

File With

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SECTION 131 FORM

Appeal No

ABP- 319719

Defer Re O/H

on line

Having considered the contents of the submission dated/received 08-06-24 from Liam+Britt Miller (ops) I recommend that section 131 of the Planning and Development Act, 2000 be/not be invoked at this stage for the following reason(s):

no new material planning issues.

Section 131 not to be invoked at this stage.

Section 131 to be invoked — allow 2/4 weeks for reply.

Signed

[Empty box]

Date

[Empty box]

EO

Signed

[Empty box]

Date

[Empty box]

SEO/SAO

M

Please prepare BP — Section 131 notice enclosing a copy of the attached submission.

To

[Empty box]

Task No

[Empty box]

Allow 2/3/4 weeks

BP

Signed

[Empty box]

Date

[Empty box]

EO

Signed

[Empty box]

Date

[Empty box]

AA



### Planning Appeal Online Observation

Online Reference  
NPA-OBS-003541

319719.

L/O for obs.

Mon. 10-06-24

✓  
online.

N/A

€500

✓  
valid.

#### Online Observation Details

Contact Name: Liam Miller  
Lodgement Date: 08/06/2024 11:45:11

Case Number / Description: Observation on First Party Appeal against DCC decision on planning application 3274/24

#### Payment Details

Payment Method: Online Payment  
Cardholder Name: Liam Miller  
Payment Amount: €50.00

#### Processing Section

S.131 Consideration Required

Yes — See attached 131 Form

N/A — Invalid

Signed

Date

EO

### Fee Refund Requisition

Please Arrange a Refund of Fee of

€

Lodgement No

LDG—

Reason for Refund

Documents Returned to Observer

Yes  No

Request Emailed to Senior Executive Officer for Approval

Yes  No

Signed

Date

EO

### Finance Section

Payment Reference

ch\_3PPMInB1CW0EN5FC1IEFINzg

Checked Against Fee Income Online

EO/AA (Accounts Section)

Amount

€

Refund Date

Authorised By (1)

SEO (Finance)

Authorised By (2)

Chief Officer/Director of Corporate Affairs/SAO/Board Member

Date

Date

Apartment 18 Block 12  
Clarion Quay  
Dublin 1  
D01 V95

Saturday 8 June 2024

An Bord Pleanála  
64 Marlborough Street,  
Dublin 1, D01 V902

Observation to An Bord Pleanála on planning reference 3274/24 –  
CitiGroup Building, 1 North Wall Quay, Dublin 1

### Introductory comments

My wife and I are co-owners and residents of a private residential unit in the Clarion Quay Estate for the past 22 years. We purchased this home in the full knowledge that Clarion Quay was centrally situated as a primarily residential development amongst a grouping of newly constructed buildings with specific intended uses including financial services, retail, hospitality and higher education. Apart from one protected structure, every other building immediately adjacent to The Clarion Quay Estate has been constructed within the last 25 years. We committed to making our home here in context of public policy focused on renewing and expanding residential communities in the heart of Dublin Docklands.

Firstly, I want to raise the issue of fair procedure. I submit that the modifications in the First Party Appeal make this a materially different project to that proposed to and rejected by Dublin City Council. On those grounds alone it should be disqualified. If these new plans are to be considered they should be the subject of a new planning application to the local authority.

The proposed modifications to the first appellant's scheme do very little to address the points raised in our observations to Dublin City Council. The case we made was that residential development in which we reside was developed as part of a suite of educational, commercial, residential and retail buildings all developed at about the same time in an area of the docks that was largely derelict. It was part of a Government sponsored strategy aimed at creating new financial services opportunities, inner city community regeneration and wider commercial and retail growth. The reasonable expectation of all those committing to participate in that initiative was that any further development in the area would have a context.

Of particular concern is the fact that both the original planning application and First Party Appeal almost completely ignores the unavoidable and undeniable impact of the First Party Appellant's scheme on its most immediate neighbours, the residents of Clarion Quay. The proposed concentration of high building structures at the western end of the CitiCorp site will be hugely detrimental to the amenity of residents.

## Specific Observations

1. My home is probably about 20 metres from the nearest element of the existing Citibank building and separated only by the service road, Alderman Way. The appellant's proposes to build over the **limited green planting** on the side of the site that faces my front door, thereby eliminating a mature planted area and reducing the distance to new building to approximately 15 metres in the context of a very much taller new facing structure.
2. This proposal would be seriously detrimental to the already limited amenity of this service roadway. I contend that any permitted scheme should condition uninterrupted access along the entirety of Alderman Way to residents and, importantly, to emergency services.
3. I would note that in permitting the relatively recent external and internal changes to New Century House, An Bord Pleanála (ABP-308336-20) upheld the local residents objections to any increase in height, any reduction in daylight/sunlight and the removal of existing tree planting.
4. The proximity and significant increase in height of the proposed development would adversely impact on the daylight and sunlight falling on my home. From approximately 11.00 am to 6.00 pm on any day the sunlight falling on my residential unit arrives above the roof height of the Citibank building. The application, if granted, would block all light once the sun moves the other side of the proposed buildings and for the vast majority of the day and days of the year, but there is no relevant analysis provided by the applicant to accurately determine this, as they are obliged to do. In addition, I have a real concern that the applicant's proposal would reduce the interior ambient light level throughout daylight hours in all weather conditions. The collection of pot plants that we have on the balcony will not survive in the absence of sunlight. These impacts would be seriously detrimental to my enjoyment of my home. I am retired and often in my home in daytime.
5. The First Party Appeal makes it clear that the demolition and replacement of the Citibank building will be a multiyear project – over as many as six or seven years. This raises many questions about the local environment for occupants during the extended period of siteworks. The multiple objectionable impacts include noise, dust or other contaminants, high intensity lighting, extended working hours, traffic volumes, road closures to facilitate equipment and materials deliveries and many more. We would submit that any approval to allow any level of redevelopment of the Citibank site should stipulate that all site access must be from the south side on North Wall Quay.
6. I note that the application proposes that many of the service access point, deliveries, taxi pick-ups etc., for the new offices would be located on Alderman Way. If this is permitted, then Alderman Way would, in effect, become an alleyway for delivery trucks and taxis. Even today, the roadway is often restricted by cars and other vehicles unlawfully parked. It is hard to believe how the additional daily traffic implied by the stated intended use can be accommodated. The appellant's reference to out of hours deliveries to the complex is surely unacceptable on a roadway immediately beside many social and privately owned homes.
7. I note DCC have advised they do not have this road in charge. It is clear the current governance of this road is already wholly inadequate, unsafe, and not being managed with any consideration of Clarion Quay or other local residents. This includes frequent blockages on this access route and 1 am bin pick-ups. The road is currently entirely controlled by the commercial entities using it, managed for their convenience with no public accountability. Given that CitiBank are the largest entity in this management

group, it is clear to us that there would be no independent management or control of this space to protect our and wider public rights and safety during any works.

### Conclusion

The overall context is that the development over the past quarter century on the lands bordered by Commons Steet, Mayor Street Lower, Guild Street and North Wall Quay has an internal balance and integrity. Within this small area there have been a number of initiatives to renew structures to achieve better energy performance, to meet environmental targets and changing commercial market demands. One Dockland Central, A & L Goodbody and New Century House are all examples of what has been and can be achieved without adversely impacting on the overall balance of the immediate area. There are no exceptional circumstances to permit a scheme that will significantly diminish the amenity and quiet enjoyment of the residents and businesses in an already balanced development bordered by an area of special conservation along North Wall Quay.

We would urge the board to deny this appeal.

Liam and Britt Miller  
Owner and residents Clarion Quay Estate.