

William Doran (TechIED)
Planning and Project Management Consultant,
Land and Property Surveys
Fire Safety & Disability Access Consultant
7, St. Mary's Road,
Ballsbridge,
Dublin 4

Ph [REDACTED]
Email: [REDACTED]

An Bord Pleanála,
Marlborough Street,
Dublin 1
BY HAND

9th March, 2022

JN 6790

AN BORD PLEANÁLA	
LDG-	_____
ABP-	_____
11 MAR 2022	
Fee: €	Type: _____
Time: _____	By: <u>post</u>

Re: 2861/21 – Dublin Central Site 3 ABP-312603-22

Applicant: Dublin Central GP Limited.

Directors: Rebecca Patton, Vanessa Mitchel, Andrew Diggins, Connor Owens.

Description of proposed Development:

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 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.

Dear Sir,

Further to your letter of February 14th 2022 and enclosures, I am instructed by;

Amanda Higgins Pitch No A5 & A6, Moore Street, Dublin 1
Catherine Kennedy Pitch No A38, Moore Street, Dublin 1.
Paul Shannon Pitch No A66, Moore Street, Dublin 1.
Martina Owens Pitch No A17, Moore Street, Dublin 1.
Rose Kinsella Pitch No A17A, Moore Street, Dublin 1.
Sharon Byrne Pitch No A55, Moore Street, Dublin 1.

Collectively known as the Moore Street Traders, referred below as Moore Street Traders, to respond to the submission by Stephen Little, dated 8th February, 2022, submitted on behalf of the Applicant, Dublin Central GP Limited in relation to FIRST PARTY APPEAL against Condition 28.

My original objection in relation to this proposed development and my submission in relation to the additional information stand, as does my previous appeal submission, all must be read in conjunction with the following;

POWER TO EXTEND APPROPRIATE PERIOD.

In circumstances where the Planning Authority has under Section 42 of the Planning and Development Act 2000, as amended, the discretion to extend the duration of a planning permission, taking into account the circumstance prevailing at the time, it is not appropriate to vary Condition 28 of the Local Authority notification to grant permission by increasing the duration of the planning permission from the usual statutory period to seven years.

The proposed development has an impact on the wider community and business within the environs of the proposed site, and the extension of the period within which the permission must be substantially completed is not appropriate, particularly where the proposed developers wishes to prevent the Moore Street Traders from operating during the construction period.

Should An Bord Pleanala decide to grant a planning permission for a seven year period it is reasonable that the developer be prevented from making subsequent use of Section 42 of the Planning and Development Act 2000, to extend the permission further, possibly out to an overall twelve years. In such circumstances it would be appropriate to exclude the use of Section 42 in the permission.

I ask An Bord Pleanala to refuse planning permission for this proposed development or to include enforceable planning conditions which protect the livelihood of my clients, the Moore Street Traders, and allows them to continue trading uninterrupted on Moore Street, with proper, practical and sensible planning conditions to control noise and dust as well.

Yours Faithfully,



William Doran



