

Comhairle Cathrach  
Bhaile Átha Cliath  
Dublin City Council

An Roinn Pleanála & Forbairt Maoine, Bloc 4, Urlár 3,  
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8

Planning & Property Development Department, Dublin City Council,  
Block 4, Floor 3, Civic Offices, Wood Quay, Dublin 8

**AN BORD PLEANÁLA**  
T. (01) 222 2222  
E. [planningsubmissions@dublincity.ie](mailto:planningsubmissions@dublincity.ie)

LDG- 248746-22  
ABP- 08 FEB 2022

Fee: € 222 Type: Card  
Time: 13.40 By: Handel

Mr. Diarmuid Breatnach  
34 Geata an tSéipéil  
Bóthar San Alfonsas  
Baile Átha Cliath 9

**IMPORTANT: Please retain this letter. You will be required to produce it should you wish to appeal the decision issued by the Planning Authority to An Bord Pleanála in relation to this development**

PLAN NO.  
DATE RECEIVED:  
LOCATION :

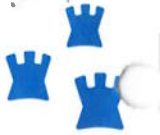
2861/21  
09-Nov-2021  
36-41 Henry Street, 1-9 Moore Street, 3-13 Henry Place, Charles Court & Mulligan Lane, Dublin 1

PROPOSAL :

PROTECTED STRUCTURE: Dublin Central GP Limited intends to apply for Permission for a period of 7 years at a site, 'Dublin Central – Site 3' (c. 0.37 Ha), at Nos. 36 – 41 Henry Street, Nos. 1 – 9 Moore Street, Nos. 3 – 13 Henry Place (formerly known as Nos. 2 – 13 Henry Place), Clarke's Court and Mulligan's Lane, Dublin 1. Also, the site includes the rear of Nos. 50 – 51 and Nos. 52 – 54 Upper O'Connell Street, No. 13 Moore Lane, No. 14 Moore Lane (otherwise known as Nos. 1 – 3 O'Rahilly Parade and Nos. 14 – 15 Moore Lane or Nos. 1 – 8 O'Rahilly Parade and Nos. 14 – 15 Moore Lane), Dublin 1. The site is otherwise bounded by Henry Street to the south, Moore Street to the west and Henry Place to the north and east. The proposed development comprises a mixed-use scheme (c. 15,842.4 sq. m gross floor area) accommodated in 2no. blocks, ranging in height from 1 – 9 storeys over 2no. new independent single level basements. A proposed new passageway separates the 2no. blocks (Block 3A & Block 3B), connecting Henry Street and Henry Place. The proposed blocks comprise: - Block 3A (Eastern Block) (c. 7,806.3 sq. m gfa), fronting Henry Street, Henry Place and the new passageway, with modulating building height at 4, 5, 7 and 9 storeys, over single storey basement. Block 3A accommodates: - A hotel (c. 7,175.3 sq. m gfa) with 150no. bedrooms from 1st to 7th floor and ancillary facilities at ground floor and basement, including: hotel reception addressing Henry Place; 1no. licensed hotel restaurant / cafe with takeaway / collection facility (c. 138.1 sq. m) at ground floor on the new passageway and Henry Place; and, 1no. licensed hotel restaurant / cafe with takeaway / collection facility (c. 194.2 sq. m) and 2no. associated external terraces (c. 38.8 sq. m in total) at 8th floor of the proposed hotel; 1no. retail unit for use as a 'shop' or 'licensed restaurant / café unit with takeaway / collection facility' (Unit 1 – c. 127.2 sq. m) at ground floor on the new Passageway; 1no. retail unit for use as a 'shop' (Unit 2 – c. 326.5 sq. m) at basement, ground floor and first



floor level on the new passageway and Henry Street; Block 3B (Western Block) (c. 8,036.1 sq. m gfa), fronting Henry Street, Moore Street, Henry Place and the new passageway, with modulating building height at 1,3,5,6 and 7 storeys, with top storey set back, over single storey basement. Block 3B accommodates: - 79no. 'Build-to-Rent' apartment units (c. 6,451.5 sq. m gfa), including 14no. 1-bed studios, 56no. 1-bed apartments and 9no. 2-bed apartments from 1st to 5th floor, with access from residents' lobby at ground floor on Henry Place; Internal residents' amenity areas at ground and 6th floors (c. 325 sq. m in total) and external terrace areas (c. 517.7 sq. m in total) at 6th floor; Private residential balconies and 'wintergardens' from 1st to 5th floor inclusive on elevations facing into the open courtyard areas and facing east to the new passageway. Balconies / terraces at 4th floor on west elevation to Moore Street and at 5th floor on south elevation to Henry Street; 5no. retail units, each for use as a 'shop', including: Unit 6 (c. 245.2 sq. m) at ground and 1st floor on new passageway and Henry Street, Unit 7 (c. 382.4 sq. m) at ground and 1st floor on Henry Street and Moore Street, and Unit 8 (c. 182.2 sq. m), Unit 9 (c. 57.2 sq. m) and Unit 10 (c. 52.5 sq. m) at ground floor on Moore Street; 4no. retail units, each for use as 'shop' or 'licensed restaurant / café units with takeaway / collection facility', including: Unit 3 (c. 148.9 sq. m), Unit 4 (c. 53.5 sq. m) and Unit 5 (c. 55.1 sq. m) at ground floor on the new passageway, and Unit 11 (c. 160 sq. m) at basement and ground floor on Moore Street and Henry Place; 1no. 2-storey building for cultural / gallery use with restaurant / café (c. 123.4 sq. m) replacing No. 10 Henry Place. All associated and ancillary site development, conservation, demolition, landscaping, site infrastructure and temporary works, including: - Conservation, repair, refurbishment and adaptive reuse of part of the existing building fabric, including: - Retention of Nos. 36 – 37 Henry Street, with modifications, a vertical extension and new shopfronts; Retention of No. 39 – 40 Henry Street (upper floor façade); Retention of Nos. 8 – 9 Moore Street, with internal and external modifications and new shopfronts; Retention of Nos. 11 – 13 Henry Place, with internal and external modifications and new shopfronts; Works to include repair and upgrade works (where required) of existing masonry, external and internal joinery, plasterwork and features of significance; New Passageway linking Henry Street and Henry Place; Demolition of all other existing buildings and structures on site (c. 6,701 sq. m), including No. 38 Henry Street to form new passageway linking Henry Street to Henry Place; Demolition of boundary wall onto Moore Lane at the rear of properties at Nos. 50 – 51 and Nos. 52 – 54 (a protected structure) Upper O'Connell Street; 160no. bicycle parking spaces within secure bicycle facility (24no. within Block 3A, 126no. within Block 3B and 10no. in the public realm); 1no. external residential courtyard at ground floor in Block 3B; Plant at basement and roof



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level; 2no. ESB sub-stations; Building signage zones and retractable canopies; Removal of existing boundary fence at junction of O'Rahilly Parade / Moore Lane within that part of the site including No. 13 Moore Lane, No. 14 Moore Lane (otherwise known as Nos. 1 – 3 O'Rahilly Parade and Nos. 14 – 15 Moore Lane or Nos. 1 – 8 O'Rahilly Parade and Nos. 14 – 15 Moore Lane). The application site is within the O'Connell Street Architectural Conservation Area. An Environmental Impact Assessment Report (EIAR) accompanies this application. The planning application may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority during its public opening hours and a submission or observation in relation to the application may be made to the authority in writing on payment of the prescribed fee within the period of 5 weeks beginning on the date of receipt by the authority of the application. The planning authority may grant permission subject to or without conditions, or may refuse to grant permission.

**Note: Submissions/Observations may be made on line at:**

**<https://www.dublincity.ie/residential/planning/planning-applications/object-or-support-planning-application>**

To Whom It May Concern,

The Planning Authority wishes to acknowledge receipt of your **submission/observation** in connection with the above planning application. It should be noted that the Dublin City Council as the Planning Authority will consider this application strictly in accordance with the provisions of the Dublin City Development Plan. The contents of your submission/observation will be considered by the **Case Officer** during the assessment of the above application, and you will be notified of the decision in due course.

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- **You will not be notified**, if Further Information or Clarification of Further information is requested by the Planning Authority.

Please also note that a weekly list of current planning applications and decisions is available for inspection at the planning public counter.

**Opening Hours 9 a.m. - 4.30 p.m. Monday to Friday (inclusive of lunchtime)**

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Head Office, Civic Offices, Wood Quay, Dublin 8, Ireland

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Yours faithfully,

For ADMINISTRATIVE OFFICER



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Mr. Diarmuid Breatnach  
34, Geata an tSéipéil, Bóthar San  
Alfonso  
BÁC 9  
Baile Átha Cliath

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**PLAN NO.**  
**DATE RECEIVED:**  
**LOCATION :**

2862/21  
09-Nov-2021  
10-13 & 18-21 Moore Street, 5A Moore Lane & 6-7 & 10-12 Moore Lane & 17-18 Henry Place, Dublin 1

**PROPOSAL :**

PROTECTED STRUCTURE: Dublin Central GP Limited intends to apply for Permission for a period of 7 years at a site, 'Dublin Central - Site 4', (c. 0.3 Ha) at Nos. 10 - 13 and Nos. 18 - 21 Moore Street, No. 5A Moore Lane (also known as Nos. 15 - 16 Henry Place), Nos. 6 - 7 and Nos. 10 - 12 Moore Lane and Nos. 17 - 18 Henry Place (also known as Nos. 4 - 5 Moore Lane), Dublin 1. Also, the site includes the rear of Nos. 50 - 51 and Nos. 52 - 54 Upper O'Connell Street, No. 13 Moore Lane, No. 14 Moore Lane (otherwise known as Nos. 1 - 3 O'Rahilly Parade and Nos. 14 - 15 Moore Lane or Nos. 1 - 8 O'Rahilly Parade and Nos. 14 - 15 Moore Lane), Dublin 1 and otherwise generally bounded by No. 22 Moore Street and No. 13 Moore Lane to the north, Moore Lane to the east, Moore Street to the west and Henry Place to the south. Nos. 14 - 17 Moore Street (National Monument / Protected Structures) is bounded north and south by the proposed development. The proposed development comprises a mixed-use scheme (c. 3,290 sq. m gross floor area) in 2no. parts located north and south of the Nos. 14 - 17 Moore Street (a National Monument / Protected Structures) ranging in height from 1 - 3 storeys including retained independent single storey basements comprising 15no. apartment units (c. 1,454 sq. m gfa), café / restaurant use (c. 864 sq. m gfa), retail use (c. 617 sq. m gfa), cultural use (c. 60 sq. m gfa) and office use (c. 295 sq. m gfa). The proposed development to the north of Nos. 14 - 17 Moore Street consists of: - Nos. 20 - 21 Moore Street are refurbished and adapted to provide 1no. café / restaurant / licenced premises with takeaway / collection facility (c. 80 sq. m in total) at ground floor addressing both Moore Street and proposed new public plaza to the rear and 1no. 1-bed apartment and 1no. 2 bed apartment located at 1st and 2nd floor level - 4no. in total (cycle and bin storage at ground floor level). No terraces or balconies are proposed to the residential units. Provision of a new



2 storey extension at the side of No. 17 Moore Street (National Monument / Protected Structure) to act as an extension for ancillary use to the National Monument - a cultural facility (c. 60 sq. m gfa); Provision of an archway between the gable of No. 20 Moore Street and the new 2 storey extension to No. 17 Moore Street (National Monument / Protected Structure) to form an entrance to a new public plaza off Moore Street; Provision of a 2 storey building with profiled roof consisting 1no. licenced restaurant / café unit with takeaway / collection facility (c. 250 sq. m gfa). This building sits independently of the northern boundary of No. 9 Moore Lane at the rear of Nos. 14 - 17 Moore Street; Provision of part of a new public plaza (1,085 sq. m) and associated temporary works pending completion of the combined plaza with the concurrent planning application for the adjoining Site 5 immediately to the north (1,253 sq. m public plaza overall); The proposed development to the south of Nos. 14 - 17 Moore Street consists of: - 11no. apartment units (7no. 1-bed apartments and 4no. 2-bed apartments), accessed from proposed central courtyard from Henry Place in 2 - 3 storeys buildings (1 storey to rear) contained above ground floor within No. 10 Moore Street (refurbished and adapted), Nos. 11 - 13 Moore Street (replacement buildings with party wall of No. 12 and No. 13 Moore Street retained) and No. 5A Moore Lane (also known as Nos. 15 - 16 Henry Place - replacement building) and Nos. 17 - 18 Henry Place (also known as Nos. 4 - 5 Moore Lane - ground floor façade retained) with associated resident storage area at basement level of No. 10 Moore Street; 5no. retail units at ground floor: Unit 6 (c. 149 sq. m gfa) and Unit 7 (c. 128 sq. m gfa) on Moore Lane, Unit 10 (c. 69 sq. m gfa), Unit 11 (c. 149 sq. m gfa - including basement level) and Unit 12 (c. 58 sq. m gfa) on Moore Street; 2no. licenced restaurant / café units with takeaway / collection facility at ground floor: Unit 4 (c. 250 sq. m gfa - including basement level) onto Moore Lane and Unit 7 (c. 130 sq. m gfa - including basement level) onto Moore Street; 1no. office unit at first floor (c. 221 sq. m gfa) of 6 - 7 Moore Lane with access from ground on Moore Lane; A new courtyard is proposed between the rear of Moore Street buildings and Moore Lane buildings to provide communal open space (c. 155 sq. m) for the residential units; All apartment served by terraces / balconies with exception of Unit 13, No. 10 Moore Street. All associated and ancillary site development, conservation, demolition, landscaping, site infrastructure and temporary works, including: - Conservation, repair, refurbishment and adaptive reuse of part of existing building fabric including: - Retention of Nos. 20 - 21 Moore Street with internal and external modifications and new shopfronts; Retention of No. 10 Moore Street with internal and external modifications and new shopfront; Retention of Nos. 6 - 7 Moore Lane with internal and external modifications and new shopfronts; Works to include repair and upgrade works (where required) of existing masonry, external and internal joinery, plasterwork and



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features of significance; Demolition of rear boundary wall onto Moore Lane at the rear of Nos. 50 - 51 and Nos. 52 - 54 (a protected structure) Upper O'Connell Street, Dublin 1; Demolition of all other existing buildings and structures on site (c. 4,525 sq. m); 44no. bicycle parking spaces serving residential, retail and office; Plant at basement and roof level; 1no. ESB sub-station onto Henry Place; Building signage zone and retractable canopies; Removal of existing boundary fence at junction of O'Rahilly Parade / Moore Lane within that part of the site including No. 13 Moore Lane, No. 14 Moore Lane (otherwise known as Nos. 1 - 3 O'Rahilly Parade and Nos. 14 - 15 Moore Lane or Nos. 1 - 8 O'Rahilly Parade and Nos. 14 - 15 Moore Lane). The application site is within the O'Connell Street Architectural Conservation Area and adjoins a National Monument / Protected Structures. An Environmental Impact Assessment Report (EIAR) accompanies this planning application. The planning application may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority during its public opening hours and a submission or observation in relation to the application may be made to the authority in writing on payment of the prescribed fee within the period of 5 weeks beginning on the date of receipt by the authority of the application. The planning authority may grant permission subject to or without conditions, or may refuse to grant permission.

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Head Office, Civic Offices, Wood Quay, Dublin 8, Ireland



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Yours faithfully,

For ADMINISTRATIVE OFFICER

The Secretary,  
An Bord Pleanála,  
64 Sráid Marlborough,  
Baile Átha Cliath 1.

APPEAL TO AN BORD PLEANÁLA AGAINST GRANTING OF PLANNING  
PERMISSION BY DUBLIN CITY COUNCIL TO DUBLIN CENTRAL GP Ltd  
(aka Hammerson) (Plan Nos: 2861/21 and 2862/21)

I, Diarmuid Breatnach, 34, Geata an tSéipéil, Bóthar San Alfonsas, BÁC 9,  
wish to appeal the granting of planning permission to Dublin Central GP (aka  
Hammerson) regarding Henry Place, Moore Street, O'Rahilly Parade, Moore  
Lane and Henry Street.

PROLOGUE:

The Planning Department of Dublin City Council (or more accurately perhaps that  
Department's management) may think of their duties as those of any  
administrative office anywhere, upholding operational regulations and deciding  
when to enforce them. They are profoundly mistaken because they are an  
administrative arm of the local authority, Dublin City Council, which is supposed  
to be a democratic institution responsible to the people of Dublin. According to  
Wikipedia (and not amended by the Council) "Representative power is vested in  
the city assembly which consists of 63 members", these being elected by  
elections (underlining mine)

- The decision of the Planning Department runs completely contrary to the  
recorded decisions of the Dublin City Council elected representatives on a  
number of occasions, which was to conserve the buildings in the "1916  
Terrace". Instead the Planning Department granted permission for the  
demolition of the majority of the buildings in that terrace, preserving only  
one in which it had the power to do so (No.10, Nos.14-17 being protected  
structures, decreed as a "national monument"). The Planning Department  
decision therefore overthrew or ignored the representative power of the  
City's voters.
- The Planning Department also gave the property speculator Hammerson  
permission to demolish *buildings that were in the process of being  
assessed as to whether they should be given protected status for  
historical reasons* (following a Council meeting on two separate  
occasions). This process was obstructed 1) by Hammerson refusing  
access to the archaeological historian, 2) by Hammerson's lawyers issuing  
the Council with a threat of legal action and 3) by the Executive complying  
with the wishes of the property speculator and keeping the archaeological  
historian's report from publication to this day. The Planning Department  
should have ensured that investigation for the purpose of protected status  
was concluded and taken its results into account but it did not do so,  
*preempting any decision by allowing the developer to demolish the  
buildings concerned*. This is outrageous behaviour by the Planning  
Department.

- It might be argued that Wikipedia does not represent Dublin City Council's ethos or mission statement but, apart from the fact that DCC appears not to actually *have* a mission statement and has not taken the trouble to amend the Wikipedia entry, the latter's statement would seem to reflect the popular conception of the citizenry. Not only did the Planning Department's decision violate that understanding of representation but it also went against the popularly expressed desires of ordinary citizens, historians and conservationists, in numerous representations, protests and the over 380,000 signatures gathered by the Save Moore Street From Demolition campaign group through its weekly stall since September 2014 (and formally presented to three separate Lord Mayors over the years).
- While the Universal Declaration of Human Rights on democratic rights does not specifically refer to local government, it does so by implication. Article 21: "Everyone has the right to take part in the government of his country, directly or through freely chosen representatives." "Everyone has the right of equal access to public service in his country." "The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures." The decision of the Planning Department set itself above the democratic rights of people, ignored its will and declined to give it equal access to public service, instead acceding to the desires of a private property company. (<https://www.un.org/en/about-us/universal-declaration-of-human-rights>)
- There more than 50 independent businesses, mostly retail with some of service nature, in Moore Street. All of these will be either wiped out completely or be seriously harmfully affected by the demolition and construction phases.
- Furthermore, those business will likely never return as the property developer rents shop spaces to chain stores, which they tend to do.
- Those independent business were never consulted by the property speculator or by the Planning Department. However, while one does not necessarily expect democratic consultation from a property speculator, one has every right to expect it from a local authority. The Planning Department may argue that those businesses had the opportunity to make submissions against the planning applications but that would be to pretend ignorance of the fact that those businesses would have been obliged to identify themselves in any registered objection and that most of them are on leases or rental agreements permitting their eviction within minimum periods of two weeks or even less. And that their landlords are effectively the same property speculator making the current planning applications.
- The Planning Department of any city has the responsibility in deciding whether to grant or refuse planning applications, to consider the overall impact of the intended project on the local and overall environment, not only in areas of health but in those of amenity and associated questions. Given the concerns widely expressed regarding those questions with regard to the applications in question, the Planning Department had a

responsibility to consider the planning application in those contexts.

The decisions of elected representatives, submissions to the Planning Department on planning applications for this area over the years, submissions made to the Heritage Minister's Advisory (later Consultative) Group on Moore Street, requests, motions and reports from the Lord Mayor's Moore Street Forum, the Report of the Expert Market Group on Moore Street all presented alternative visions for the development of the area as a historical/ cultural quarter and a vibrant living street market, some going further and integrating that vision into one of the revitalisation of the north city centre. There is no evidence to suggest that the Planning Department considered these at all in its deliberations but instead going ahead and granting planning permission, effectively burying all those possibilities under the shopping district it has permitted.

- Among the many elements which the Planning Department seems to have overlooked (I say "seems" since it never referred to it in its decisions) is the tourism value of a historical cultural quarter in the city centre. In the summer of 2017, Sorchá Pollack reported in the Irish Times that the number of visitors to Kilmainham Jail museum had risen by 64,335 from 2016 figures (i.e of the 1916 Rising Centenary) to 390,970 (<https://www.irishtimes.com/news/consumer/record-6-6-million-visitors-to-irish-heritage-sites-1.3108565>).

Kilmainham Jail is on the city's outskirts, reachable from the city centre by some buses from the north quays, whereas Moore Street is right in the city centre. Tourists have indicated in a number of surveys that they come to Ireland to sample its history and culture, rather than shops, a fact seemingly lost on the Planning Department and one which does not seem to concern property speculators. Except that the latter continue to build hotels to make rental money from those visitors while they simultaneously destroy the very things the visitors have come for.

- Permitting the property developer to demolish historical buildings and alter the footprint of a "World War I urban battlefield in pristine condition" (Imperial War Museum, London) not only undermines tourist potential (see No.6) but destroys a site of world historical significance and arguably of World Historical Heritage importance, being the site of (among other firsts):
  - the first insurrection against World War,
  - in which the first insurrectionary women's organisation participated
  - and also the first specifically workers' army in the world took part,
  - which was also the first to recruit women, some of them being of officer rank
  - and an insurrection which helped light the flames of anti-colonial fires around the world.

- For Irish people and those visiting Dublin in particular, approving the demolition plans of the property developer deprives Dublin of a historical battleground of great historical importance, being the site of the surrender of decision of the 1916 Rising, the last location of freedom for five of the Signatories of the 1916 Proclamation and in which every organisation that contributed to the Rising was represented.
- People have a right to good access to their history and culture, which entails artifacts and places of historical importance. This right is recognised in the first paragraph of the International Covenant on Economic, Social and Cultural Rights (<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>) adopted coincidentally 50 years after the 1916 Rising. While it is true that our history cannot be removed, it can be disguised, distorted, ignored and its places of importance unmarked by authorities. Moore Street was unmarked by plaque or monument from the founding of the State until 1966 when, during the 50<sup>th</sup> anniversary of the Rising, a small plaque was erected on one building in the street. That was insufficient and a shoebox museum is insufficient. The Hammerson plan approved by the Planning Department entails the deviation of the evacuation route of the beleaguered GPO garrison, the Headquarters staff and defence force of the 1916 Rising and, even worse, of the disruption of the recorded footsteps and progress tunnelling and scrambling through the 1916 Terrace, breaking it with an ugly arch. The Planning Department has agreed to all this and has not ruled out agreeing to the overshadowing of the O'Rahilly Monument in O'Rahilly Parade by tall buildings, creating a canyon in that historic laneway.
- In terms of city planning as a place to live and to socialise, the Hammerson property developer plan to which DCC's Planning Department agreed, entails depriving Dublin's north city centre of the only fresh food street market in the area, simultaneously destroying an important social amenity (instead of developing it to its full potential). The plan sets out to demolish four food retail business and eliminate most of the fresh food stalls in that portion of the street. In addition, on the west side of that section, it will destroy the business of a bakery/ café and a generations-long family butchers'. On the southern end of the street the impact of the demolition/ construction there, allied to that of the central portion, will also ruin all the food and other retail businesses, fresh food stalls and another generations-long butchers'.
- In terms of traffic management, the proposal entails huge disruption for private and public transport to amenities and through the north city centre along with quick and safe access to the Rotunda Hospital.
- The Environmental Impact Assessment on behalf of the Applicant does not adequately assess the environmental impact of traffic to and from the envisaged construction site over 15 years nor the fumes emission of other traffic with idling engines waiting to pass.
- The EPA is disgracefully disregarding of the negative impact on residents

of Greeg Court.

- The destruction of the Moore Street Market entails the destruction of not only heritage and amenity but of one that has become an institution. It has featured in film and story, song and poetry and in the speeches of every political party. Moore Street has featured in documentaries and has been used as a place to be seen and recorded by film and in particular by pop stars. Moore Street has featured in annual festivals such as Culture Night, History Week, Open House, Food Festival and has been traversed by processions including the Bram Stoker festival. The National Tourist Development Authority recommends tourists visiting Dublin to include the Moore Street market in their itinerary and walking tour guides regularly take their tours through it, as do schools and colleges their pupils.
- The decision of the Planning Department adds to the hotel swamping of Dublin city protested by many (*see in this regard also No.6*). The effect of the proposal is contrary to the purpose of Z5 designation by reducing the cultural space within the city centre, impacting on its night-time culture and facilitating an over-concentration of hotel/retail developments in the area, considering the many existing hotels / shopping centres in close proximity. There are already over 40 hotels within 2km of the site, and more than 20 hotels and B&Bs within a 10-minute walk; Dublin we does not need any more hotels in the environs of Moore Street.
- In purely procedural terms, the Planning Department did not abide by its own conditions when *it granted planning permission in advance of receiving documentation it had requested of the applicant*
- The above had an impact greater than a mere failure to abide by procedures but, even more importantly, disregarded all democratic norms in that *it deprived those concerned of the ability to comment on that portion of the documents supplied by the applicant.*
- The applicant's proposal contains no provision of social or even affordable housing of reasonable dimensions. This should not be accepted in a city that is in what many have described as a housing crisis (and in a context in which two homeless people died in the first two months of 2022 in the street and the area).
- The proposed office block at Site 5 will visually impact on the buildings the State has nominated as the "National Monument" and the iconic 1916 Terrace. It will also overshadow residential and commercial units at Moore Street north and the Greeg Court apartment block including sun balconies and living spaces of the owner/occupiers.
- The proposal does not complement the built environment or contribute positively to the neighbourhood and streetscape but destroys or clashes with it.
- The applicant's Heritage Impact Assessment statement fails to adequately assess or record the surviving historic fabric in the entire Moore Street terrace or take into account the curtilage of the designated National Monument. It also contradicts the previous developer Chartered Land's

Heritage Impact Statement which stated no.18 contained pre-1916 elements *and that statement was accepted by the Planning Department at the time(!)* in addition to having a dramatic and irreversible impact on surrounding protected structures, their setting and curtilage.

- The proposal is contrary to provisions of Section 11.1.5.3 of the Dublin Development Plan in failing to complement the special character of the protected structures on and adjoining the site and or retaining the traditional proportionate relationship with returns, gardens, mews structures etc.
- The proposal will have a negative and irreversible impact on the integrity and character of the protected structures on the site and others, such as the tall "Dutch Billy" houses and their special significance as a surviving group of early structures facing the centuries-old Moore Street market.
- A Poor precedent will be set for allowing protected structures to become dilapidated and derelict and then redeveloped for the foreseeable future.
- The design, scale and massing would seriously detract from the setting and character of both the O'Connell Street Conservation Area and the protected structures on the site and would have a significant adverse impact on the conservation area, contrary to Section 11.1.5.3 of the development plan and policies C1, C2, C4 and C6.
- Proposal would contravene development plan policies CHC29, CHC37 and CHC43 in relation to protection of the cultural and artistic use of buildings in established cultural quarters, without any justification for doing so.
- The role of the Moore Street area of as a major one of action during the 1916 Rising, areas including laneways and terrace buildings is completely ignored in this proposal.
- The degree of importance of the site as a cultural hub is not addressed. There is no other site in the country with more potential than this one. The role of culture in creating communities, which are the bedrock of cities, is being totally ignored.
- No report received in relation to traffic management considering the large construction traffic volumes accessing and regressing the proposed site compound that is literally surrounded by 3/4 commercial servicing bays, residential car parking at Greeg Court, delivery inwards and outwards for retailers, waste collections, Market Traders accessing their storage units etc. Clarity is required in relation to the nature of the proposed access and regress into Moore Street / Lane and the safety issues that will arise for shoppers at Moore Street north at the junction of Moore Street and O'Rahilly Parade.
- There have been no provisions listed for dirt or debris falling from lorries accessing or regressing the site compound. This will severely impact fresh food business located at the junction of Moore Street and O'Rahilly

Parade where lorries will be stacking awaiting access to the site.

- The noise pollution mitigation measures won't have any real impact mitigation on neighbouring retailers or the residents in Greeg Court apartments, considering the close proximity of the site compound entrance and site boundary.
- The widescale demolition and piling will disrupt the habitat of rodents, setting them searching for new homes, not ideal on a predominantly food marketplace.
- The 15-year construction phase will inevitably wipe out the Market and Independent businesses on Moore Street. There are still three more planning applications for this site to be lodged, effectively putting the north city centre on a building site for the next 20 years.
- The adverse impacts of this proposal on independent businesses and Market traders should be addressed by the planning department in conditions of Planning.
- It is very clear that on completion of this project Moore Street will effectively become a laneway which completely undermines the historical significance of the Street and the heritage of the Market, along with a major attraction and social provision in the north city centre.
- The applicant suggests that this is a vacant site (they have helped to make it so) but this site is fully occupied by the history of 1916 and a centuries-old street market and is a place of special importance in Ireland's history that has suffered a decade of neglect by the applicants, Dublin City Council and the Government. A very different future is not only possible but desirable.

IN CONCLUSION, for all the above reasons, the planning permission granted by the Planning Department of Dublin City Council should be rejected and the future development and conservation of the area decided by a democratic public consultation, where the various options available may be considered.

The Secretary,  
An Bord Pleanála,  
64 Sráid Marlborough,  
Baile Átha Cliath 1.

APPEAL TO AN BORD PLEANÁLA AGAINST GRANTING OF PLANNING  
PERMISSION BY DUBLIN CITY COUNCIL TO DUBLIN CENTRAL GP Ltd  
(aka Hammerson) (Plan Nos: 2861/21 and 2862/21)

I, Diarmuid Breatnach, 34, Geata an tSéipéil, Bóthar San Alfonsas, BÁC 9,  
wish to appeal the granting of planning permission to Dublin Central GP (aka  
Hammerson) regarding Henry Place, Moore Street, O'Rahilly Parade, Moore  
Lane and Henry Street.

PROLOGUE:

The Planning Department of Dublin City Council (or more accurately perhaps that  
Department's management) may think of their duties as those of any  
administrative office anywhere, upholding operational regulations and deciding  
when to enforce them. They are profoundly mistaken because they are an  
administrative arm of the local authority, Dublin City Council, which is supposed  
to be a democratic institution responsible to the people of Dublin. According to  
Wikipedia (and not amended by the Council) "Representative power is vested in  
the city assembly which consists of 63 members", these being elected by  
elections (underlining mine)

- The decision of the Planning Department runs completely contrary to the  
recorded decisions of the Dublin City Council elected representatives on a  
number of occasions, which was to conserve the buildings in the "1916  
Terrace". Instead the Planning Department granted permission for the  
demolition of the majority of the buildings in that terrace, preserving only  
one in which it had the power to do so (No.10, Nos.14-17 being protected  
structures, decreed as a "national monument"). The Planning Department  
decision therefore overthrew or ignored the representative power of the  
City's voters.
- The Planning Department also gave the property speculator Hammerson  
permission to demolish *buildings that were in the process of being  
assessed as to whether they should be given protected status for  
historical reasons* (following a Council meeting on two separate  
occasions). This process was obstructed 1) by Hammerson refusing  
access to the archaeological historian, 2) by Hammerson's lawyers issuing  
the Council with a threat of legal action and 3) by the Executive complying  
with the wishes of the property speculator and keeping the archaeological  
historian's report from publication to this day. The Planning Department  
should have ensured that investigation for the purpose of protected status  
was concluded and taken its results into account but it did not do so,  
*preempting any decision by allowing the developer to demolish the  
buildings concerned*. This is outrageous behaviour by the Planning  
Department.

- It might be argued that Wikipedia does not represent Dublin City Council's ethos or mission statement but, apart from the fact that DCC appears not to actually *have* a mission statement and has not taken the trouble to amend the Wikipedia entry, the latter's statement would seem to reflect the popular conception of the citizenry. Not only did the Planning Department's decision violate that understanding of representation but it also went against the popularly expressed desires of ordinary citizens, historians and conservationists, in numerous representations, protests and the over 380,000 signatures gathered by the Save Moore Street From Demolition campaign group through its weekly stall since September 2014 (and formally presented to three separate Lord Mayors over the years).
- While the Universal Declaration of Human Rights on democratic rights does not specifically refer to local government, it does so by implication. Article 21: "Everyone has the right to take part in the government of his country, directly or through freely chosen representatives." "Everyone has the right of equal access to public service in his country." "The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures." The decision of the Planning Department set itself above the democratic rights of people, ignored its will and declined to give it equal access to public service, instead acceding to the desires of a private property company. (<https://www.un.org/en/about-us/universal-declaration-of-human-rights>)
- There more than 50 independent businesses, mostly retail with some of service nature, in Moore Street. All of these will be either wiped out completely or be seriously harmfully affected by the demolition and construction phases.
- Furthermore, those business will likely never return as the property developer rents shop spaces to chain stores, which they tend to do.
- Those independent business were never consulted by the property speculator or by the Planning Department. However, while one does not necessarily expect democratic consultation from a property speculator, one has every right to expect it from a local authority. The Planning Department may argue that those businesses had the opportunity to make submissions against the planning applications but that would be to pretend ignorance of the fact that those businesses would have been obliged to identify themselves in any registered objection and that most of them are on leases or rental agreements permitting their eviction within minimum periods of two weeks or even less. And that their landlords are effectively the same property speculator making the current planning applications.
- The Planning Department of any city has the responsibility in deciding whether to grant or refuse planning applications, to consider the overall impact of the intended project on the local and overall environment, not only in areas of health but in those of amenity and associated questions. Given the concerns widely expressed regarding those questions with regard to the applications in question, the Planning Department had a

responsibility to consider the planning application in those contexts.

The decisions of elected representatives, submissions to the Planning Department on planning applications for this area over the years, submissions made to the Heritage Minister's Advisory (later Consultative) Group on Moore Street, requests, motions and reports from the Lord Mayor's Moore Street Forum, the Report of the Expert Market Group on Moore Street all presented alternative visions for the development of the area as a historical/ cultural quarter and a vibrant living street market, some going further and integrating that vision into one of the revitalisation of the north city centre. There is no evidence to suggest that the Planning Department considered these at all in its deliberations but instead going ahead and granting planning permission, effectively burying all those possibilities under the shopping district it has permitted.

- Among the many elements which the Planning Department seems to have overlooked (I say "seems" since it never referred to it in its decisions) is the tourism value of a historical cultural quarter in the city centre. In the summer of 2017, Sorchá Pollack reported in the Irish Times that the number of visitors to Kilmainham Jail museum had risen by 64,335 from 2016 figures (i.e of the 1916 Rising Centenary) to 390,970 (<https://www.irishtimes.com/news/consumer/record-6-6-million-visitors-to-irish-heritage-sites-1.3108565>).

Kilmainham Jail is on the city's outskirts, reachable from the city centre by some buses from the north quays, whereas Moore Street is right in the city centre. Tourists have indicated in a number of surveys that they come to Ireland to sample its history and culture, rather than shops, a fact seemingly lost on the Planning Department and one which does not seem to concern property speculators. Except that the latter continue to build hotels to make rental money from those visitors while they simultaneously destroy the very things the visitors have come for.

- Permitting the property developer to demolish historical buildings and alter the footprint of a "World War I urban battlefield in pristine condition" (Imperial War Museum, London) not only undermines tourist potential (see No.6) but destroys a site of world historical significance and arguably of World Historical Heritage importance, being the site of (among other firsts):
  - the first insurrection against World War,
  - in which the first insurrectionary women's organisation participated
  - and also the first specifically workers' army in the world took part,
  - which was also the first to recruit women, some of them being of officer rank
  - and an insurrection which helped light the flames of anti-colonial fires around the world.

- For Irish people and those visiting Dublin in particular, approving the demolition plans of the property developer deprives Dublin of a historical battleground of great historical importance, being the site of the surrender of decision of the 1916 Rising, the last location of freedom for five of the Signatories of the 1916 Proclamation and in which every organisation that contributed to the Rising was represented.
- People have a right to good access to their history and culture, which entails artifacts and places of historical importance. This right is recognised in the first paragraph of the International Covenant on Economic, Social and Cultural Rights (<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>) adopted coincidentally 50 years after the 1916 Rising. While it is true that our history cannot be removed, it can be disguised, distorted, ignored and its places of importance unmarked by authorities. Moore Street was unmarked by plaque or monument from the founding of the State until 1966 when, during the 50<sup>th</sup> anniversary of the Rising, a small plaque was erected on one building in the street. That was insufficient and a shoebox museum is insufficient. The Hammerson plan approved by the Planning Department entails the desviation of the evacuation route of the beleaguered GPO garrison, the Headquarters staff and defence force of the 1916 Rising and, even worse, of the disruption of the recorded footsteps and progress tunnelling and scrambling through the 1916 Terrace, breaking it with an ugly arch. The Planning Department has agreed to all this and has not ruled out agreeing to the overshadowing of the O'Rahilly Monument in O'Rahilly Parade by tall buildings, creating a canyon in that historic laneway.
- In terms of city planning as a place to live and to socialise, the Hammerson property developer plan to which DCC's Planning Department agreed, entails depriving Dublin's north city centre of the only fresh food street market in the area, simultaneously destroying an important social amenity (instead of developing it to its full potential). The plan sets out to demolish four food retail business and eliminate most of the fresh food stalls in that portion of the street. In addition, on the west side of that section, it will destroy the business of a bakery/ café and a generations-long family butchers'. On the southern end of the street the impact of the demolition/ construction there, allied to that of the central portion, will also ruin all the food and other retail businesses, fresh food stalls and another generations-long butchers'.
- In terms of traffic management, the proposal entails huge disruption for private and public transport to amenities and through the north city centre along with quick and safe access to the Rotunda Hospital.
- The Environmental Impact Assessment on behalf of the Applicant does not adequately assess the environmental impact of traffic to and from the envisaged construction site over 15 years nor the fumes emission of other traffic with idling engines waiting to pass.
- The EPA is disgracefully disregarding of the negative impact on residents

of Greeg Court.

- The destruction of the Moore Street Market entails the destruction of not only heritage and amenity but of one that has become an institution. It has featured in film and story, song and poetry and in the speeches of every political party. Moore Street has featured in documentaries and has been used as a place to be seen and recorded by film and in particular by pop stars. Moore Street has featured in annual festivals such as Culture Night, History Week, Open House, Food Festival and has been traversed by processions including the Bram Stoker festival. The National Tourist Development Authority recommends tourists visiting Dublin to include the Moore Street market in their itinerary and walking tour guides regularly take their tours through it, as do schools and colleges their pupils.
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<b>AN BORD PLEANÁLA</b>	
08 FEB 2022	
LTR DATED _____	FROM _____
LDG- _____	
ABP- _____	