



An
Bord
Pleanála

Inspector's Report PL29.248110

Development	Demolition of three storey building, re-route vehicular ramp from car park through footprint, resurface and landscape site.
Location	13 Abbey Street
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	4255/16
Applicant(s)	Irish Life Assurance
Type of Application	Permission
Planning Authority Decision	Refuse
Type of Appeal	First Party
Appellant(s)	Irish Life Assurance
Observer(s)	An Taisce
Date of Site Inspection	31 st May 2017
Inspector	Suzanne Kehely

1.0 Site Location and Description

- 1.1. The site is part of the Irish Life Centre complex between Abbey Street and Talbot Street. The development site fronts Abbey Street Lower and Northumberland Place (a short cul-de-sac with on-street parking) and is presently occupied by a three storey red brick building known as The Salvation Army Building and a car park vehicular and pedestrian route to the basement car park for the complex.
- 1.2. A luas line fronts the development site and notably an overhead cable fixing is attached to it.
- 1.3. The building dates from the early 1900s and is included in the NIAH, (please refer for detailed description) and it is one of three older buildings on this side of Abbey Street between Marlborough Street and Gardiner Street that pre-date the Irish Life Centre 1970s development.
- 1.4. It is a red brick three storey over basement building to the front and single storey over basement to the rear. It has a decorative principal entrance façade with a distinctive exaggerated gable and parapet and incorporates the words 'The Salvation Army' in the frieze beneath the first floor windows. The fenestrated facade turns the corner of Abbey Street and Northumberland Place. Stepped and stone mounted wrought iron railings define the boundary along the site frontages. A gate through the railings provides access to external steps to the basement /sous terrain. There are arched caverns under the footpath – evidence of an earlier building than that presently above ground. The building has been internally remodelled over the decades and was occupied until recent years by the Salvation Army. The layout comprises open plan accommodation at basement and ground floor levels with kitchen facilities and former living accommodation at upper floor levels. The building is in a state of disrepair – as evidenced by water penetration, pigeon nesting and general lack of upkeep. Some original features include joinery and a fireplace.
- 1.5. The 1970s block is arranged in a series of modern blocks faced in reflective glazing, they are organised around two main plazas – the principal being one further east. The development also incorporates roof gardens

- 1.6. Construction work is ongoing within the complex – the former Irish Life Bar has been removed and the plaza and pedestrian areas has been repaved in a cohesive design extending from the main plaza to the east to the roof garden on the western side.
- 1.7. Vehicular Access arrangements have been revised such that Northumberland Place is now a point of egress from the basement car park onto Abbey Street. (Previously it was an entrance point) and access is now off Beresford /Gardiner street. Pedestrian access is available from a wide footpath alongside the egress lane from the car park to Abbey Street and there are also stairs from the lobby off the plaza which serves as access to both the shopping mall and office complex. This has been remodelled up to the mall area which is subject a separate planning proposal for refurbishment. The units are substantially empty with the exception of some café/sandwich bars. Though pedestrian access to Talbot street remains.

2.0 Proposed Development

- 2.1. There are three main elements:
 - Demolition of the Salvation Army building
 - Realignment of car park exit route from basement to Abbey street
 - Landscaping works
- 2.2. Ancillary works involve extending the plaza by incorporating Northumberland Place and paving it up to Abbey Street carriageway to become Northumberland Square. The exposed elevation consequent on demolition is shown as a green wall with a variety of climbing plants. (see proposed frontal view of Northumberland Square drawing.)
- 2.3. The landscape works involve removing 3 on-street car park spaces and replacement with bicycle parking
- 2.4. The application is accompanied by a landscape architects report and a planning report which both explain the design rational for widening and enhancing the public realm. This builds on the works to date pursuant to recent permission in relation to the refurbishment and the removal of The Irish Life Bar in what is now an open paved plaza.

2.5. The application is also accompanied by conservation assessment reports (The original assessment carried out by Ann Cuffe Fitzgerald and a subsequent peer reviewed assessment carried out by Robert Mandal). The latter refers to the NIAH inclusion of the building and its regional importance due to its special architectural style and its social history. The conservation assessment believes the building to be of local rather than regional importance for its modest twentieth century architectural expression and not because of any special architectural interest although a record of its elements should be made in the event of demolition.

3.0 Planning Authority Decision

3.1. Decision

Refusal of permission

- The existing building is one of a cluster of cultural and religious buildings which contribute to an important historic streetscape along Lower Abbey Street. The proposed demolition of the building which is considered to be of architectural and cultural significance in order to provide for revised vehicular arrangements and improvements to the public realm is not justified and would set an undesirable precedent for demolition of buildings with streetscape value for this reason. The proposal is considered to be contrary to development plan policy including CHC1 which is 'to seek the preservation of the built heritage of the city that makes a positive contribution to the character appearance and quality of the local streetscape as and the sustainable development of the city,' and to the proper planning and sustainable development of the area.
- Contravention of a condition of permission which requires the omission of the demolition of no. 13.

3.2. Planning Authority Reports

3.2.1. Planning Report

- Cites policy regarding strengthening civic design character and sustain city life through mixed use

- While not in an ACA, policy CHC1 seeks preservation of built heritage that makes a positive contribution to the character appearance and quality of local streetscapes
- Notes the previous permission for refurbishment works and the extension of the subject proposals notwithstanding. However, attention is drawn to the previous consideration of the proposed demolition of no.13; it was clarified in further information in that case that the building could be viably refurbished however the planning authority considered that the Square could still function as high quality space by maintaining no.13 and required the omission of its demolition.
- Notes the conservation section assessment of no. 13 in the previous proposal to demolish. In this case it was considered to be one of an unusual collection of historic cultural religious buildings which contribute to the character, construction, social evolution and scale of Abbey Street and the incremental loss of buildings for the reasons proposed should not be considered appropriate to planning and managing a historic city centre. The building was considered to be an authentic, viable and architecturally and culturally important structure with surviving features and structural integrity and its removal for improved access was not considered justified.
- Notes the building to be in scale and keeping with older buildings on Abbey Street rather than the 1970s Irish Life complex which provided a poor interface with the street as constructed. While it is acknowledged that the proposed landscaping would enhance the public realm it is not considered to be entirely justified having regard to its streetscape value

3.2.2. Other Technical Reports

- Drainage: no objection
- Roads and Traffic
 - Refers to extant permission for rerouting of car park access/egress and other refurbishment works. Northumberland Square in charge
 - Development would change the nature of the square from a service /emergency entrance to a new public street/square

- Notes the landscaping would involve loss of three public on-street spaces no objection to this.
- Refers to need for further information in an application for a public house in premises on opposite corner of Northumberland square
- Concern about loss of servicing area and pressure on Abbey Street where there is limited scope for loading/unloading
- No substantial objection to priority pedestrianisation subject to conditions.

3.3. Prescribed Bodies

- Irish Water: No report received
- TII: overhead Luas lines connected to building. no objection subject to conditions
- Iarnrod Eireann: No objections subject to conditions in relation to height restrictions for nearby bridge.

3.4. Third Party Observations

Councillor Ciaran Cuffe objects to the proposal to demolish no. 13. While the enhancement of the public realm is acknowledged is it not considered to be justified having regard to the streetscape value of the building and its historical heritage. The loss of the building would remove an element of human scaled development on the street. If demolished it should be dismantled and reconstructed on the vacant site at Marlborough street/Place.

4.0 Planning History

- 2369/16 refers to grant of permission for refurbishment works to the Irish Life site (1.1ha) to include extensive improvement works in the public realm including demolition of public house in Northumberland Square, paving and landscaping and reversal of public car park access/egress. Permission was granted but excluded by condition the demolition of no.13 which is the subject of the current proposal.

- 3660/16 refers to application for a change of use at 12 b (protected structure) and 12c Abbey Street to a licensed premises (restaurant/bar). Submitted documentation from the planning authority confirms further information requested.

5.0 Policy Context

5.1. Development Plan

The site is within area Z5 where it is an objective to consolidate and facilitate the development of the central area and to identify reinforce strengthen and protects its civic design character and dignity.

The site is not within an Architectural Conservation area. Nor is it in a Category 1 or 2 Shopping street. The site is not included in the current Record of Protected Structure's but is included in the National Inventory of Architectural Heritage being of Regional significance. Policy CHC1 of the Development plan is to seek the preservation of he built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscape and the sustainable development of the city.

5.2. Natural Heritage Designations

5.3. The following European sites are within close proximity to the development site.

- North Dublin Bay SAC (000206)
- South Dublin Bay SAC (000210)
- South Dublin Bay and River Tolka Estuary SPA (004024)
- North Bull Island SPA (004006)

5.4. National Inventory of Architectural Heritage

- No 13 Abbey Street the Salvation Army Hall is included in the NIAH and is record no 50010290

6.0 Grounds of Appeal

- Insufficient weight to policies which encourage renewal, permeability and public realm.
- The primary purpose is to enhance the public realm and not facilitate enhancement of car park access/egress.
- Insufficient weight to streetscape and townscape benefit in the context of the stature of no.13 by reference to two detailed conservation appraisals. The building is not protected.
- It is a privately funded enhancement of the public realm integrating both publicly accessible private spaces and the public street which will enhance the pedestrian experience.
- The demolition of no 13 is a key element of enhancing the public realm.
- Significant works have been carried out and can be viewed.
- The proposal will increase the visibility of and utility of Northumberland Square and will reveal a series of hidden spaces and gardens such as Abbey Court Garden and Talbot Mall.
- It would unlock benefits compatible with the 2016 City Centre Public Realm Masterplan.
- Additional photomontages can be provided if required.

7.0 Responses

7.1. Planning Authority Response

- No further comments

7.2. Observations

- An Taisce: Requests that the decision of Dublin City is upheld. The architectural merits of no.13 are described:
 - The Dutch gable- the use of which is also evident in no. 44 Talbot Street.

- It is referred to in Buildings of Ireland (2005) in which only a selection of buildings are described in various streets. It is described as a narrow three bay three storey redbrick building with a stepped gable and quirky overhead classical detailing.
- Its role in a group context which includes the granite former Savings Bank (protected) and the Baptist Church.
- The building contributes to the varied and interesting range of architectural heritage found on Lr Abbey Street such the former Scots Presbyterian Church and Parish Hall, the Abbey Theatre, Wynn's Hotel and four storey terraced shop buildings rebuilt on historic plots as well as the terraced premises built by the Wide Street Commissioners.

7.3. Further Submissions by Prescribed Bodies

- Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs: The building is of architectural and social interest and was recommended for inclusion in the Record of Protected Structures in 2015 by the Minister of this Department. Its unusual design makes a noteworthy and positive contribution to the historic streetscape. It is one of the few pre-1916 buildings on the street.
- TII: refers to close proximity to Luas line and the need to ensure no adverse impact. Contribution Scheme Levy for the Luas Cross City may apply if particular works not exempted.
- National Transport Authority: No comment

8.0 Assessment

8.1. Issues

- 8.1.1. This appeal is against the decision to refuse permission for the demolition of a prominent redbrick early 20th century (1910) building for the intended purpose of ultimately enhancing the public realm. The demolition would allow for the realignment of the car park exit route which would in turn provide for an extended plaza from within the pedestrian circulation areas within the Irish life complex and

incorporate the public footpaths and public carriageway including three car park spaces. There are some minor traffic management issues but the overriding issue relates to loss of historic fabric versus enhancing the public realm. Appropriate Assessment is also a mandatory issue.

8.2. Traffic

- 8.2.1. The proposal does not involve a change in egress or access – in so far as it is proposed to maintain egress from the Irish Life public car park to Abbey Street via Northumberland Place. Similarly, it is not seeking a change the access point off Gardiner Street/Beresford Place. This rerouting was carried out pursuant to permission for a route reversal among other extensive public realm works in 2016. Accordingly, I accept that there is no enhancement of vehicular manoeuvres/flow or car park operation, to the contrary, there will be shift in emphasis to pedestrian use and this is in keeping with both local and regional transport strategies.
- 8.2.2. In terms of localised impact on traffic, the proposed plaza style layout which effectively changes a short stretch of public road, namely Northumberland Place into a plaza, namely Northumberland Square will remove a conventional public service road way and three car park spaces and thereby potentially restrict public servicing area for the immediate environs. The building on the opposite corner of Northumberland Place may not be easily serviced by way of limiting vehicular access for loading/offloading and in this regard it is noted that there is a current proposal for a licensed premise use in this corner building. Restricting access is complicated by the fact there is a Luas line at this point and on-street parking is already restricted. This is raised in the Roads/Traffic division although ultimately there is no objection in principle. I agree that this matter could be addressed by a traffic management plan and access arrangements. I note neither the TII nor the NTA have issues with the principle of the proposal. I do not consider traffic issues to reasonably constitute grounds for refusal of permission.

8.3. Demolition v Conservation

- 8.3.1. In the conservation assessment reports submitted by the applicant, the historical architectural evolution of the environs of the Irish Life Centre is catalogued in detail.

While contributing to the wider positive impact of redevelopment in terms of building and viability in the area, it is acknowledged that the Irish Life Centre architecturally disregarded its juxta-positioning with historic fabric. It is stated for example that the boundary treatment could do more to complement the remaining 18th and 19th century fabric, where it remains and the wrought iron bridge including its masonry piers and arches.

- 8.3.2. It is evident that the Irish Life Centre has undergone significant visual improvements in terms of enhancing and refurbishing the open spaces within the complex. This is most evident by the removal of the Bar premises and extensive repaving and signposting north of Northumberland Place principally along an east-west axis. The proposed removal of the premises at no.13 and rerouting the car park exit route through this site by shifting it a few metres eastwards alongside the newly exposed gable would allow for a circa 14m wide pedestrian area by an assimilation of the existing carriageway and footpaths into a plaza style extension at this secondary entrance to the complex off Abbey Street. This will introduce a strongly defined route on a north-south axis. The creation of a widened and landscaped entrance would clearly open up access from Abbey Street at this point. The green wall and tree planting would flag the open space along the street. Furthermore, the level access together with proximity to the Luas stop would enhance the connectivity of the complex (which includes a substantially vacant retail mall) and through access to Talbot Street - a designated shopping street. While pedestrian access may be impeded by the need for continued servicing of the scheme, on balance the scheme would potentially enhance pedestrian permeability and contribute to the enlivenment of the area. This I accept is compatible with the Development plan policies regarding urban renewal and enlivenment in the city core.
- 8.3.3. The development however as proposed relies on the demolition of a building of architectural interest by itself and in the streetscape context and for this reason permission was primarily refused. The applicant makes the case that the building is not a protected structure nor is the area an architectural conservation area, accordingly, more weight should be given to the benefits of the public realm enhancement and I accept that there is case in principal to consider demolition.
- 8.3.4. In the first instance, the building has architectural and historical merit, details of which are highlighted by the National Inventory for Architectural Heritage in its record

of the building. This is further elaborated upon by An Taisce and in fairness to the applicant this is acknowledged. The importance in stature is however downplayed by the applicant as being of local interest and of lesser streetscape value than the contribution of the proposed public space. The Development Applications Unit in its comments to the Board however holds the view that the building should be included in the record of protected structures and is therefore against its demolition. This I consider to be a significant factor.

- 8.3.5. It is also important to note that the building is not beyond repair. I inspected the building both internally and in its environs and while I note the extensive internal deterioration and the need for internal remodelling, the limited internal features would not unduly compromise this.
- 8.3.6. Based on the documentary evidence and the views of the building along the street it would appear that the main character is derived from its external elevations which address both Abbey Street and Northumberland Place and also from its social history. The demolition of the building would result in a loss of a building of character. It would also erase a plot dating back most likely to the Georgian era in a street that has managed to retain some historic buildings despite the encroachment of the 1970s grand scale development.
- 8.3.7. While I accept that the proposed development would enhance the public realm, I do not consider the Irish Life complex to be of such architectural merit to warrant the expansion of its style and character in place of historic fabric which relates more appropriately to the scale of original plots and active frontage along Lower Abbey Street. Nor do I consider there is a viability case to warrant the demolition works.
- 8.3.8. Alternatively, there is scope to narrow the route from the car park, open up the back of no.13 by removing the plant/service area, remove on-street parking and repave as part of an extended plaza. The refurbishment and re-use of the subject building could similarly flag the entrance to Irish Life Centre. A green wall on the exposed eastern gable of no.13 could for example flag the entrance.
- 8.3.9. Accordingly, in these circumstances I concur with the planning authority that the demolition is unwarranted in the context of proper planning and sustainable development of the area.

8.4. **Appropriate Assessment.**

- 8.4.1. Having regard to the nature of the proposed development which includes demolition and landscaping work and a potential reduction in loading on services in a fully service urban environment and which would also be subject to best practice methods of demolition and construction, I do not consider the proposed development by itself or in combination with other plans or projects would affect the integrity of a European site.

9.0 **Recommendation**

- 9.1. Refusal of permission

10.0 **Reasons and Considerations**

1. The proposed demolition of no 13 Abbey Street – the Salvation Army Building which is included in the National Inventory of Architectural Heritage would result in an unacceptable loss of historic fabric and loss of one of a cluster of cultural and religious buildings which contribute to an important historic streetscape along Lower Abbey Street. The proposed demolition of the building which is considered to be of architectural and cultural significance, in order to provide for revised vehicular arrangements and alterations to the public realm, is not justified and would set an undesirable precedent for demolition of buildings with streetscape value for this reason. The proposal is considered to be contrary to development plan policy including CHC1 which is ‘to seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of the local streetscape’ and would therefore be contrary to the proper planning and sustainable development of the area.

Suzanne Kehely
Senior Planning Inspector

7th June 2017