



An
Bord
Pleanála

Inspector's Report ABP303951-19

Development	Demolition of two-storey return to rear of No. 6 College Street and 29-30 Fleet Street and change of use of Ground Floor to Public House and change of use of upper floors to use as a hostel.
Location	6, 7, 8 & 9 College Street and 28-31 Fleet Street, Dublin 2.
Planning Authority	Dublin City Council.
Planning Authority Reg. Ref.	4650/18.
Applicants	Capital Estate Agents Management Limited.
Type of Application	Permission.
Planning Authority Decision	Refuse.
Type of Appeal	First Party -v- Refusal.
Appellants	Capital Estate Agents Management Limited.
Observers	Transport Infrastructure Ireland.
Date of Site Inspection	7 th June, 2019.
Inspector	Paul Caprani.

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1.0 Introduction

ABP303951-19 relates to a first party appeal against the decision of Dublin City Council to issue notification to refuse planning permission for alterations and a change of use to a group of buildings at the corner of Fleet Street, College Street, Dolier Street and Townsend Street in Dublin City Centre. The alterations include the demolition of part of the existing structures including returns and rear extensions, new extensions and changes of use within the buildings concerned. Dublin City Council issued notification to refuse planning permission for the proposed works for two separate reasons both of which relate to the adverse impact which would arise on the special architectural and historic integrity of the buildings concerned, many of which are protected structures.

2.0 Site Location and Description

- 2.1. The site comprises of an amalgamation of seven buildings located at the eastern apex of the urban block bounded by Westmoreland Street, Fleet Street and College Street. The buildings in question, namely 6, 7, 8 and 9 College Street and Nos. 28, 29 to 31 Fleet Street have a site frontage onto Fleet Street, College Street and also face eastwards towards Townsend Street and Pearse Street Garda Station. All but one of the buildings (9 College Street) are listed on the Record of Protected Structures. No. 9 is located at the eastern end of the site and fronts onto the corner of College Street and Pearse Street opposite the Steine of the Long Stone Monument.
- 2.2. Each of the buildings fronting onto College Street (No. 6 to 9 College Street) comprise of four-storey over basement two-bay brick buildings. The Westin Hotel adjoins the western end of the site.
- 2.3. No. 6 College Green is currently a vacant structure. At ground floor level the building formerly accommodated the Irish Yeast Company. The original late 19th century shopfront remains intact at ground floor level albeit in a somewhat bad state of disrepair. Some of the internal fittings of the original shop are still stored on site. (see photo's attached). The upper floors according to the drawings submitted, appear to be laid out for living accommodation however as the photographs indicate that upper

floors are in a bad state of disrepair notwithstanding the fact the 19th Century room layout and some of the original features (doorways and architraves etc still remain).

- 2.4. No. 7 College Street accommodates a barber shop at ground floor level and hostel rooms associated with No. 8 College Street adjacent. This building has been subject of significant modification in recent years.
- 2.5. No. 8 College Street accommodates a hostel reception area at ground floor level and hostel rooms above. As in the case of No. 7, this building has been subject of significant modification in recent years.
- 2.6. No. 9 College Street and No. 28 Fleet Street the most easterly building at the corner of the site accommodates Doyle's Public House at ground floor level and first floor level and office, kitchen and ancillary accommodation associated with the bar at second floor level. Dormitory rooms associated with the hostel at No. 8 College Street are accommodated on the top floor.
- 2.7. No. 29 and 30 Fleet Street are located along the northern boundary of the site and front onto Fleet Street. These buildings are vacant at ground floor level and accommodate hostel accommodation on the floors above.
- 2.8. Finally, No. 31 Fleet Street accommodates Bowes Public House at ground floor level and further hostel accommodation on the upper floors.
- 2.9. Each of the above buildings also accommodate basement areas which largely mirror the footprint of the buildings above. These basement areas in general accommodate storage, office and staff ancillary areas associated with the public house above. The basement level at No. 7 College Street incorporates storage area associated with the barber shop above whereas the basement area below No. 8 College Street provides basement toilets associated with the hostel.
- 2.10. The subject site is located within a designated Conservation Area and a designated Architectural Conservation Area.

3.0 Proposed Development

- 3.1. Planning permission is sought for the following on the subject site.

(a) At basement level it is proposed to provide new toilets and storage areas in the basement of No. 30 and in part of the basement of No. 29 Fleet Street. These toilets

are to serve an extended Bowes Public House at 31 Fleet Street. The residual basement area will remain as part of Doyle's Pub.

(b) At first floor level it is proposed to reconfigure and alter internal doors, walls and partitions to provide for an extension to Bowes Public House at 31 Fleet Street southwards to incorporate 6 College Street. It is also proposed to incorporate some alterations to No. 29 and 30 Fleet Street in order to provide access to toilet areas and the provision of a new stair access to the basement level of 29 to 30 Fleet Street.

(c) At first, second and third floor levels it is proposed to reconfigure and alter existing doors, walls and partitions within No. 6 College Street and No. 31 Fleet Street in order to create new dormitory accommodation associated with the adjoining hostel. It is also proposed as part of the alterations, to extend into the existing courtyard area between No. 7 College Street and between No. 29 and 30 Fleet Street. It is proposed to provide three new dormitory rooms on each floor (providing an additional 9 hostel dormitories). These new dormitories will be accessed via the existing access at No. 31 Fleet Street.

The proposed development will result in an increase in the floor area of Bowes Public House from 142 square metres to 336 square metres. The existing hostel premises will increase from 1,016 square metres to 1,214 square metres. The proposal will also result in a small decrease in the gross floor area of a recently permitted bar/café to be located at ground floor level at 29 to 30 Fleet Street (decrease in 10 square metres). The proposal will also result in a decrease in the gross floor area of Doyle's Public House (at basement level) from 812 square metres to 743 square metres.

(d) Permission is also sought for the cleaning and refurbishment of the existing building façade and shopfront at No. 6 College Street. The refurbishment works will include removal of the concrete band at parapet level to expose original brickwork. The installation of plaster quoins on the upper floors between Nos. 6 and 7 College Street, the repointing of brickwork on the front elevation and the restoration of the shopfront at ground floor level.

4.0 Planning Authority's Decision

Dublin City Council refused planning permission for two separate reasons which are set out in full below.

1. *Having regard to Section 11.1.5.1(a), (b), (c), (d), (e) and (f) of the Dublin City Development Plan 2016-2022 the proposal would seriously injure the special architectural and historic character and integrity of these significant protected structures. The proposed works including the removal of the rear return, construction of new extensions, and breaches through party walls and the demolition of internal walls, impact on the ground floor shop counter and cabinetry and all associated works would give rise to an unacceptable loss of historic fabric and legibility and would have an irreversibly detrimental and seriously injurious impact on the historic fabric, planned form, integrity and architectural character of this rare and important shop and residence.*
2. *Having regard to Section 11.1.5.1(a), (b), (c), (d), (e) and (f) of the Dublin City Development Plan 2016-2022, the proposal would seriously injure the special architectural and historic character and integrity of these significant protected structures. The proposed extension and lightwell to the rear of No. 31 Fleet Street would have an unacceptable adverse impact on the setting and architectural character of that protected structure (No. 31). Furthermore, the proposed extensions and east of the existing return of No. 6 College Street would have an unacceptable impact on the setting and architectural character of protected structures at Nos. 29 and 30 Fleet Street and No. 7 College Street.*

4.1. Documentation Submitted with the Planning Application

- 4.1.1. The application was accompanied by the following letters and documentation.
- 4.1.2. **Letters of consent** from various landowners which make up the overall planning application site.
- 4.2. A **Conservation Report** prepared by Cathal Crimmins Architect and Historic Building Consultant. It notes that No. 6 College Street is a two-bay four-storey Georgian mid-terrace building with an attractive 19th century shopfront. The report notes that College Street dates from c.1728 however, the block was substantially

rebuilt in the 1790s to the design of the Wide Street Commissioners. The present buildings date to this period.

- 4.2.1. The report goes on to detail the historic background associated with the street and the buildings in question; making reference to various maps, directories, valuations and almanacs. The history of the various land uses on site are also referred to in the report. It notes that uses on the subject site historically included a tavern and a hotel and it is suggested that the proposed use in this instance reinstates these uses. It notes that the Dublin Yeast Company was established on the subject site in the 1890s.
- 4.2.2. It is noted that there is two-storey addition/return to the rear of No. 6 College Street. It states that the historic maps indicate that there has been a return/extension in this location since the 1840s. A map of the 1890s indicates that there was a two-storey return with a glazed lantern above. Inspection of the site revealed that the present return is a poorly constructed replacement. The report contains a detailed photographic survey of all the floors at basement area which is the subject of the current application.
- 4.2.3. In terms of the **condition assessment**, the report notes that subsidence was noted in the front elevation particularly on the west side where the second and third floor cills are dropped as has the brick walling between the two floors. Inspection of the interior revealed considerable damp particularly on the third floor. It is also stated that the first-floor return is in poor condition. It does note however that the building also retains a substantial amount of late 19th century alterations including fireplaces, shop interior and shopfront and is therefore important from both a historical and architectural perspective.
- 4.2.4. The appraisal of the proposed works are assessed as follows:

Positive Impacts The use of the ground floor of No.6 as a public house is appropriate and is suited to be associated with Bowes Traditional Public House. The ground floor footprint is small and awkwardly shaped making it difficult to suit another use.

It is noted that there are serious structural issues associated with the building - especially with the front wall. The brick bay between the front windows has dropped. The building has not been maintained and requires urgent action to prevent further decay. The proposal will return the elevation to its 18th century appearance with a 19th century shopfront.

Neutral impacts are described as the use of the upper floor as hostel accommodation which retains its residential use. It is stated that the conversion of the basement of No. 29 Fleet Street has not impact on the character of the protected structure.

In terms of *negative impacts*, it is stated that there will be a loss of the original fabric in the widening of openings and the creation of new openings. For the property to succeed as a public house there is a requirement for a visual connection between the new bar and the existing bar. However, it is stated that the removal of walls be kept to a minimum.

- 4.2.5. The final section of the report sets out the methodology for conserving the fabric of No. 6 College Street and Nos. 29 to 30 Fleet Street.

Also submitted was a **Planning Report by BMA Planning**. This report sets out details of the site description of the proposed development (see above). Section 4 of the report contains a planning assessment. It states that the principle of development is appropriate as it accords with the principles of refurbishment and reuse of a protected structure. In terms of proposed uses, both public houses and hostels are identified as permissible uses under the Z5 land use zoning objective which relates to the site. Reference is also made to the O'Connell Street and Environs Scheme of Special Planning Control 2016. As the proposed development will provide for intensive reuse and refurbishment of No. 6 College Street, while maintaining the historic fabric of the shopfront and façade of the building, it is considered that the proposal is fully in accordance with the vision and objectives of the O'Connell Street Scheme. In terms of built heritage and conservation, it is also considered that the proposed development is positive. The report concludes by summarising other reports submitted with the application. The details of the planning history associated with the site are also set out as an annex to the planning report.

- 4.2.6. **A Drainage Report and Flood Risk Assessment** was prepared by Fitzsimons Doyle and Associates and submitted with the application. This report provides details of the proposed foul water and surface water arrangements to cater for the proposed development. In respect of flood risk assessment, it notes that the site lies within Zone C as per the Flood Risk Management Guidelines for planning authorities. It concludes that the probability of flooding is low and from a flood perspective, the development is considered appropriate.

- 4.2.7. Also submitted by Fitzsimons Doyle and Associates was a **Structural Report** on the proposed repairs and extension to No. 6 College Street. It details the structural condition of the existing building. It notes that no works are proposed at basement level other than strengthening the ground floor timber joists and fire proofing of the ground floor. On the upper floors it is proposed to lift the boards in each room to examine joist ends for decay. Where appropriate, existing joists will be supplemented. The proposal is to leave the ceilings and corners mouldings intact. It is also proposed to build a four-storey extension to the rear of No. 6. The structure proposed is a steel frame with timber floors, external walls will be lightweight construction using aerated concrete blocks. The new structure is supported at first floor level on a steel frame. The steel frame is supported on bearing pads and concrete beams cast into the existing masonry walls at ground floor level.
- 4.2.8. A **Part L Report for Compliance with the Building Regulations** for non-domestic refurbishment was also submitted by Homan O'Brien. Part L relates to the conservation of fuel and energy.
- 4.2.9. Also submitted was a short report from FCC Fire Safety Engineers. It sets out details of the changes required in order to comply with fire safety requirements.

4.3. **Dublin City Council Assessment**

- 4.3.1. A report from the **Engineering Department** stated that there was no objection to the proposed development subject to compliance with Code of Standards.
- 4.3.2. A report from the **City Archaeologist** states that the proposed development is located within a zone of archaeological constraint and that any works to be undertaken on site should be subject to archaeological monitoring.
- 4.3.3. A report from the **Waste Regulation Section – Waste Management Division** sets out a series of waste protocols which should be complied with if planning permission is granted.
- 4.3.4. A report from **Transport Infrastructure Ireland** notes that the subject development falls within an area for the supplementary development contribution scheme for the Luas Cross City Line. It also requires that the applicant should comply with the Code of Engineering Practice for Works on or near the Luas Light Rail System.

4.3.5. The **Conservation Officer's** report notes that no pre-application consultation was carried out for the proposed works. It states that the building is a rare example of mid-18th century survival which was refaced in the 1820s and retains its original handsome carved shopfront facing the historic campus of Trinity College. It notes that the building remains remarkably intact and belies the visually alarming dipped window heads and cills on the principle elevation. Internally, the historic fabric includes timber floors, lath and plaster ceilings with simple cornices, panel doors, architraves, fireplace and a quirky plan form. It is stated that the proposed works to No. 6 College Street are entirely inappropriate and display a complete lack of understanding of the unique quality and significance of this rare surviving protected structure. The proposed work including the removal of the rear return, the construction of new extensions, the breaches through party walls and the demolition of internal walls impact on the ground floor shop counter and cabinetry and all associated works and would give rise to an unacceptable loss of historic fabric and legibility and would seriously impact on the architectural character of this rare and important shop and residence. Furthermore, the proposed extension and tiny lightwell to the rear of No. 31 Fleet Street at first, second and third floor level would have an unacceptable and adverse impact on the setting and architectural character of No. 31. The proposed extension at first, second and third floor levels and to the east of the existing return to 6 College Street would have an unacceptable and adverse impact on the setting and architectural character of the protected structures at Nos. 29 and 30 Fleet Street and No. 7 College Street. Finally, it is stated that the proposal would seriously contravene architectural conservation best practice set out in the Dublin City Development Plan.

4.3.6. The **planner's report** notes that there is no objection in principle to the mix of uses proposed on the subject site and it is considered that although the subject site is relatively restricted, there is some limited scope for heritage led conservation within the existing footprint of the buildings. However, it is considered that the proposed development would result in an unacceptable loss of historic fabric and legibility and would have an irreversible detrimental and seriously injurious impact on historic fabric, planned form, integrity and architectural character of these significant protected structures. For this reason, it is recommended that planning permission be refused for the proposed development.

4.3.7. Dublin City Council refused planning permission for the two reasons set out above.

5.0 Planning History

5.1. No history files are attached however, details of the planning history are contained in the planning report submitted with the planning application and the local authority's planner's report. The relevant planning history is briefly summarised below.

Reg. Ref. 3397/15 - Nos. 29 to 30 Fleet Street – planning permission granted for alterations to the existing protected structure to accommodate a proposed café/bar use and ancillary works

Reg. Ref. 3393/14 - 8 and 9 College Street and 28 – 31 Fleet Street. Planning permission was refused for the extension of Bowes Pub into 29 to 30 Fleet Street and a change of use from retail to separate hostel/bed and breakfast use and a portion of the ground floor level of Nos. 29 to 30 Fleet Street as well as alterations and reconfiguration of an internal layout at ground floor and basement level at 29 to 30 Fleet Street.

Reg. Ref. 3006/18 - Planning permission was granted at Doyle's Pub and the Times Hostel (7 to 9 College Street and 28 to 31 Fleet Street) for the following:

- (a) A change of use from licensed premises to use as a hostel/bed and breakfast and a portion of the basement level at 29 and 30 Fleet Street.
- (b) Change of use from retail to hostel/bed and breakfast and a portion of ground floor level at 29 to 30 Fleet Street.
- (c) Change of use and alterations from licensed premises to use as a hostel/bed and breakfast at upper floor level.

Reg. Ref. 2553/11 - Dublin City Council issued a split decision in respect of a three-storey extension to accommodate a hostel dormitory to the rear of No. 31 Fleet Street together with the erection of five flagpoles, an advertisement sign and other minor alterations (the planner's report does not indicate what was granted and what was refused in this application).

Reg. Ref. 2938/10 - retention of planning permission was granted at Nos. 7 to 9 College Street for a change of use from licensed premises and residential above to use as a hostel/bed and breakfast.

Reg. Ref. 4244/00 - planning permission was refused at Nos. 8 and 9 College Street (Doyle's Public House) to retain the extension to existing four-storey basement licensed premises and manager's apartment.

Reg. Ref. 2477/96 at 8 and 9 College Street planning permission was granted for alterations and extensions to existing licensed premises.

6.0 Grounds of Appeal

The decision of Dublin City Council to issue notification to refuse planning permission was the subject of a first party appeal by BMA Planning. The grounds of appeal are outlined below.

- The grounds of appeal note that the two reasons for refusal cited by Dublin City Council suggest that the development will give rise to an unacceptable loss of historic fabric and injure the architectural character of protected structures at College Street and Fleet Street. The principle issues relate to No. 6 College Street.
- It is submitted that the Planning Authority's assessment of the proposed development does not acknowledge the existing poor condition of the building at No. 6 College Street. Both the conservation report and the structural report submitted as part of the application detail and provide photographs of the poor condition of the building.
- The principle issues surrounding structure at No. 6 College Street relate to subsidence resulting in deflection of the shopfront and building façade. This is particularly noticeable on the upper floors. A secondary but nonetheless significant concern is the prevalence of damp on every floor within the building resulting in adverse impacts on the fabric of the structure.
- It is suggested that the report prepared by the Dublin City Council Conservation Officer overstates the quality of the historic fabric within the building. It is argued that this is being compromised through neglect of the building over a significant period. Remedial works undertaken in order to stabilise elements of the structure have not safeguarded the building against ongoing decay of fabric and further degradation of structural elements. The current application provides for a comprehensive refurbishment of the building

which will serve to arrest to decay and safeguard the long-term viability of the structure.

- The Planning Authority's assessment does not recognise the limited scope for reuse of the ground floor within 6 College Street. The ground floor is a small irregularly shaped space making it unsuitable for modern retail/commercial use. The use of the first and third floor accommodation for residential purposes is severely compromised by the existing stairs access which is deemed to be unsafe.
- The uses proposed under the current application are the most suitable in terms of retaining the noteworthy elements of the internal layout.
- It is further noted that the Dublin City Planner's Report raised no objection in principle to the proposed uses on site. Furthermore, it is suggested that if alternative uses such as retail at ground floor level and residential in the floors above were implemented, this would require more significant intervention to the loss of fabric.
- Finally, it is stated that the loss of the original fabric and the creation of new openings within 6 College Street has been kept to a minimum and the current application will safeguard and protect the long-term viability of the building.

7.0 Appeal Responses

Dublin City Council have not submitted a response to the grounds of appeal.

8.0 Observations

One observation was submitted by Transport Infrastructure Ireland. The observation recommended that the following conditions be included in any grant of planning permission.

- Prior to the commencement of development, a construction management plan shall be submitted for the written agreement of the Planning Authority and written approval by TII. This plan shall identify mitigation measures to protect Luas line infrastructure in proximity of the works.

- Any development should be the subject of the Section 49 Supplementary Development Contribution Scheme (Luas Cross City).
- The development shall comply with TII's Code of Engineering Practice for Works on, near or adjacent to Luas Light Rail System.

9.0 Development Plan Provision

- 9.1. The subject site is located within the Z5 city centre land use zoning objective. This zoning objective seeks to “*consolidate and facilitate the development of the central area and identify, reinforce, strengthen and protect its civic design character and dignity*”. Nos. 6, 7 and 8 College Street are all protected structures as are Nos. 28, 29, 30 and 31 Fleet Street. The subject site is also located within a designated conservation area and is also located within the confines of the O’Connell Street Architectural Conservation Area.
- 9.2. The primary aim of the land use zoning objective is to sustain life within the centre of the city through intensive mixed-use development. The strategy is to provide a dynamic mix of uses which will interact with each other, help create a sense of community and sustain the vitality of the inner city both by day and night. Ideally this mix of uses should occur both vertically through the floors of the building as well as horizontally along the street frontage. While a general mix of uses (retail, commercial, residential etc.) will be desirable throughout the area. Retail will be the predominant use at ground floor level of the principle shopping streets. College Street is not designated as a principle shopping street in the development plan. In terms of permissible uses, both public house and hostel are permitted uses under the Z5 zoning objective.
- 9.3. In relation to protected structures the development plan states that the purpose of protection is to manage and control future changes to these structures so that they retain their significant historic character.
- 9.4. Policy CHC2 seeks to “ensure that the special interest of protected structures is protected”. Development will conserve and enhance protected structures and their curtilage and will:
- (a) Protect or where appropriate, restore form, features and fabric which contribute to the special interest.

- (b) Incorporate high standards of craftsmanship and relate sensitively to the scale, proportions, design, period and architectural detail of the original building, using traditional materials in most circumstances.
- (c) Be highly sensitive to the historic fabric and special interest of the interior including its plan form, hierarchy of space, structure and architectural detail, fixtures, fittings and materials.
- (d) Not cause harm to the curtilage of the structure, therefore the design, form, scale, height, proportions, siting and materials of new development should relate and complement the special character of the protected structure.
- (e) Protect the architectural items of interest from damage or theft, while buildings are empty or during the course of works
- (f) Having regard to the ecological considerations for example the protection of species such as bats.

9.5. The Plan further states that prior to undertaking works to a protected structure, it is essential to make an assessment of the special interest in terms of the structure and to identify all elements, both internal and external which contribute to this. An assessment of the special interest of the structure is required as part of a Protected Structure Impact Assessment to accompany the planning application.

9.6. Interventions to the protected structure should be to the minimum necessary and all new works will be expected to relate sensitively to the architectural details, scale, proportions and design of the original structure. This should take into account the evolution of the structure and later phases of work which may also contribute to its special interest. Where possible existing detailing, fabric and features of the structures should be preserved, repaired or if missing or obscure should be reinstated or revealed.

9.7. Any development which affects the interior of the protected structure must be highly sensitive to the historic fabric and special interest of the interior including its planned form, hierarchy of spaces, structure and architectural details, fixtures and fittings and materials. The original plan form of the protected structure should be protected or reinstated and not compromised by unsympathetic alteration or extension. Proposals for the amalgamation between protected structures which comprise the original plan form will be considered unacceptable where they adversely affect the historic

integrity and special interest of the structure. Breaches between party walls will not be acceptable in sensitive parts of protected structures.

9.8. Scheme of Special Planning Control (O'Connell Street and Environs 2016)

- 9.8.1. College Street constitutes the southern boundary of the above scheme and as such the subject site is located within the confines of the scheme. A major consideration in this scheme is to maximise the use of buildings and to attract and encourage a strong and complementary mix of uses on the upper floors of all buildings. The objective is to seek a more intensive use of the upper floors and basement levels of buildings in the area and to seek the redevelopment of vacant underutilised or underperforming sites within the area.
- 9.8.2. Another key objective is to secure the retention of the historic fabric of the area. It states that Dublin City Council is committed to promoting the continued beneficial use and maintenance of these buildings in order to prolong their life and ensure their future preservation.

10.0 EIA Screening Determination

On the basis of the information on file, which I consider adequate in order to issue a screening determination, it is reasonable to conclude that there is no real likelihood of significant effects on the environment arising from the proposed development and therefore an environmental impact assessment is not required.

11.0 Planning Assessment

- 11.1. I have read the entire contents of the file, visited the site in question including the interior of No. 6. I have had particular regard to the Planning Authority's reasons for refusal and the grounds of appeal contesting these reasons. I would agree with both the appellant and the Planning Authority, that the principle in refurbishing the buildings in question and bringing historic buildings back into reuse is acceptable in principle. I also note that the proposed uses in this instance are public house at ground floor level and hostel accommodation in the upper floors. Both constitute permitted uses under the Z5 land use zoning objective set out in the development plan and the uses are therefore acceptable in principle.

- 11.2. The key question before the Board in determining the application and appeal is, as elaborated in the Planning Authority's two reasons for refusal, whether or not the impact of the proposed development on the historic integrity of No. 6 is appropriate and proportionate and represents a reasonable balance between bringing the building back into re-use while maintaining the historic and architectural integrity of the building. This issue is dealt with in my detail in my assessment below.
- 11.3. While the proposal to bring the building in question back into active use is undoubtedly acceptable in principle, the Board must adjudicate as to whether or not the physical interventions proposed on the historic fabric of the building constitutes a step too far in conservation terms.
- 11.4. I would agree that No. 6 College Street is a very important historic building. The conservation report prepared by Dublin City Council dates the building to the mid 18th century. I suspect the building is somewhat later than this having consulted and inspected John Roques's map of 1757. The plot in question differs substantially from what currently exists on site and this fact is alluded to in the conservation report submitted by Mr. Cathal Crimmins as part of the application. The area to the north of Trinity College was substantially re-planned by the Wide Street Commissioners in the 1790s with the construction and formal laying out of Westmoreland Street, D'Olier Street and New Brunswick Street (later Pearse Street). The triangular urban block south of O'Connell Street between Westmoreland Street, D'Olier Street and College Street and dissected by Fleet Street was most likely redeveloped in its entirety as part of the works undertaken by the Commissioners.
- 11.5. While the building in question may be somewhat later than that suggested in the Conservation Officers report, the building nevertheless is an excellent example of late 18th century Georgian architecture and I would agree that the building, including its interior, contains many original features and historic features that are undoubtedly worthy of preservation.
- 11.6. The importance of the building is twofold, in that it incorporates the elegant external features associated with a typical Georgian building including the proportion and symmetry of the façade, while at the same time it incorporates an equally historic and aesthetically pleasing shopfront and elements of a Victorian shop interior dating from the 19th century. The shopfront is a somewhat iconic shopfront in Dublin City. Until its closure, the Irish Yeast Company was one of the oldest surviving businesses

in the city. The shopfront dates from the 1890s and incorporates embellished render pilasters, consoles, plinths and stall-risers very typical of a late Victorian traditional shopfront.

- 11.7. The conservation officer's report highlights and reiterates the fact that the building remains remarkably intact notwithstanding its poor visual external appearance. The architectural conservation report submitted with the application acknowledges that No. 6 retains many of its late 18th century features including joinery walls and roof plan and that the building retains a substantial amount of late 19th century alterations including fireplaces, shop interior, shopfront and stairwells etc.
- 11.8. While the Conservation Officer expresses significant concerns that many of the interior features will be lost as a result of the proposed development, the Architectural Conservation Report submitted with the application clearly indicates that the staircase and main rooms will be retained with their features, including cornices, fireplaces, skirtings, doors and windows and door architraves. The report specifically goes on to setting out a methodology for conserving the fabric of the buildings in question and the works will consist of the repair and redecoration of highly decorative plasterwork, joinery, wrought iron and glazing. It is stated that the works will be carried out in accordance with the most up-to-date conservation philosophy. I have no reason to doubt the bona fides of the applicant in terms of applying best conservation practice in respect of retaining and refurbishing the internal elements of the building and I fully concur and support the applicant's objective of reintroducing active uses which will ensure the survival of the building while at the same time endeavouring to secure all features and materials of importance to maintain the structure's character and integrity.
- 11.9. I reiterate that No. 6 College Street is a building of high architectural heritage and is of considerable architectural, historic and cultural interest. A key aim of the development plan as espoused in Section 11.1.5.1 is to ensure that any building added to the Record of Protected Structures retains its significant historic character in the event where works are being carried out on the said structure. A fundamental concern I have about the proposed development is the proposal to amalgamate the buildings in question in order to facilitate the expansion of contiguous land uses. Policy CHC2 of the development plan seeks to ensure that the special interest of the protected structure is protected. One of the key elements of the special interest of No. 6 College Street is the fact that it is a standalone contained building in its own

right, and has been so since its inception and construction in the late 18th century. Policy CHC2 goes on to state that where developments are proposed in the case of protected structures that developments be “*highly sensitive to the historic fabric and special interest of the interior including its plan form, hierarchy of spaces, structure and architectural detail, fixtures, fittings and materials*”. The development plan goes on to state that “*prior to undertaking works on a protected structure it is essential to make an assessment of the special interest of the structure and to identify all elements both internal and external which contribute to this*”.

- 11.10. The breaking out of Bowes Bar including the demolition of a party wall between No. 6 and No. 31 Fleet Street, in excess of 5 metres in length, will in my opinion completely alter the proportion of spaces which currently exist between the two structures. The creation of a large open plan bar at ground floor level would absorb and subsume the ground floor of No. 6 into No.31 whereby it would no longer retain its own historic identity as a separate building.
- 11.11. In my view, a similar argument is equally applicable to the upper floors. What is proposed under the current application is to break out beyond the existing footprint of No. 6 College Street to the rear of No. 31 Fleet Street to provide a new dormitory room at first, second and third floor level and also to demolish part of the existing return to the rear of No. 6 and create a larger return extending north-eastwards into the courtyard area in order to accommodate an additional dormitory room. The existing partition and internal spaces which were inherent in the original buildings have been completely altered resulting in a layout and hierarchy of spaces that bear absolutely no resemblance to the original footprint and internal layout of the protected structure. While the external fabric of the building, which I fully accept is a very important element of historic importance of the building, will remain unaltered and will in fact be improved and refurbished using best practice conservation methods, it will in my view be at the expense of the interior layout of the building. As the conservation officer’s report highlights, the internal layout and hierarchy of spaces within the building have since the late 19th century, remained unaltered.
- 11.12. The development plan highlights that interventions to protected structures should be to the minimum necessary and all new works will be expected to relate sensitively to the architectural detail, scale, proportions and design of the original structure. While the application in this instance reacted sensitively and appropriately to the architectural detail and features of the original structures such as maintaining and

improving the external elevation and more prominent internal architectural details and features, it has in my view failed in preserving the internal scale and proportions in terms of layout of the original structure. This in my view is problematic and constitutes appropriate grounds for refusal.

11.13. While the conservation officer's report makes reference to the loss of internal details, layout and cabinetry associated with the original layout of the Irish Yeast Company shop at ground floor level, the Board if it was minded to grant planning permission, could require that the applicant use the original internal shop features as part of the layout and design of the bar extension. The incorporate of such features would prove to be an attractive feature of the bar extension and would be fully in keeping with the late Victorian style of the interior of the existing public house occupying No. 31 Fleet Street.

11.14. The grounds of appeal also suggest that the proposed development offers and excellent opportunity to stabilise elements of the structure including the obvious subsidence and deflection in the shopfront and building façade which is particularly noticeable at second and third floor levels. I would fully agree with the appellant that it is imperative that the continuing decay of the building is arrested. However, it cannot in my opinion be at the expense of the dramatic transformation of the internal layout of the building as proposed. The issues in question in my view are not mutually exclusive. A revised proposal that proves to be somewhat more sensitive to the existing internal layout of the protected structure could simultaneously achieve the appropriate refurbishment and restoration of the external fabric of the building.

11.15. The applicant suggests that the modest size of the internal spaces of No.6 do not lend themselves to accommodate modern day uses, such as retail at ground floor level. I would suggest that the more intimate spaces which exist at no.6 are entirely suitable as snug areas which are traditionally associated with a typical Victorian pub such as Bowes. It is in my view possible to extend the pub use into No.6 without necessitating the large-scale break-out proposed.

11.16. Dublin City Council's second reason for refusal argued that the proposal would seriously injure the special architectural and historic character and integrity of No. 29, 30 and 31 Fleet Street and No. 7 College Street. It is apparent from the photographs attached to my report, and those contained in the Architectural Conservation Report submitted with the application, that the existing internal

courtyard to the rear of the structures concerned have been subject to significant alterations and extensions over the years and that the rear elevations and extensions etc. facing onto the courtyard are of little architectural merit. The Board will note the extensive use concrete render and the proliferation of plant extractor fans concentrated within this internal courtyard area. The rear elevations of Nos. 29 and 30 Fleet Street are of little architectural merit and are not at all visible from public vantage points and in my view offer little in terms of visual or architectural amenity. For these reasons I do not consider the proposed extensions on the upper floors to rear of No. 31 Fleet Street or the rear of No. 6 College Street would have any significant or material impact on the setting, character or integrity of the protected structures referred to. I therefore do not consider it appropriate to refuse planning permission for the second reason cited by Dublin City Council.

12.0 Conclusions and Recommendation

Arising from my assessment above I recommend that the decision of Dublin City Council be upheld in this instance and that planning permission be refused for the proposed development on the basis that physical interventions proposed under the current application are excessive and go beyond the minimum necessary to ensure the sensitivity and architectural integrity of the protected structure at No. 6 College Street is protected.

13.0 Appropriate Assessment

Having regard to the nature and scale of the proposed development and nature of the receiving environment together with the proximity to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

14.0 Decision

Refuse planning permission for the proposed based on the reasons and considerations set out below

15.0 Reasons and Considerations

It is the policy of Dublin City Council as set out in Policy CHC2 of the Dublin City Development Plan 2016-2022 to ensure that the special interests of protected structures are protected and that any proposals for redevelopment be highly sensitive to the historic fabric and special interest of the interior including its plan form and hierarchy of spaces. It is considered that the proposed works to be undertaken which would involve significant breaches through party walls together with the demolition of internal walls primarily between No. 6 College Street and No. 31 Fleet Street would give rise to an unacceptable loss of historic fabric and legibility and would therefore contravene Policy CHC2(c) of the County Development Plan. The proposed development would have an irreversible detrimental and seriously injurious impact on historic fabric, plan, form and integrity and architectural character of these two important protected structures. The proposed development would therefore be contrary to the proper planning and sustainable development of the area.

Paul Caprani,
Senior Planning Inspector.

20th June, 2019.