bus network.

6. The following conservation requirements shall be complied with:
  - (a) A conservation expert shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.
  - (b) All works to the protected structures shall be carried out in accordance with best conservation practice as detailed in the

application and the “Architectural Heritage Protection Guidelines for Planning Authorities” issued by the Department of the Environment, Heritage and Local Government in 2004 (as amended in 2011). Any repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

- (c) All existing original features, including interior and exterior fittings/features, joinery, plasterwork, features (including cornices and ceiling mouldings), staircases including balusters, handrail and skirting boards, shall be protected during the course of refurbishment.
- (d) All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric, in particular to the external stone/ brick work and replacement windows. Full repair and reinstatement schedules (condition surveys, specifications and methodologies) to avoid loss or damage to original fabric and ensure that the character of this protected structure is not altered shall be placed on the file and retained as part of the public record.
- (e) A schedule of condition and associated repairs of the historic plasterwork (plain and decorative to be retained) and clarification of all restoration works, thermal and damp upgrading works (to avoid adverse impact on breathability and historic character) to be confirmed with conservation staff.
- (f) Upgrading measures triggered by Building Regulations to have regard to the architectural significance of the protected structure/complex and to be based on a managed solution retaining

original fabric and character.

- (g) Samples of materials and site exemplars of site workmanship with respect to external repairs and restoration shall be placed on the file and retained as part of the public record.

**Reason:** To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

- 7. The developer shall facilitate the preservation, recording and protection of archaeological materials or features which exist within the site and these details shall be placed on the file and retained as part of the public record.

The developer shall also comply with the following requirements: -

- (a) satisfactory arrangements shall be put in place for the execution (or supervision) by a suitably qualified archaeologist of all archaeological excavations, investigations and site development works.
- (b) The archaeologist shall advise on such measures as may be necessary to ensure that any damage to the remaining archaeological material is avoided or minimised. In this regard, the proposed locations of piled foundations, shall be the subject of continuing review and full details of any revisions to the proposed location or levels of pipe caps, ground beams, service trenches or other subsurface works shall be placed on the file and retained as part of the public record.
- (c) Satisfactory arrangements for post-excavation research and the recording, removal and storage, of any archaeological remains which may be considered appropriate to remove, shall be placed on the file and retained as part of the public record. In this regard, a comprehensive report on the completed archaeological excavation shall be prepared within a period of six months or within such

extended period as may be agreed with the planning authority.

This report shall, in particular, include reference to the following matters: -

- (i) The evidence (if any) of later mediaeval occupation or activity on the site.
- (ii) The physical topography and natural environment of the site, prior to mediaeval occupation.

**Reason:** In order to conserve the archaeological heritage of the site, it is considered reasonable that the developer should facilitate the preservation by record of any archaeological features or materials which may exist within it. In this regard, it is considered reasonable that the developer should be responsible for carrying out properly supervised archaeological excavations in circumstances where the permitted development works would be likely to result in the unavoidable disturbance or destruction of such features or materials.

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

**Dated this          day of    2019**