



Planning and Development Acts 2000 to 2021

Planning Authority: Dublin City Council

Planning Register Reference Number: 2587/21

APPEAL by Richard Smyth care of Hughes Planning and Development Consultants of 85 Merrion Square, Dublin against the decision made on the 8th day of June, 2021 by Dublin City Council to refuse permission.

Proposed Development: (i) Demolition of numbers 73 and 74 Francis Street and demolition of number 72 Francis Street with the exception of this buildings original front (western) façade, (ii) refurbishment of the front (western) facade of number 72, construction of a replacement facade to the front of number 74 to match the height of number 72 and construction of a replacement facade to the front of number 73 (from first to third floor level) to match the height of numbers 72 and 74, (iii) redevelopment of numbers 72 to 74 from basement to third floor level (number 74 will be of similar height to numbers 72 and 73 whilst containing three levels over basement only), (iv) amalgamation of the redeveloped numbers 72 to 74 and construction of a three-storey contemporary extension above, and (v) all ancillary works necessary to facilitate the proposed development. The works will allow for the provision of a seven-storey over basement level mixed-use building comprising (a) 24 number apartments (six number studio, six number one bedroom, nine number two-bedroom and three number three bedroom) each served by private amenity space and provided with access to a first floor level communal

garden and cycle parking at ground and basement floor level, (b) 505 square metres of commercial space, in the form of a café (156 square metres), three number retail units (184 square metres), co-working space (73 square metres) and a multi-purpose space for education exercise and community uses (92 square metres), served by cycle parking at ground floor level, and (c) basement level storage/plant room, all at 72 to 74 Francis Street, Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.

Reasons and Considerations

1. Policy 16.10.17 of the Dublin City Council Development Plan 2016-2022 provides that 'the planning authority will actively seek the retention and re-use of buildings/structures of historic, architectural, cultural, artistic and/or local interest or buildings which make a positive contribution to the character and identity of streetscapes and the sustainable development of the city'. Buildings numbers 73 and 74 Francis Street which are proposed to be demolished have been identified by the National Inventory of Architectural Heritage (NIAH) as being of Architectural interest and have been afforded a 'regional rating'. The buildings make a positive contribution to the historic area and of the understanding of the architectural, historic and cultural development of the City. The demolition of the early buildings would lie contrary to Policy 16.10.17 of the development plan. Furthermore the demolition of the subject buildings within the Thomas Street and Environs Architectural Conservation Area would be contrary Policy CHC5 of the development plan which seeks to protect the setting of Architectural Conservation Areas and resist the total or substantial loss of non-protected structures which are considered to make a positive contribution to the character and appearance of an Architectural Conservation Area, unless it can be



demonstrated that the public benefits of the proposals outweigh the case for retention of the building. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

2. The proposed development by reason of its design, scale, bulk, massing, height, proportions, articulation of façades, materials, and the proposed amalgamation of the historic building plots, would constitute overdevelopment of the site, would not complement the fine grain of the established streetscape, would appear visually incongruous, and would cause serious injury to the setting and amenity of Francis Street within the Thomas Street and Environs Architectural Conservation Area. Such development would be contrary to Policy CHC4 of the Dublin City Development Plan 2016-2022 which seeks to protect the special interest and character of all Dublin's Conservation Areas and requires that development within or affecting a conservation area must contribute positively to its character and distinctiveness and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.



Chris McGarry

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 2nd day of September 2022.