

Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 3057/20

APPEAL by The Marist Educational Authority care of Louis Burke of The Studio, 33a Wasdale Park, Terenure, Dublin against the decision made on the 22nd day of January, 2021 by Dublin City Council to refuse permission to The Marist Educational Authority.

Proposed Development The works include the removal of the two-storey prefabricated buildings and the demolition of the original church, currently used as a gym, in order to construct a new three-storey over basement building incorporating a new gym and ancillary storage at basement level, fitness suite at basement mezzanine level, library, canteen and social space at ground floor level, two number science rooms with associated preparation room, tiered lecture hall and computer rooms at first floor level, two further science rooms with associated preparation room, two number technical graphics and the upper level of the tiered lecture hall at second floor level, arts and crafts room on the southern side and open soft surfaced recreational area on the northern side at third floor level together with other ancillary spaces for offices, toilets and service rooms at various levels. Solar panels and north light roof windows will be fitted at roof level over the arts and crafts room. Surface water will be harvested. 89 and 90 will be refurbished for use as administration and support offices and 91 and 92 will be refurbished for use as

residential apartments incorporating two number two-bedroomed duplex apartments at ground and basement level, two number one-bedroomed apartments at first floor level and two number three-bedroomed duplex apartments at second and third floor levels with other associated ancillary uses in two-storey over basement return building at 92. Numbers 89, 90, 91 and 92 are Protected Structures – Reference Numbers 4444, 4445, 4446 and 4447 in the Dublin City Council Record of Protected Structures. The works include the removal of all subterranean ancillary extensions to the rear of 89 to 92 to create a soft landscaped garden for the full width of the houses for use by staff and students to the rear of 89 and 90 and to provide private open space for the residential units in 91 and 92. The western gable wall of the redundant church/gym building will be retained, incorporated into the façade of the new building and linked to the existing student access corridor from Leeson Street Lower by way of a suspended bridge, with full glazing to wall and roof, over the new landscaped garden. The stained glass windows within this building will be salvaged and incorporated into the new building in appropriate locations. It is intended that the standard bricks and the arch bricks and granite elements will also be salvaged and incorporated into the southern and western facades of the new building to form a cloister over the sunken landscaped area on the southern side and a balcony to the Library over the landscaped garden on the western side. The works to the administration block will include modifications to connect this building to the new building to provide gym toilets and changing rooms at basement level, a new music room, toilets at ground floor level, classroom and ancillary toilets at first and second floor level and a new additional floor at third floor level. There will be internal modifications to the classroom block at all levels. The exam hall will be subdivided into construction studies rooms with materials delivery from Quinns Lane. The existing canteen will be subdivided into four number Junior School classrooms. A temporary construction access is to be formed from Quinns Lane to the site for the duration of the build, all at Catholic University School (CUS), 89, 90, 91 and 92 Leeson Street Lower, Dublin (Protected Structures).

Decision

REFUSE permission for the above proposed development in accordance with 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

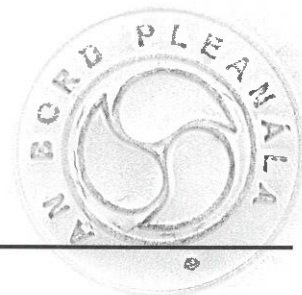
The Chapel Building is a building of significant architectural heritage value, which has been identified as that of regional importance by the National Inventory of Architectural Heritage and lies within the curtilage of the Record of Protected Structures Numbers 4444, 4445, 4446 and 4447, as identified in the Dublin City Development Plan's Record of Protected Structures. Having regard to Section 57 (10) (b) of the Planning and Development Act 2001 as amended, which allows for the demolition of a protected structure or proposed protected structure, only in exceptional circumstances, the "Architectural Heritage Protection Guidelines for Planning Authorities" issued by the Department of Arts, Heritage and the Gaeltacht 2011, which strongly discourages façade retention of protected structures under Section 6.8.17, and the policies and objectives of the Dublin City Development Plan 2016 - 2022, in particular policies CHC2 and CHC5, which "require the strongest justification, including professional input with specialist knowledge so that all options receive serious consideration", and to the submissions on the file, it is considered that the proposed development would result in permanent, irreversible and significant loss of a protected building that contributes to the character and setting of the Protected Structures and, notwithstanding the

nature of the constrained urban site, the Board is not satisfied that the proposed demolition of the chapel building, retention of the gable façade and the salvage and incorporation of elements of the chapel into the proposed new building has been sufficiently justified with regard to the overall site. Furthermore, it is considered that the proposed development would be contrary to Section 57 (10) (b) of the Planning and Development Act 2001, as amended, the “Architectural Heritage Protection Guidelines for Planning Authorities” issued by the Department of Arts, Heritage and the Gaeltacht in 2011, and policies CHC2 and CHC5 of the Dublin City Development Plan 2016 - 2022 and would, therefore, be contrary to the proper planning and sustainable development of the area.



Michelle Fagan

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



Dated this 21st day of January 2022.