

Laura

S. 37

File With _____

SECTION 131 FORM

Appeal NO: ACP-323/20-25

Defer Re O/H ☐

Having considered the contents of the submission dated received 14/10/25
from

OPW 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 planning issues raised

E.O.: Laura Goody Lawlor

Date: 15/10/25

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage. ☐

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

S.E.O.: _____

Date: _____

S.A.O.: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached submission

to: _____ Task No: _____

Allow 2/3/4 weeks – BP _____

EO: _____

Date: _____

AA: _____

Date: _____

File With _____

CORRESPONDENCE FORMAppeal No: ACP - 323120-25

M _____

Please treat correspondence received on 14/10/25 as follows:

1. Update database with new agent for Applicant/Appellant _____

2. Acknowledge with BP 233. Keep copy of Board's Letter ☐

1. RETURN TO SENDER with BP _____

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐**Amendments/Comments**OPLO response to S.131 Notice.**4. Attach to file**(a) R/S ☒(b) GIS Processing ☐(c) Processing ☐(d) Screening ☐(e) hspectorate ☐**RETURN TO EO** ☐EO: Laura Gandy LawlorDate: 15/10/25Plans Date Stamped ☐Date Stamp Filled in ☐AA: Don MooreDate: 18/10/25

Daniel O'Connor

From: Roisin Walsh <Roisin.Walsh@opw.ie>
Sent: Tuesday 14 October 2025 10:54
To: Appeals2
Cc: Rebecca Mullin
Subject: ACP-323120-25 (DCC 2729/24) OPW letter of observation
Attachments: 251014 ACP323120_25 City Quay Appeal letter OPW.pdf

Caution: This is an **External Email** and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Appeals,
Please see attached the letter of observation from the OPW regarding the planning appeal ref ACP 323120-25.
I would be grateful if you could acknowledge receipt of this letter.
Kind regards
Róisín

Roisin Walsh
State/Principal Architect's Office

Oifig na nOibreacha Poiblí
Office of Public Works

Sráid Jonathan Swift, Baile Átha Troim, Co na Mí, C15 NX36
Jonathan Swift Street, Trim, Co Meath, C15 NX36

T +353 46 942 6000
M +353 085 8467293
<https://gov.ie/opw>

To send me files larger than 30MB, please use the link below <https://filetransfer.opw.ie/filedrop/Roisin.Walsh@opw.ie>

Email Disclaimer: <https://www.gov.ie/en/organisation-information/439daf-email-disclaimer/>

Roisin Walsh
Clerical Officer - State/Principal Architect's Office

Oifig na nOibreacha Poiblí
Office of Public Works

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Oifig na
nOibreacha Poiblí
Office of Public Works



The Secretary
An Coimisiún Pleanála
64 Marlborough Street
Dublin 1

Case Number: ACP-323120-25
Planning Authority Ref:
WEB2729/24

14 October, 2025

RE: ACP-323120-25 (DCC 2729/24) – Demolition of buildings/structures and construction of a 14 storey building including office use, arts centre and café, auditorium and ancillary uses. Site bound by City Quay to the north, Moss St to the west & Gloucester St South to the south, Dublin 2. The site includes 1-4 City Quay (D02 PC03), 5 City Quay and 23-25 Moss Street (D02 F854).
Applicant: Ventaway Limited.

A Chara,

1.0 Introduction

The Office of Public Works (OPW) is a Government office that delivers public services for flood protection, managing government properties and heritage services.

It is overseen by the Minister of State at the Department of Public Expenditure, Infrastructure, Public Service Reform and Digitalisation.

A letter and report (Daylight and Sunlight Issues – Solearth) dated 02 October 2025 were received by the OPW on 08 October 2025. It is noted that this information was prepared by one of the third party appellants (St. Laurence O'Toole Trust) in response to material submitted by the first party applicants (Ventaway Limited) in August 2025. The OPW has reviewed this material and outlines its observations in this letter.

1.1 OPW's interest in ACP-323120-25 (DCC 2729/24)

The chief elevation of the Custom House is located 0.1 kilometres from the site of the development proposed under ACP-323120-25 (DCC 2729/24). The OPW is responsible for the management and care of this architecturally important and historically significant state-owned building. It has a demonstrated commitment to its conservation and on-going use.



1.2 OPW's engagement with ACP-323120-25 (DCC 2729/24) to date

The OPW made an observation on DCC 2729/24 in January 2025. While broadly supportive in principle of the redevelopment of this under-utilised site, the OPW expressed concerns regarding:

- the potential overshadowing of the historically significant viewpoint of the Custom House along the River Liffey due to the scale and bulk massing of the development proposed under DCC 2729/24;
- the loss of the landmark view of the Custom House dome from Gardiner St Lower and the consequent potential erosion of this as a focal point in the Dublin cityscape;
- the lack of analysis in the documentation submitted under DCC 2729/24 on the potential of the proposed development to throw shadow onto the important riverine façade of the Custom House.

The planning authority's decision on DCC 2729/24 to Grant Permission was appealed by St. Laurence O'Toole Trust, City Quay National School, and An Taisce – An Coimisiún Pleanála Case reference: ACP-323120-25.

The OPW commented on the appeal documents in August 2025 and urged An Coimisiún Pleanála to give full consideration to An Taisce's grounds of appeal where they referred to the Custom House, and its historically significant and sensitive riverine setting.

The OPW also requested that the Coimisiún give further consideration to the effects of the proposed development on shadow / sunlight on the Custom House façade.

2.0 **OPW's comments on the appeal response submission by John Spain Associates on behalf of the applicant, Ventaway Limited, on ACP-323120-25**

The OPW has now reviewed the first party appeal response documents on the third party appeal (ACP-323120-25) of the decision on DCC 2729/24.

It is noted that the architectural design of the scheme is as previously presented. On this basis, the OPW remains concerned about the visual impact of a proposed 14 storey building on the historically sensitive riverine setting of the Custom House in this part of Dublin City.

The detail and analysis within the appeal response documentation is appreciated, however, the OPW is still of the opinion that the height and massing of the proposed building is inappropriate at this historically unique location.

2.1 ***Historic riverine setting***

It can be seen in Fig 11-2 (Dublin's Historic Core) of the *Dublin City Development Plan 2022 – 2028* (**Fig.1**) that this part of City Quay directly borders the 'Georgian Core'. The Custom House is firmly located within this core. The OPW is aware that the definition of what



constitutes the historic core of Dublin City (with reference to the development plan) has recently been considered in **Ventaway Limited v An Coimisiún Pleanála [2025] IEHC 406**.

It is understood that this High Court judgement considers the historic core to be more expansive than what is indicated in the shaded areas of Figure 11.2 (Fig. 1) and to instead be more aligned to the area represented in Map L ('Historic City') of the development plan (Fig. 2).

Figure 11-2: Dublin's Historic Core

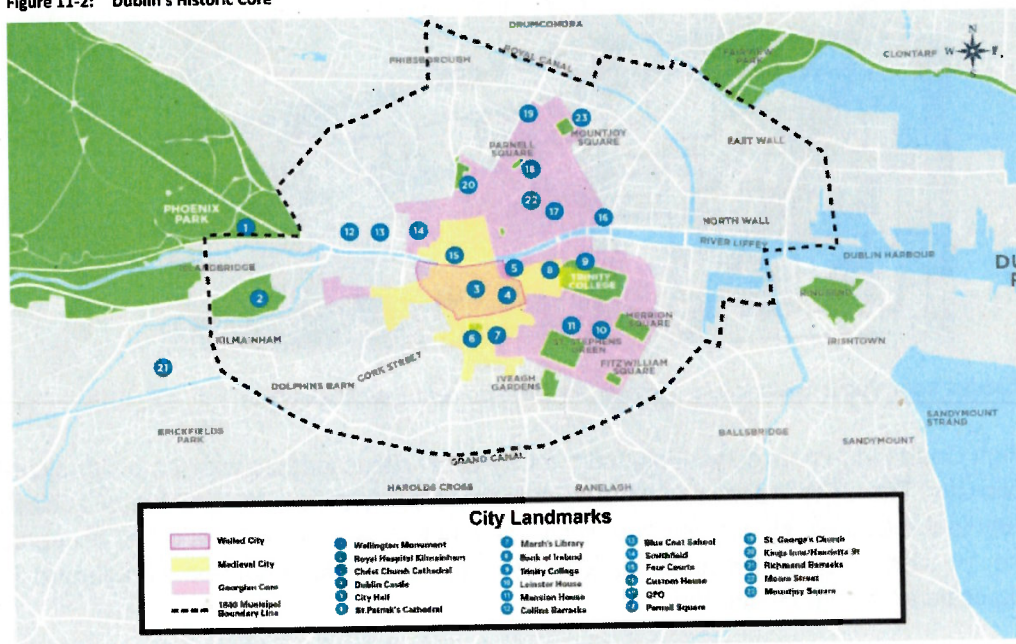


Fig 1. Extract from Chapter 11 of *Dublin City Development Plan 2022-2028*



Fig 2. Extract from Map L 'Historic City' (*Dublin City Development Plan 2022-2028*)

This High Court judgement concludes that the City Quay site is located within the historic core of Dublin City. The OPW is similarly of the opinion that the subject site is, by virtue of its close proximity to the Custom House, located within the historic core. As such, it is not accepted that the 14 storey design responds appropriately to its quayside context with regard to building scale and height – see [Fig. 3](#).

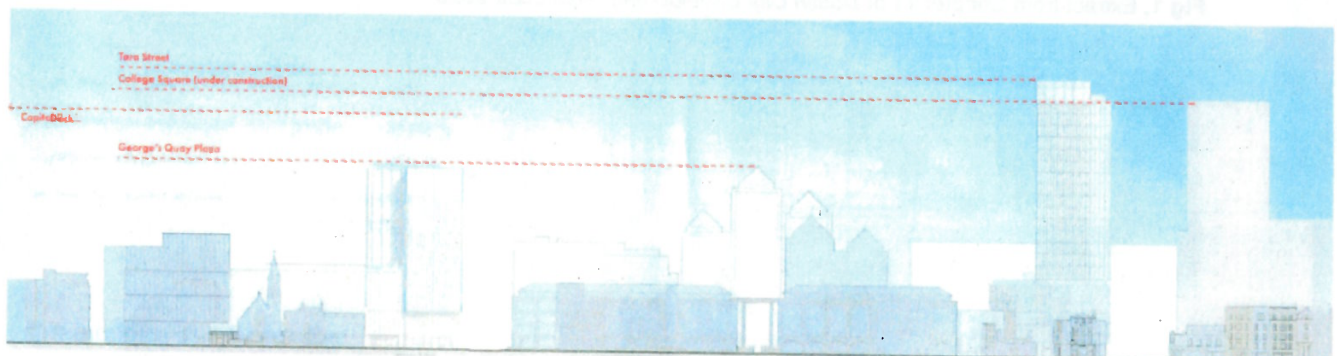


Fig 3. Extract from Architectural Design Statement (Henry J Lyons) (pg. 4) prepared on behalf of applicant.



Fig 4. Extract from Proposed View 3, DCC 2729/24 Heritage, Townscape, Landscape & Visual Impact Assessment (HTLVIA) and resubmitted in the first party appeal response.



Fig 5. Extract from Proposed View 5, DCC 2729/24 Heritage, Townscape, Landscape & Visual Impact Assessment (HTLVIA) and resubmitted in the first party appeal response.

Having reviewed the aforementioned Architectural Design Statement prepared by Henry J Lyons on behalf of the applicant, Ventaway Limited, and the views (Figs. 4 and 5) contained within the HTLVIA, the OPW remains concerned at the proposed height and mass of the subject proposal.

It is considered that the proposed massing and height (14 storeys) of the building element located closest to the riverfront does not respect the prevailing character of the area. It is acknowledged that there are already buildings of a similar scale and height in the immediate surrounds – both existing and under construction – however, these are set back in the urban block and so their visual impact is not as severe.

2.2 Gardiner Street Lower

The visual impact of DCC 2729/24 will also be evident from Gardiner Street Lower (Fig. 6) – where the setting and view of the Custom's House cupola and drum will be disrupted. In this regard, it is considered that the Visual Impact Assessment prepared for DCC 2729/24 would benefit from the addition of photomontages taken from a more centralised field of view. This would enable the Coimisiún to fully assess the visual impact of the development on the



Custom House dome. The submitted photomontages from Gardiner Street Lower are taken from a side angle which inhibits a full understanding of the impact.



Fig 6. Extract from Proposed View 22, DCC 2729/24 Heritage, Townscape, Landscape & Visual Impact Assessment (HTLVIA) and resubmitted in the first party appeal response.

2.3 *Shadow on the Custom House façade*

Having reviewed Appendix 4 (Sunlight and Daylight Matters) of the first party appeal response documentation, the OPW remains unsatisfied with the analysis of the proposed 14 storey building's impact on the Custom House with regard to shadow effects. There is no further information or analysis of the daylight/shadow impact of the Proposal to the Custom House. In document Appendix 2, HJL Architects refer to the original planning application Sunlight and Daylight Assessment submission shadow analysis. The OPW note that the images included from this shadow analysis only include the south east corner of Custom House and therefore insufficient to assess the impact to the shadow environment relative to the Custom House.



3.0 Conclusion

While the OPW supports a redevelopment of this under-utilised site, it requests that An Coimisiún Pleanála give due consideration to the comments outlined in this letter, which are intended to contribute constructively to the potential outcomes of the planning appeal.

If any further information / clarity in relation to our observations is sought, please do not hesitate to contact us at info@opw.ie

Yours sincerely,

A handwritten signature in dark ink, which appears to read 'Rosemary Collier', is written over a horizontal line.

Rosemary Collier

Assistant Secretary – Head of Heritage & Capital Works Delivery.

10-11-1964

Dear Mr. [Name],
I have the pleasure to inform you that your application for [position] has been received and is being processed.
We are currently reviewing all applications and will contact you again once a decision has been reached.
Thank you for your interest in [Company Name].
Yours faithfully,
[Signature]

Very truly yours,
[Signature]
[Name]
[Title]