

L17A/L19A

Derek Kelly

From: Naoise O'Connor [REDACTED]
Sent: Monday 12 February 2024 14:04
To: Appeals2; Bord
Cc: SLA Dublin Central
Subject: ABP Ref. 312603-22 - Response to Submissions - Dublin Central Site 3
Attachments: Cover Letter DC Response to Submissions.pdf; 20035 DCP Site 3_Response to Further Submissions.pdf

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Dear Sir, Madam,

We, Stephen Little & Associates Chartered Town Planners & Development Consultants, 26 / 27 Upper Pembroke Street, Dublin 2, D02 X361 are instructed by our Client (the Applicant), Dublin Central GP Limited, Riverside One, Sir John Rogerson's Quay, Docklands, Dublin 2, D02 X576 to submit this First Party response to Submissions in relation to ABP Ref 312603-22 as issued by An Board Pleanála on the 23rd January 2024.

We confirm that we act for the Applicant in this instance and would ask that all future correspondence in this matter be directed to this office.

We would be grateful for written acknowledgement of this submission at your earliest convenience.

Kind Regards,

Naoise O'Connor
Assistant Planner
STEPHEN LITTLE & ASSOCIATES
Chartered Town Planners & Development Consultants
26/27 Upper Pembroke Street,
Dublin 2 D02 X361

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SLA | **Stephen Little
& Associates**

The SLA team have met regularly with the Applicant to discuss the progress of the project and to ensure that the project is progressing as planned.

The Applicant has agreed to provide the SLA team with all the necessary information to complete the project and to ensure that the project is progressing as planned.

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The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1

Our Ref. 20035

12 February 2024

RE: RESPONSE TO FURTHER SUBMISSIONS

PLANNING APPLICATION FOR THE DEVELOPMENT OF MIXED-USE DEVELOPMENT IN 2NO. BLOCKS, RANGING IN HEIGHT FROM 1 TO 9 STOREYS OVER 2NO. INDEPENDENT SINGLE LEVEL BASEMENTS (GROSS FLOOR AREA C. 15,842.4 SQ M) AT NOS. 36 – 41 HENRY STREET, NOS. 1-9 MOORE STREET, NOS. 3-13 HENRY PLACE, DUBLIN 1 (DUBLIN CENTRAL – SITE 3)

AN BORD PLEANÁLA REF: ABP-312603-22

DUBLIN CITY COUNCIL REG. REF: 2861/21

Dear Sir / Madam,

We, Stephen Little & Associates Chartered Town Planners & Development Consultants, 26 / 27 Upper Pembroke Street, Dublin 2, D02 X361 submit this First Party Response to Further Submissions made on the recently submitted request for Further Information made under Section 137 of the Planning & Development Act 2000, as amended relating to ABP Ref. ABP-312603-22 (Dublin Central Site 3), issued to An Bord Pleanála on the 11 January 2025.

This submission responds to a letter from An Bord Pleanála, dated 23 January 2024, inviting the Applicant to make a submission / observation in writing to the Board in relation to the following 7no. Third Party submissions:

- Shane Stokes, Greencastle, Season Park, Newtownmountkennedy, Co. Wicklow A63A500,
- Diarmuid Breatnach, 34 Geata an tséipéil, Bóthar San Alfonsas, Baile Átha Cliath 9,
- Dublin City Council, Civic Offices, Wood Quay, Dublin 8, D08 RF3F,
- Relatives of the Signatories to the 1916 Proclamation, 4 Oxford Road, Ranelagh, Dublin 6,
- Moore Street Preservation Trust, Ireland Institute, The Pearse Centre, 27 Pearse Street, Dublin 2,
- Dublin Town, First Floor 43-45 Middle Abbey Street, Dublin 1, D01 X8R2,
- Mary Lou MacDonald, 58 Fassauga Avenue, Cabra West, Dublin 7.

We confirm that we act for the Applicant in this instance and would ask that all future correspondence in this matter be directed to this office.

We would be grateful for written acknowledgement of this submission at your earliest convenience.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'S. Little'.

Stephen Little,

Managing Director

STEPHEN LITTLE & ASSOCIATES

Applicant's
Response to
Third Party
Submissions on
Section 137
Request
Dublin Central
– Site 3

For Development
Comprising Hotel,
Retail, Restaurant/Café,
Residential & Cultural
Uses and Associated &
Ancillary Development.

At Nos. 36 – 41 Henry
Street, Nos. 1 – 9
Moore Street and Nos.
3 – 13 Henry Place,
Dublin 1

For Dublin Central GP
Limited

FEBRUARY 2024

Document Control: -

Author	Checked by	Purpose	Date
NOC	MOS	Draft	31.01.2024
NOC	EMP	Final Draft	09.02.2024
NOC		FINAL	

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1 INTRODUCTION

We, Stephen Little & Associates Chartered Town Planners & Development Consultants, 26 / 27 Upper Pembroke Street, Dublin 2, D02 X361 make this submission to the Board in response to its notification dated 23 January 2024.

This submission concerns the case of ABP-312603-22 - Dublin Central Site 3. It is made on behalf of the Applicant / 1st Party, Dublin Central GP Limited, Riverside One, Sir John Rogerson's Quay, Docklands, Dublin 2, D02 X576.

This submission comprises the 1st Party's response to the Submissions made in respect of the Further Information provided to the Board on 11 January 2023, under Section 137 of the Planning & Development Act 2000, as amended.

This submission provides the 1st Party Response to the following submissions furnished to it by the Board: -

- Dublin City Council, Civic Offices, Wood Quay, Dublin 8, D08 RF3F,
- Dublin Town, First Floor 43-45 Middle Abbey Street, Dublin 1, D01 X8R2,
- Shane Stokes, Greencastle, Season Park, Newtownmountkennedy, Co. Wicklow A63A500,
- Diarmuid Breatnach, 34 Geata an tSéipéil, Bóthar San Alfonsas, Baile Átha Cliath 9,
- Relatives of the Signatories to the 1916 Proclamation, 4 Oxford Road, Ranelagh, Dublin 6,
- Moore Street Preservation Trust, Ireland Institute, The Pearse Centre, 27 Pearse Street, Dublin 2,
- Mary Lou MacDonald, 58 Fassagh Avenue, Cabra West, Dublin 7.

In response to the Board's invitation, and for the avoidance of doubt, this Report should be read in conjunction with the response to the Section 137 request issued to An Bord Pleanála on the 11 January 2024. Section 2 of that Report details what the 1st Party considered to be the most relevant policy provisions of the current Dublin City Development Plan 2022 - 2028 ("the Development Plan") and how the proposed development is consistent with same.

2 RESPONSE TO FURTHER SUBMISSIONS

The Applicant has gone to great length to ensure that a comprehensive planning assessment of the proposal was provided to An Bord Pleanála in response to the Section 137 request for Further Information, issued to the Board on the 11 January 2024. This response demonstrated how the proposed development is compliant with the relevant statutory planning policy as set down in the Dublin City Development Plan 2022-2028 and thus with the proper planning and development of the area.

Notwithstanding, in making this further response to the Board, we have sought to identify all of the grounds of objection raised in the Third Party submissions identified above. We then provide the Applicant's response to all issues raised having regard to the provisions of the relevant chapter(s) of the Development Plan.

Having carefully reviewed the content of the 7no. Third Party Appeals, our summary of the submissions are as follows: -

- Positive submission from Dublin Town
- Dublin City Council Submission - Response policies/objectives of the Development Plan not addressed in First Party Section 137 Response.
- Record of Protected Structures and Heritage policies/objectives

The below response will address all 7no. submissions made. We will address the submissions following the Board's layout, chapter by chapter of the Development Plan.

2.1 Chapter 4 – Shape and Structure of the City

In the first instance the applicant welcomes the positive assessment from Dublin Town for the proposed development, which submits that the proposed development achieves the objectives of Chapter 4 of the Development Plan.

Key points from Diarmuid Breatnach's submission are that the scheme does not provide integration with the Moore Street Market, will provide for only large retail/chain stores and the development is not inclusive or vibrant culturally.

Dublin City Council identifies a number of policies and objectives of the Development Plan that they recommend the Board has regard to. One policy in Chapter 4 – Shape and Structure of the City listed by Dublin City Council, that has not already been addressed by the Applicant in its submission dated 11 January 2024, is: -

SC8 - Development of the Inner Suburbs:

To support the development of the inner suburbs and outer city in accordance with the strategic development areas and corridors set out under the Dublin Metropolitan Area Strategic Plan and fully maximise opportunities for intensification of infill, brownfield and underutilised land where it aligns with existing and pipeline public transport services and enhanced walking and cycling infrastructure.

2.1.1 Applicant's Response

We refer the Board in the first instance, to the Applicants response submission, dated 11 January 2024, for a full analysis of how the proposed Site 3 development complies with the policies and objectives of Chapter 4 – Shape and Structure of the City of the Development Plan. The following response addresses the residual objectives/policies highlighted by Dublin City Council and raised as key points of other submissions.

The Dublin Central Masterplan Area (or the "the Masterplan") is a significant urban regeneration project that encourages high-quality urban design and architectural detailing that contributes to the historic streetscape and creates new points of interest in the area. The Masterplan is underpinned by the Dublin Central Masterplan Area Conservation Management Plan prepared by Molloy & Associates Conservation Architects, having regard to the sensitive historic character of this part of the city centre. The Site 3 proposal considers its relationship with Henry Street and Moore Street in providing new active frontage and connections to support the primary shopping street and traditional market area. The proposed hotel development will draw footfall through the quieter interior streets and laneways, including Henry Place and Moore Lane, enhancing the vibrancy and safety of the city centre. The architectural and urban design quality of the proposed scheme has been discussed in depth in both the application and appeal submissions made to date. Smaller retail units are also proposed on Moore Street, in keeping with Moore Street's traditional role as a market street and Category 2 Street Designation for Moore Street. It is anticipated that such units may attract small, independent or specialist retailers.

Secondly, we refer the Board also to Section 2.8 of the Section 137 Response Report (11 January 2024), for further discussion of regeneration in the specific context of the Strategic Development and Regeneration Area (SDRA 10 North East Inner City - O'Connell Street – Moore Street Civic / Cultural Hub). The proposed redevelopment of this brownfield city centre site would deliver mixed-use redevelopment. The area is exceptionally well located in terms of accessibility by foot, by bicycle and to public transport, as described in section 2.5.1 of the Section 137 response Report as issued on the 11 January 2025.

2.2 Chapter 5 – Quality Housing and Sustainable Neighbourhoods

We again acknowledge the positive assessment by Dublin Town of the proposed development under the provisions of Chapter 5. Its submission confirms its support for the residential components of the proposed development.

Key points from Diarmuid Breatnach submission in respect of Chapter 5 are that there is no social housing for the site and that there will be no communal solidarity.

The following policies / objectives identified in the Dublin City Council submission, not already addressed in the Applicant's submission to the Board dated 11 January 2024, are: -

QHSN 38 - Housing and Apartment Mix

To encourage and foster the creation of attractive, mixed use, sustainable residential communities which contain a wide variety of housing and apartment types, sizes and tenures, in accordance with the Housing Strategy and HNDA, with supporting community facilities and residential amenities.

Further detail in regard to unit mix is set out in Chapter 15: Development Standards. Unit mix requirements for the Liberties and the North Inner City are set out in Section 15.9.1 and Table 37 of the Housing Strategy in Appendix 1.

QHSN47 - High Quality Neighbourhood and Community Facilities

To encourage and facilitate the timely and planned provision of a range of high-quality neighbourhood and community facilities which are multifunctional in terms of their use, adaptable in terms of their design and located to ensure that they are accessible and inclusive to all. To also protect existing community uses and retain them where there is potential for the use to continue.

QHSN58 - Culture in Regeneration

To recognise culture as an important mechanism in regeneration, with the potential to act as a catalyst for integration, community development and civic engagement.

2.2.1 Applicant's Response

We refer the Board to the Applicant's response submission, dated 11 January 2024, for a full analysis of how the proposed Site 3 development complies with the policies and objectives of Chapter 5 – Quality Housing and Sustainable Neighbourhoods. The following response addresses the residual objectives/policies identified by Dublin City Council and raised as key points in other submissions.

In Block 3B, a Build to Rent apartment scheme is proposed and is subject of the transitional arrangements inserted in section 5.10 of the 'Sustainable Urban Housing: Design Standards for New Apartments' Guidelines (2023). This delivers a mix of apartment sizes and units, in a long term privately managed scheme. The Applicant proposes to meet its Part V obligations to agree the delivery of 10% of the units as social and affordable housing. We can confirm that the Applicant is prepared to enter into an agreement under a condition, such as condition 29 of the grant of permission to comply with the requirements of Part V in a manner that is acceptable to the Council. A number of communal spaces are also proposed as part of the residential component of the scheme, allowing sufficient space for residents to use and allow space to create a sense of community.

The Site 3 proposal provides a critical new opportunity to reignite the long awaited renewal and regeneration of the underutilised Dublin Central area, with mixed use development including housing. We refer to Section 2.9.2.8 – Residential Unit mix, of the Applicant's Section 137 response to the Board (11 January 2024) for discussion on Unit Mix and the requirements of the SDRA.

Site 3 contributes to The Masterplan aim to provide for a high-quality neighbourhood in this area. Approximately 533 sq m of community, arts and cultural space is proposed at Site 3. This should be considered in the context also of the additional wider Dublin Central Masterplan provision of c.3,394 sq m of community, arts and cultural space. Please refer to Section 2.7.2 of the Section 137 to the Board (11 January 2024) for discussion of the provision of community facilities.

We refer to the Masterplan Design Statement, prepared by ACME Architects, which shows how culture is at the forefront of this regeneration project. The masterplan, the majority of which is now subject of live planning proposals that appropriately consider and respond to the historic streetscape, the key events of the 1916 Rising and to the Moore Street Market.

2.3 Chapter 6 – City Economy and Enterprise

Firstly, we wish to acknowledge the positive assessment by Dublin Town of the proposed development under the provisions of Chapter 6. The Dublin Town submission expresses its support for the hotel development, the cultural/gallery use and the open spaces proposed at Site 3.

The Diarmuid Breatnach submission asserts that the scheme supports large chain stores and does not foster local economic development and social enterprise.

The following policies / objectives identified in the Dublin City Council submission, not already addressed in the Applicant's submission to the Board dated 11 January 2024, are: -

CEE3 - Promoting and Facilitating Foreign Direct Investment

To promote and facilitate foreign direct investment into the city by working closely with the IDA and other agencies, and having regard to the needs of international investment. To recognise that there is a role for Dublin City Council in establishing a positive and attractive 'brand' for the city and in facilitating investment in the ongoing growth and regeneration of the city

CEE20 - Vacant Sites

To engage in the 'active land management' of vacant sites and properties including those owned by Dublin City Council.

To engage proactively with land-owners, potential developers and investors with the objective of encouraging the early and high quality re-development of such vacant sites.

To encourage and facilitate the rehabilitation and use of vacant and under-utilised buildings, including their upper floors.

To promote and facilitate the use, including the temporary use, of vacant commercial space and vacant sites, for a wide range of enterprise including cultural uses.

CEE21 - Tourism in Dublin

To promote and facilitate tourism as one of the key economic pillars of the city's economy and a major generator of employment and to support the appropriate, balanced provision of tourism facilities and visitor attractions.

To promote and enhance Dublin as a world class tourist destination for leisure, culture, business and student visitors and to promote Dublin as a setting for conventions and cultural events.

To improve the accessibility of tourism infrastructure to recognise the access needs of all visitors to our city.

CEE34 - Craft Enterprises

To recognise that craft enterprises, designers' studios/workshops etc., along with visitor centres, provide economic development and regeneration potential for the city, including the promotion of tourism. To promote Dublin city centre as a destination for such creative industries and for the cultural and artistic sectors.

2.3.1 Applicant's Response

We refer the Board to the Applicant's response submission, dated 11 January 2024, for a full analysis of how the proposed Site 3 development complies with the policies and objectives of Chapter 6 – City Economy and Enterprise. The following response addresses the residual objectives/policies identified by Dublin City Council and raised in the key points of other submissions.

There is significant potential to revitalise this central urban quarter of Dublin city centre through the proposed redevelopment of this brownfield site, to enhance the competitive position of Dublin city centre.

The Masterplan, including the Site 3 proposal, seeks to inject new life through the sustainable regeneration and revitalisation of this area at the heart of Dublin city centre. It seeks to create a world class city quarter, with a vibrant mix of uses, in new and historic buildings that sit respectfully within the existing open street structure. It recognises the status of O'Connell Street as one of Ireland's most important civic thoroughfares and the potential of the area to attract and engage visiting, working and residential communities.

The proposed development at Site 3, as a component of the Dublin Central Masterplan, seeks to deliver a mix of uses that drives footfall and vibrancy 24/7 including a mix of uses, including retail and retail services (as noted in section 2.1.1 the scheme provides for smaller retail units on Moore Street, which may attract small, independent or specialist retailers), commercial office space, residential accommodation, hotel, food and beverage, and strategically located non-commercial / cultural uses.

Dublin Central will be a flagship tourist destination, in a buoyant operating market in Dublin City Centre. The scheme is ideally located in the heart of Dublin City Centre and on a main throughfare, O'Connell Street. The property is superbly positioned to capitalise upon growing Dublin hotel demand over the next 5+ years. The property is also located in an established tourist accommodation district, with other nearby hotels including The Moxy, Motel One, Holiday Inn, , The Gresham, Leonardo and Point A. With significant regeneration already underway within the environs, the property's location is set to be even further enhanced.

2.4 Chapter 7 – The City Centre, Urban Village and Retail

We wish to acknowledge the positive assessment from Dublin Town for the proposed development under Chapter 7, which notes that the proposed scheme will safeguard the retail offerings in the City Centre.

Key points from Diarmuid Breatnach's submission are that the scheme does not provide for a theatre, pubs or family leisure facility.

The following policies / objectives identified in the Dublin City Council submission, not already addressed in the Applicant's submission to the Board dated 11 January 2024, are: -

CCUV41 - New Infrastructure Development

Infrastructure projects in Dublin City should ensure placemaking outcomes through a design-led approach. Dublin City Council will work the relevant agencies / infrastructure providers to achieve public realm enhancements in the design, implementation and delivery of infrastructure projects.

CCUVO18 - Streets and Lanes Dublin 1

To work with city stakeholders including local businesses, and the BIDs group 'WeAreDublintown' to implement a number of public realm projects arising from the Re-Imagining Dublin One study and to extend best practice from these projects to other parts of Dublin 1 and the city. This includes the North Lotts Planning Study and the 'Reimagining Dublin One Laneways' project

CCUVO19 - Linking Office and Culture Clusters to the Retail Core

To devise a programme to enhance pedestrian amenities, encourage more street based activities and provide micro spaces along key routes from office and culture clusters to the retail core to enhance the vibrancy of the streetscape and to draw office workers and tourists into the retail core.

2.4.1 Applicant's Response

We refer the Board to the Applicants response submission dated 11 January 2024, for a full analysis on how the proposed development at Site 3 complies with the policies and objectives of Chapter 7 – The

City Centre, Urban Village and Retail. The following response addresses the residual objectives/policies identified by Dublin City Council and raised as key points of other submissions.

Diarmuid Breatnach refers to lack of leisure facilities within the proposal. However, we would refer to the proposed retail, café / restaurant, cultural, residential, and hotel uses at Site 3, which are all permissible in principle under the Z5 zoning. The Site 3 offering should also be considered in the context of the wider Masterplan and the extent of proposed mixed use across all of the Dublin Central sites, including but not limited to retail, café/restaurant, community/cultural, public realm enhancements, etc. Thereafter the Dublin Central Project will become part of the urban fabric within the heart of the city, within easy walking distance of a plethora of complementary leisure uses including public houses, cinemas, theatres and other similar amenities. We would highlight that Dublin City Council in its assessment of the Site 3 proposal was fully supportive of the mix of uses proposed, and had regard to its location within a highly accessible city centre location.

We continue to submit that the proposed development is representative of plan-led, high-quality urban and architectural design, which seeks to achieve the sustainable regeneration of an underutilised brownfield site. It delivers an appropriate mix of uses, both vertically and horizontally, with street activating retail, café / restaurant and cultural uses at ground and first floor levels, complemented by residential and hotel use at upper floors.

It is our considered opinion that *Policy CCUV41 - New Infrastructure Development* does not apply to this development as it is not an infrastructure development.

We refer to the submission made by *We Are Dublin Town*, as described throughout this response, which supports the Dublin Central project and in particular the proposed development at Site 3, which complies with objective *CUVO18 – Streets and Lanes Dublin 1*.

A Scenario Testing & Development Design Report, prepared by Space Syntax for the Dublin Central Masterplan, was submitted with the Site 3 planning application. Space Syntax are experts in the field of forecasting pedestrian movements/mobility and as such this report has informed the design process. The report considers the existing pedestrian movement patterns and pedestrian numbers in the area. It underlines the inhibiting and impermeable nature of the Masterplan area in its current format for pedestrian movement. The proposed development at Site 3 is consistent with *Objective CCUV019* through its provision of enhanced pedestrian amenities and connectivity in Dublin's City Centre. The Scenario Testing & Development Design Report concludes:-

"The Masterplan maximises footfall benefits to Moore Street by improving its connection to O'Connell Street via the new East West route, also linking the street to a large public space. The streets and spaces in the Masterplan are designed to cater to the significant increase in movement and maintain a high Pedestrian Comfort Level throughout the scheme and surrounding street network. The configuration of urban blocks in the new development creates a high degree of permeability and continuity of routes within the site. Consequently, pedestrian movement through the lanes is significantly improved. The location of retail and food & beverage land uses along the new routes will further serve to attract pedestrian movement through the development."

2.5 Chapter 8 – Sustainable Movement & Transport

We wish to acknowledge the positive assessment from Dublin Town for the proposed development under Chapter 8, which notes that customers will use public transport to access this location instead of private cars and the masterplan facilitates O'Connell Street Metro stop further enhancing public transport options.

Key points raised by Diarmuid Breatnach include the assertion that a range of activities should be available and that the site needs to be well lit at night rather than surrounded by closed shops.

The following policies / objectives identified in the Dublin City Council submission, not already addressed in the Applicant's submission to the Board dated 11 January 2024, are: -

SMT8 - Public Realm Enhancements

To support public realm enhancements that contribute to place making and liveability and which prioritise pedestrians in accordance with Dublin City Council's Public Realm Strategy ('Your City – Your Space'), the Public Realm Masterplan for the City Core (The Heart of the City), the Grafton Street Quarter Public Realm Plan and forthcoming public realm plans such as those for the Parnell Square Cultural Quarter Development and the City Markets Area.

SMT9 - Public Realm in New Developments

To encourage and facilitate the co-ordinated delivery of high quality public realm in tandem with new developments throughout the city in collaboration with private developers and all service/utility providers, through the Development Management process.

SMT12 - Pedestrians and Public Realm

To enhance the attractiveness and liveability of the city through the continued reallocation of space to pedestrians and public realm to provide a safe and comfortable street environment for pedestrians of all ages and abilities.

SMT14 - City Centre Road Space

To manage city centre road-space to best address the needs of pedestrians and cyclists, public transport, shared modes and the private car, in particular, where there are intersections between DART, Luas and Metrolink and with the existing and proposed bus network.

SMT22 - Key Sustainable Transport Projects

To support the expeditious delivery of key sustainable transport projects so as to provide an integrated public transport network with efficient interchange between transport modes, serving the existing and future needs of the city and region and to support the integration of existing public transport infrastructure with other transport modes. In particular the following projects subject to environmental requirements and appropriate planning consents being obtained:

- DART +
- Metrolink from Charlemount to Swords
- BusConnects Core Bus Corridor projects
- Delivery of Luas to Finglas
- Progress and delivery of Luas to Poolbeg and Lucan

SMT27 - Car Parking in Residential and Mixed Use Developments

To provide for sustainable levels of car parking and car storage in residential schemes in accordance with development plan car parking standards (see Appendix 5) so as to promote city centre living and reduce the requirement for car parking.

To encourage new ways of addressing the transport needs of residents (such as car clubs and mobility hubs) to reduce the requirement for car parking. To safeguard the residential parking component in mixed-use developments.

2.5.1 Applicant's Response

We refer the Board to the Applicants response submission dated 11 January 2024, for a full analysis on how the proposed development at Site 3 complies with the policies and objectives of Chapter 8 – Sustainable Movement & Transport. The following response addresses the residual objectives/policies identified by Dublin City Council and raised as key points of other submissions.

A Landscape / Public Realm Masterplan, prepared by Gross Max Landscape Architects, accompanied the planning application. The Landscape Masterplan Report presents a cohesive landscaping concept and is designed to tie the proposed development for the Sites within the Masterplan together. Equally, it seeks to integrate with the existing street context, including Moore Street, O'Connell Street Upper,

Parnell Street and Henry Street. Site 3 introduces the provision of a new Passageway link between Henry Place (at junction with Moore Lane) and Henry Street. As noted in our previous submission response (11 January 2024), the Planning Authority's assessment of the Site 3 proposal, itself and in the context of the overall Masterplan vision, is positive in respect to placemaking, stating that –

"The scale and extent of the overall masterplan site invites opportunities for meaningful placemaking within these neglected laneways and back streets. The enhancement of pedestrian links including the introduction of a new passageway bisecting the subject site will filter pedestrians into these laneways and in doing so, activate the laneways bringing vitality and vibrancy to the area. In addition, improvements to the public realm, including the provision of new public spaces within the wider masterplan site, will further contribute towards placemaking and creating the potential for a destination. The proposal for a mixture of façade retention, new development with a significant transition in scale to the 9 storey hotel building will create visual interest within this defined masterplan site and the use of the passageway to facilitate access to the wider masterplan site will enhance permeability, create intrigue and provides for an inviting entrance to the development."

It should also be noted that the proposed Site 3 development provides a ranges of active uses at ground floor to encourage activity throughout the day and into the night. This approach has been replicated across the wider Masterplan area. The proposed residential and hotel and café / restaurant uses will ensure that activity is maintained during the day and into the evening / night time. This will in turn support the local economy in terms of local spending and generation of jobs. Hotels in general help to create a more vibrant night-time economy through the entire week and into the evenings.

2.6 Chapter 11 – Built Heritage and Archaeology

The submissions from Dublin City Council, Mary Lou McDonald TD and the Moore Street Preservation Trust all refer to the recent additions along Henry Place and Moore Street to the Record of Protected Structures.

Shane Stokes discusses Chapter 11 – Built Heritage and Archaeology in detail, asserting that the scheme does not comply with the objectives of Chapter 11, the need to retain historic fabric and protect the O'Connell Street Architectural Conservation Area (ACA). The submission asserts that Moore Street is a priority ACA.

The following policies / objectives identified in the Dublin City Council submission, not already addressed in the Applicant's submission to the Board dated 11 January 2024, are: -

BHA10 - Demolition in a Conservation Area

There is a presumption against the demolition or substantial loss of a structure that positively contributes to the character of a Conservation Area, except in exceptional circumstances where such loss would also contribute to a significant public benefit.

BHA14 - Mews

To promote the redevelopment and regeneration of mews lanes, including those in the north and south Georgian core, for sensitively designed, appropriately scaled, infill residential development, that restores historic fabric where possible, and that removes inappropriate backland car parking areas.

BHA18 – Historic Ground Surfaces, Street Furniture and Public Realm

To protect, conserve and retain in situ historic elements of significance in the public realm including milestones, jostle stones, city ward stones, bollards, coal hole covers, gratings, boot scrapers, cast iron basement lights, street skylights and prisms, water troughs, street furniture, post boxes, lampposts, railings and historic ground surfaces including stone kerbs, pavement flags and setts, and to promote conservation best practice and high standards for design, materials and workmanship in public realm improvements within areas of historic character, having regard to the national Advice Series on Paving: The Conservation of Historic Ground Surfaces (2015).

To maintain schedules of stone setts, historic kerbing and historic pavers/flags, and associated features in the public realm, to be protected, conserved or reintroduced (Appendix 6), and to update and review these schedules during the period of this development plan.

BHA21 - Retrofitting Sustainability Measures

To have regard to the Department of Environment, Heritage and Local Government's publication on Energy Efficiency in Traditional Buildings (2010) and the Irish Standard IS EN 16883:2017 Conservation of Cultural Heritage- Guidelines for Improving the Energy Performance of Historic Buildings (2017) and any future updates or advisory documents in assessing proposed works on heritage buildings.

BHA22 - Upgrading Environmental Performance

To ensure a sustainable future for historic and other buildings subject to heritage protection, the City Council will encourage and support works to upgrade the environmental performance of the existing building stock that incorporates good standards of design and appearance. Where these works involve historic buildings subject to protection (this includes buildings referenced on the Record of Protected Structures and non-protected structures in an Architectural Conservation Area), the works shall not adversely affect the special interest of the structure and thus a sensitive approach will be required, taking into account:

- *The significance of the structure, and*
- *The extent of intervention, including impact on historic fabric, the technical requirements of a traditionally constructed building, visibility, siting and design.*
- *The installation of renewable energy measures and equipment will be acceptable where sited and designed to minimise the visual impact and does not result in any significant loss of historic fabric or otherwise affect the significance of the structure.*

2.6.1 Applicant's Response

In relation to the new additions to the Record of Protected Structures we refer to section 2.6.2 of the Section 137 response issued to the Board on the 11 January 2024. This provides the Applicant's on how the recent addition of RPS ref 8906, with listed address of 4-8 Henry Place, can be incorporated into design proposals for Site 3. It also addresses how the scheme proposes to retain and integrate building fabric on Moore Street and Henry Place, which is significant from a heritage perspective.

Site 3 lies within the O'Connell Street ACA and where practicable, existing façades and selected buildings have been integrated into the proposed development, to preserve the subdivision of the individual shopfronts and maintain the rhythm of the streetscape. With regard to proposed scale and height, this is comparable with the recent pattern of development within the ACA. In terms of materiality the proposed new buildings complement the existing material palette and propose similar high-quality and self-finished materials to preserve the character of the ACA. New buildings and extensions are predominantly in brick, in a complementary and intentionally contrasting tone to the existing red brick on Henry Street. Rooftop elements clad in corten steel present a contemporary take on the traditional metal seamed roofs, to preserve the character of the highly modulated roofscape.

This conservation approach seeks to ensure that protected structures and other buildings of historic significance are brought into viable re-use, instilling new life and activity into what was hitherto unusable floor space notwithstanding its location overlooking one of Dublin's shopping streets. For the non-protected buildings of historic interest, we refer to the Conservation Report prepared by Molloy & Associates Conservation Architects, submitted with the planning application. Full details of the conservation works proposed can then be found in the planning drawings and Section 5.2 of the Architects Design Statement prepared by MOLA as submitted at application stage. The Architectural Heritage Impact Assessment report and in the Further Information Response prepared by Molloy and Associates provides a comprehensive assessment of the evolution of the conservation approach to the development of Site 3 and wider Masterplan. Chapter 15 of the EIAR as submitted at application stage also addresses the impact of the proposed development on Cultural Heritage.

It is a key objective of the Development Plan Core Strategy to protect and enhance the special characteristics of the city's built and natural heritage. The principal measures enabling Dublin City Council to achieve this objective is the Record of Protected Structures and the designation of Architectural Conservation Areas. The City Council has identified priority areas of special historic and architectural interest and within these areas and will review the Record of Protected Structures, consider the recommendations of the National Inventory of Architectural Heritage and, where required, designate Architectural Conservation Areas. O'Connell Street & Environs is designated as an ACA. We would highlight that Moore Street is not currently an ACA under the Development Plan nor has the formal process of varying the Development Plan to include any additional ACA's commenced at the time of making this submission. There is no indication that the preparation of the Moore Street ACA is prioritised above other areas.

The Masterplan aims to tackle the issue around vacancy within the city centre. It aims to re-use existing building stock through refurbishment and retrofitting in so far as possible. It was noted by the Planning Authority that the development will support the principle of bringing of upper floors into active use, reducing vacancy and rehabilitating and reusing existing older buildings.

2.7 Chapter 12 – Culture

The Dublin Town submission is positive in its assessment of the proposed development, having regard to the Chapter 12 provisions. Namely that it welcomes the inclusion of arts/culture offerings at Site 3 and the enhanced connectivity to O'Connell/Henry St district and thus also with Abbey Street. It also highlights the potential for connecting with the proposed cultural development at Parnell Square.

Diarmuid Breatnach identifies the site is an excellent setting for culture, and asserts that the proposed development does not provide for an enhanced cultural environment. The submissions made by the Moore Street Preservation Trust, Shane Stokes and the Relatives of the Signatories of the 1916 proclamation all refer to Objective CU09 of the Development Plan. The Applicant did not respond specifically to this objective in its Section 137 response submission dated 11 January 2024. A response is now provided to Objective CU09 of the Development Plan below.

The following further policies / objectives identified in the Dublin City Council submission that have not already been addressed by the Applicant in its 11 January 2024 response submission, are: -

CU2 - Cultural Infrastructure

To ensure the continued development of Dublin as a culturally vibrant, creative and diverse city with a broad range of cultural activities provided throughout the city, underpinned by quality cultural infrastructure.

CU4 - Cultural Resources

To support the development of new and expanded cultural resources and facilities within the city that enrich the lives of citizens and visitors, provide new opportunities for engagement and celebrate aspects of our history and culture.

CU9 - Parnell Square and North Inner City Cultural Cluster

To promote and support the growth of the Parnell Square and North Inner City cultural cluster to facilitate opportunities that provide benefits both to the wider City and to the economic growth and regeneration for the NEIC that supports artists, mitigates social exclusion and increases opportunities for expression and artistic engagement for the diverse local community and in particular, young people.

CU13 - Protection of Cultural Uses

To protect cultural uses within the city that have been negatively impacted by the Covid pandemic and seek to preserve such spaces so they are not lost to the city as a result of the economic impact of the extended closure during the pandemic.

CU20 - Cultural Activities in the Evening

To support the growth in cultural activities within the city and to encourage cultural institutions and amenities within the city to operate into early evening time on a regular basis, and to explore the development of more regular evening cultural experiences on a pilot basis.

CU21 - Night Time Economy Taskforce Report

To be guided by the recommendations set out in the National Night Time Economy Taskforce Report 2021 and to seek that Dublin is selected as a pilot for the creation of a Night Time Advisor and stakeholder committee.

CU09 - 14-17 Moore Street

To Support the preservation and restoration of the historic terrace 10-25 Moore Street and adjacent yards and lanes, and the remaining historic built heritage of the street, including numbers 18 Moore Street and the establishment of a commemorative visitor centre, as a fitting tribute to the men and women of the Easter 1916 and as an educational and cultural resource centre and taking account of the contents and relevant recommendations of the Moore Street Advisory Group Report, OPW and other stakeholders including the response of the Minister for Heritage and Electoral Reform.

CU026 - Demolition or Replacement of a Use of Cultural Value

Where applications are made seeking to demolish or replace a cultural space/use, the development must re-accommodate the same or increased volume of space/use or a similar use within the redevelopment. Cultural uses include theatres, cinemas, artist studios, performance spaces, music venues, nightclubs, studios and dance space.

CU039 - Purpose Built Spaces for Evening and Night Time Activities

To encourage the opportunity presented by new larger developments, including a requirement for all new large hotels and aparthotels*, within the city to provide high quality, designed for purpose spaces that can accommodate evening and night time activities, such as basement/roof level "black box" spaces that can be used for smaller scale performances/theatre/music/dance venues, and/or for flexibility in the design of larger spaces, such as conference spaces, to be adaptable for evening and night-time uses.*

**Over 100 bedrooms*

2.7.1 Applicant's Response

We refer the Board in the first instance, to the Applicants response to the Section 137 request as submitted on the 11 January 2024 for a full analysis on how Site 3 complies with the policies and objectives of Chapter 12 - Culture. The following response addresses the residual objectives / policies highlighted by Dublin City Council and the key points of other submissions.

We refer to section 2.7.2 of the 11 January 2024 submission, which provides a breakdown of all the proposed cultural uses across the Masterplan. The Masterplan, as implemented through the planning applications for the Site 3 and other site proposals, will help to make Dublin City Centre a culturally vibrant, creative and diverse city. Site 3 / Dublin Central Masterplan lands are located on one of Ireland's premier streets at the heart of the city centre, with access to an abundance of community, arts and cultural spaces including Parnell Square, a new cultural quarter.

In terms of culture and night time economy, visitor accommodation provides an important social and cultural function. The active ground floor use of a hotel, such as café / restaurant use, plays a vital role in the activation of streets, particularly outside the typical office and retail hours. Hotels in general help to create a more vibrant night-time economy through the entire week and into the evenings. The theatre space as proposed in Site 2 will also create a more vibrant night time economy through the Masterplan. Site 3 specifically provides a Cultural / Gallery / Café space in a building known as 'The White Building' which fronts on to the new North-South Lane to encourage activity through the site.

We refer the board to the response to CUO9 - 14-17 Moore Street below, prepared by Dublin Central's Conservation Architects Molloy & Associates. By way of framing a response, each component of the Objective is analysed below:

The preservation and restoration of the historic terrace 10-25 Moore Street

The applicant supported a forensic analysis of this section of Moore Street at an early stage in the design process, mapping the position and known extent of pre-1916 building fabric, as a basis for its collective retention, safeguarding and presentation within the proposed redevelopment of plots containing post-1916 building fabric.

The preservation and restoration of adjacent yards and lanes

The legibility and enhanced expression of Moore Lane and Henry Place is a central design objective of the Dublin Central Masterplan. It is accepted that the mergence of historic laneways and yards within the building blocks of Site 3 and Sites 4- 5, reflects their infilling and amalgamation as has occurred over the course of time since 1916. The viability of the three developments to an extent relies on the continuance of this adopted tradition, whilst preserving, restoring and presenting building fabric of significance.

The preservation and restoration of the remaining historic built heritage of the street, including numbers 1-8 Moore Street

Historic building fabric, not mentioned in this Objective, namely the voluntary retention, restoration and presentation of Nos 7-8 Moore Lane, together with street surfaces and kerbing, has been carefully identified as requiring preservation and integration within the proposed development. For reasons cited in MOLA's Design Statement submitted as part of the planning application for Site 3, the demolition of Nos 1-8 Moore Street is proposed, whilst retaining No.9 Moore Street (which is considered of comparable significance to No.10 Moore Street- yet remains excluded from the RPS) and Nos 9-11 Henry Place.

The establishment of a commemorative visitor centre

Whilst the establishment of this centre falls outside the remit of the applicant, it has made every effort to consider the National Monument and its setting within the overall masterplan including the provision of upgraded and new public realm. All considerations given to the National Monument take account of the contents and relevant recommendations of the Moore Street Advisory Group Report, OPW and other stakeholders including the response of the Minister for Heritage and Electoral Reform.

The design team consulted at all stages of the design process with cited statutory stakeholders, considering feedback and addressing concerns.

2.8 Chapter 13 – Strategic Development Regeneration Area

We wish to acknowledge the positive assessment from Dublin Town for the proposed development under Chapter 13, who welcome the investment in the NEIC, the protection of the National Monument and revitalization of the area.

Key points from Diarmuid Breatnach assert that there is "no mix of uses" or recreational facilities proposed within the development. Shane Stokes also highlights that requirements of the SDRA in his submission.

The following objective listed by Dublin City Council was not name checked by the Applicant in the Section 137 response (11 January 2024), but we would submit that its general provisions have been considered at length through the application and appeal stages :-

SDRA01 (Objective): To support the ongoing redevelopment and regeneration of the SDRA's in accordance with the guiding principles and associated map; the qualitative and quantitative development management standards set out in Chapter 15; and in line with the following overarching principles:

Architectural Design and Urban Design: All development within the SDRAs must be of the highest architectural quality and adhere to the key architectural and urban design principles set out in

Chapter 15 in order to create long term, viable and sustainable communities aligned with the principles of the 15- minute city.

Phasing: Large scale development proposals should be developed in accordance with agreed phasing plans to ensure that adequate social and physical infrastructure is delivered in tandem with development.

Access and Permeability: Development proposals should ensure adequate permeability and connectivity to surrounding neighbourhoods and public transport infrastructure through the provision of high quality, accessible public realm and high-quality walking and cycling infrastructure. Access and layout should accord with the principles of DMURS.

Height: Guiding principles regarding height are set out for each SDRA. Where development adjoins lower scaled residential communities, development must be appropriately designed so that no significant adverse impacts on the residential amenities of adjacent residential properties arises. The performance criteria set out in Appendix 3 should be adhered to for developments of significant scale and/or density.

Urban Greening and Biodiversity: Development proposals within the SDRA must ensure the integration of greening and biodiversity measures including high quality public open space as well as micro greening measures including green walls, green roofs, parklets etc. In general, unless otherwise specified under a separate LAP/SDZ Planning Scheme/other statutory plan policy/objective or site-specific guiding principle, a minimum of 10% public open space should be provided as part of all development proposals in SDRAs. A financial contribution in lieu of same will only be considered in exceptional circumstances.

Surface Water Management: All development proposals should provide for sustainable surface water management including climate change provisions and the installation of sustainable drainage systems (SuDS) in order to reduce surface water runoff and potential flooding. This should be considered in conjunction with open space design and green infrastructure, biodiversity initiatives and nature based solutions. See Appendix 11, 12 and 13 for further detail.

Flood Risk: All development proposals within the SDRA's will have regard to restrictions / measures to mitigate identified flood risk outlined in the Strategic Flood Risk Assessment (SFRA) and in particular, Appendices A, B and C including climate change provisions in the SFRA.

River Restoration: Opportunities for enhanced river corridors are applicable to the following Strategic Development and Regeneration Areas (SDRAs) in order to harness significant opportunities for river restoration where feasible: SDRA 1 Clongriffin/Belmayne and Environs; SDRA 3 Finglas Village Environs and Jamestown Lands; SDRA 4 Park West/Cherry Orchard; SDRA 5 Naas Road; SDRA 6 Docklands; SDRA 7 Heuston and Environs; SDRA 9 Emmet Road; SDRA 10 North East Inner City and SDRA 16 Oscar Traynor Road. See Chapter 9, Policy SI12 for further detail.

Sustainable Energy: Climate Action Energy Statements for significant new residential and commercial developments, in Strategic Development and Regeneration Areas (SDRAs), will be required to investigate local heat sources and networks, and, where feasible, to demonstrate that the proposed development will be 'District Heating Enabled' in order to facilitate a connection to an available or developing district heating network. Further specific guidance regarding 'District Heating Enabled' Development is set out in Chapter 15 and should be complied with. Specific guidance is set out regarding SDRA 6 (Docklands) and SDRA 10 (NEIC) where applicants must demonstrate how a proposed development is District Heating Enabled and will connect to the 'Docklands and Poolbeg' DDHS catchment. Guidance is also set out regarding SDRA 7 (Heuston and Environs), SDRA 8 Grangegorman/Broadstone), SDRA 11 (St. Teresa's Garden and Environs), SDRA 14 (St. James's Healthcare Campus and Environs), SDRA 15 (Liberties and Newmarket Square) where possible connections or interconnections to existing heat networks in the area, to create a district heating 'node' must be investigated.

Climate Change: Proposed developments within the SDRA shall be required to apply innovative approaches to energy efficiency, energy conservation and the use of renewable energy in order to contribute to achieving zero carbon developments.

Cultural infrastructure: All new regeneration areas (SDRAs) and large-scale development above 10,000 sq. m. in total area must provide at a minimum 5% community, arts and culture predominantly internal floorspace as part of their development. See Objective CUO25 for further detail.

2.9 Applicant's Response

In terms of providing a mix of uses, as noted in 2.3.1 of the Section 137 response (11 January 2024), the proposed development at Site 3, as a component of the Dublin Central Masterplan, seeks to deliver a mix of uses that drives footfall and vibrancy 24/7 including a mix of uses, including retail and retail services, commercial office space, residential accommodation, hotel, food and beverage, and strategically located non-commercial / cultural uses.

The application site falls within the Strategic Development Regeneration Areas (SDRA) 10 – Northeast Inner City (NEIC) of the current Development Plan. We refer the Board to section 2.8.2 of the Section 137 response (11 January 2024), which demonstrates how the scheme is compliant with SDRA 10. It should be noted that in the DCC submission it is noted that the proposal “would support and be in accordance with a number of policies and related objectives of the Dublin City Development Plan 2022-2028; in particular policy SDRAO1 and the guiding principals under SDRA10”.

We refer to the applicant's response to Objective SDRAO1 below:

- **Architectural Design and Urban Design:** The development is of high quality and adheres to key architectural and urban design principles set out in Chapter 15. We refer the Board to the Masterplan Design Statement, prepared by ACME Architects submitted at application stage which sets out the frameworks for the redevelopment of the overall land holding, as well as the Architectural Design Statement for Site 3 prepared by MOLA Architects.
- **Phasing:** We refer the Board to the Outline Construction & Demolition Management Plan, prepared by Waterman Moylan Consulting Engineers submitted with the planning application for Site 3 for further details on different stages of construction, co-ordinated as necessary with other planned works that may take place during the planned construction period. We refer also to the 1st Party Appeal (February 2022) that addresses the duration of permission sought by the applicant (7 years), in the context of this phasing.
- **Access and Permeability:** The proposed development ensures adequate permeability and connectivity to the surrounding city centre area and public transport infrastructure. Site permeability and connectivity to the wider Masterplan area that includes well-designed public realm will drive footfall, increase dwell time and activate the interior of this urban block, in addition to sustaining active uses at Henry Street and Moore Street. Site 3 as a component of the wider Dublin Central masterplan has been designed to meet the mobility needs and convenience of all. The scheme delivers good permeability throughout allowing all-inclusive access without compromising the existing historical character.
- **Height:** the Planning Authority generally welcomes the modulation of massing and height across Site 3, whereby the massing of the overall development has been broken down into a number of smaller elements, respecting historic building height at street edges and plot widths, and the scale of the existing surrounding built environment. The Planning Authority assessment of the Site 3 proposal states that it “incorporate exemplary standards of high-quality, sustainable and inclusive urban design, urban form and architecture befitting the city's environment and heritage”. It reduced the height of the proposed hotel building by 2 storeys by way of condition. The Applicant has not appealed this condition.
- **Urban Greening and Biodiversity:** The landscape of the Dublin Central site has informed the overall landscaping plans for the area. The scheme provides good connectivity and enhances biodiversity within the city centre environment. The Site 3 proposal is considered in the context of the Dublin Central Landscape Masterplan, prepared by Gross Max Landscape Architects. The landscape masterplan is guided by an overall design vision, which includes the objective to create a sustainable public realm with increased biodiversity. This will be done

using green roofs to increase biodiversity, to slow rainfall run-off and improve the microclimate. New tree planting to be climate adaptable and suitable for site conditions. The Site 3 proposal will be accessible to the enhanced network of existing and proposed public streets and spaces within the wider Dublin Central Masterplan area.

- **Surface Water Management:** The proposed design maximises sustainable energy uses and materials, it incorporates appropriate SuDS measures and seeks to enhance biodiversity as a component part of the wider Dublin Central Masterplan area.
- **River Restoration:** Not applicable to Dublin Central site.
- **Sustainable Energy:** It is noted that a key climate mitigation action for all new development relates to the need to reduce energy demand, to increase energy efficiency and to provide renewable energy on-site if possible. We refer the Board to the Dublin Central – Site 3 Energy & Sustainability Statement, prepared by BDP M&E Consulting Engineers which accompanied the planning application. The proposal contained in the BDP Report aligns with the requirements set out above. It identifies that “The Dublin Central Site 3 project is aspiring to be one of Ireland’s first Net Zero Carbon schemes offering residents, visitors and guests a low carbon footprint alternative for Dublin.” There will also be zero fossil fuels used on site throughout construction.
- **Climate Change:** As above.
- **Cultural Infrastructure:** See response in Section 2.8.2 of the Section 137 request as submitted on the 11 January 2024.

2.10 Chapter 15 – Development Standards

Diarmuid Breatnach’s submission asserts that there is no mix of uses, the cultural site is not accessible and does not provide a successful neighbourhood.

There were a number of sections from Chapter 15 mentioned in Dublin City Councils Submission which the applicant did not specifically respond to in the Section 137 response issued to the Board on the 11 January 2024, these are noted in sections 2.10.1.1 to 2.10.1.13 and are now addressed below.

2.10.1 Applicant’s Response

Firstly, we would highlight that Chapter 15 of the Development Plan set out Development Standards and that the Development Plan states that *“The guidance and principles set out are intended as a guide to prospective applicants as to how new development should stimulate responsive and innovate design in the city.”* As such all the below are guidance rather than policies or objectives which must be adhered to.

In response to Diarmuid Breatnach’s submission we refer to the Applicant’s responses provided in the previous sections above in respect of how the proposed development delivers mix use, culture, and how Site 3 itself and as a components of the overall masterplan will create a successful, integrated and vibrant city centre neighbourhood.

2.10.1.1 Section 15.3 - Environmental Assessment – EIA/AA/Ecological Impact Assessment

An Environmental Impact Assessment Report, co-ordinated by Stephen Little and Associates, and an Appropriate Assessment Report, prepared by Scott Cawley, were prepared as part of the application for Site 3 submitted at application stage and reconsidered at Further Information stage. We refer to Board to the same.

2.10.1.2 Section 15.4 - Key Design Principals

For a comprehensive response in relation to 'Healthy Place Making, Architectural Design Quality, Sustainable and Climate Action and Inclusivity and Accessibility' we refer the Board to section 2.9.2 of the Section 137 response issued to the Board on the 11 January 2024.

However, in relation to safe and secure design, the design of Site 3 and the overall masterplan promotes safety and security through passive surveillance, avoiding blank facades and providing adequate lighting.

2.10.1.3 Section 15.5 - Site Characteristics and Design Parameters

For a comprehensive response in relation to Brownfield, Regeneration sites, Height, Density, plot ratio, Architectural Design Statements, Models and Photomontages we refer the Board to section 2.9.2 of the Section 137 response issued to the Board on the 11 January 2024.

The standards set out under 15.5.2 infill development is not relevant to this application. In terms of alterations and retrofitting non-domestic buildings. The proposed development at Site 3, itself and as a component of the wider Dublin Central Masterplan, seeks to tackle the issue of vacancy within the city centre. It seeks to re-use or integrated existing building stock through refurbishment and retrofitting in so far as possible. It will deliver active residential use at upper floors and integrate existing built fabric in a manner that is supported by the planning authority. The conservation approach also seeks to ensure that protected structures and other buildings of historic significance are brought into viable re-use, instilling new life and activity into what was hitherto unusable floor space notwithstanding its location overlooking one of Dublin's shopping streets. In relation to Materials and Finishes, the proposed new buildings complement the existing material palette and propose similar high-quality and self-finished materials to preserve the character of the ACA. We refer the Board to the Architectural material submitted at application stage and Further Information stage for more details on this.

2.10.1.4 Section 15.6 - Green Infrastructure

For a comprehensive response in relation to the introduction of section 15.6 we refer the Board to section 2.9.2.9 of the Section 137 response issued to the Board on the 11 January 2024.

Site 3 is considered in the context of the Dublin Central Landscape Masterplan, prepared by Gross Max Landscape Architects. The landscape masterplan is guided by an overall design vision, which includes the objective to create a sustainable public realm with increased biodiversity. This will be done using green roofs to increase biodiversity, to slow rainfall run-off and improve the microclimate. New tree planting to be climate adaptable and suitable for site conditions. The proposed design incorporates appropriate SuDS measures and seeks to enhance biodiversity as a component part of the wider Dublin Central Masterplan area.

2.10.1.5 Section 15.7 - Climate Action

For a comprehensive response in relation to Climate Action and Energy Statement we refer the Board to section 2.9.2.3 of the Section 137 response issued to the Board on the 11 January 2024.

As noted in section 2.10.1.3 above the scheme seeks to re-use or integrated existing building stock through refurbishment and retrofitting in so far as possible.

An extensive Energy and Sustainability statement was prepared by BDP at planning application stage. This confirms that "It is not practical to feed the entire scheme with on-site renewable electricity." However, *"The energy usage of Site 3 is minimised through a number of key measures. Preference is given to the use of passive measures to minimise the buildings demand for energy and these measures are then supported by active energy systems that generate and distribute energy in an efficient way. These measures include the following:*

- *The level of insulation and unwanted air leakage control will be excellent. The design team will minimise air leakage and check construction quality by closely monitoring the constructions on site. Ultimately the air leakage and insulation levels will be tested through the use of air leakage and thermography tests.*
- *The ratio of solid to glazed areas have been carefully designed for each facade and orientation in order to achieve an appropriate balance between natural light, ventilation, heat gain and heat loss.*
- *The buildings and external lighting systems are intended to be entirely LED based.*
- *The air and water systems are designed to vary their output in proportion to the demand in order to minimise their energy usage.*
- *All main air handling units are fitted with heat recovery systems, offering the recovery of waste heat energy.*
- *Heating and cooling is generated through highly efficient air source heat pumps in order to completely remove the carbon impact of heating and a central energy plant will maximise efficiencies for the building.*
- *Hot water is generated by highly efficient water to water heat pump plant that contributes towards the Renewable Energy Ratio requirement in the new Part L 2017 document.*
- *Solar Photovoltaics at roof level of all buildings are provided to generate clean renewable on-site energy.*
- *Information on the key technologies used to reduce the energy consumption of the building will be publicly displayed to encourage the promotion of sustainable construction."*

2.10.1.6 Section 15.8 - Residential Development

In relation to quality housing and sustainable neighbourhoods, we refer the Board to Section 2.2.1 above in response to Chapter 5.

While a social and community audit was not submitted with the planning application, we would highlight that the Council Planner's Report on the Site 3 proposal confirms:

The Planning Authority considers the nature and mix of the proposed units, with a significant number of BTR 1 bedroomed apartments, together with the site context, does not lend itself to an appropriate location or likely demographic for a childcare facility. Given the number of units is just over the threshold set out in the Planning Guidelines for Childcare Facilities (2001), the planning authority is satisfied that no childcare facility is provided as part of the subject application.

As discussed elsewhere in this report, and at length in the planning application report and appeal submissions, Site 3 is a mixed use scheme and well connected to a wide range of city centre amenities and services.

2.10.1.7 Section 15.9 - Apartment Standards

For a response in relation to unit mix we refer the Board to section 2.9.2.8 of the Section 137 response issued to the Board on the 11 January 2024.

For all a response to all other apartment standards we refer to the Planning Application Reports, prepared by Stephen Little and Associates, submitted to Dublin City Council at planning application and further information stages.

2.10.1.8 Section 15.13 - Other Residential Typologies

The majority of Section 15.13 of the Development Plan is not applicable to the Site 3 proposal or to the Dublin Central Masterplan, as the proposed scheme does not include student accommodation, shared accommodation, care homes, etc.

However, Section 15.13.6 relating to living over the shop requires that Dublin City Council will actively encourage the development of residential accommodation over existing commercial premises. It is identified that there is a considerable amount of vacancy and underutilised floorspace on the upper floors of commercial premises that have the capacity to contribute significantly to the housing stock of the city. The proposed development at Site 3 and the Dublin Central masterplan seeks to reduce existing vacancy and underutilised floorspace within the Masterplan area, and is consistent with Section 15.13.6 of the Development Plan.

2.10.1.9 Section 15.14 - Commercial Development/Miscellaneous

Sub sections 15.14.1 – Hotels, 15.14.4 – Offices and 15.14.7 – Retail and Food & Beverage, of the Development Plan, are all relevant to the proposed development at Site 3 and the overall Masterplan.

The Planning Authority raised no concern with the range of proposed uses at Site 3, these uses being *“considered to be acceptable”*.

The proposed hotel and café / restaurant uses will ensure that activity is maintained during the day and into the evening / night time. This will in turn support the local economy in terms of local spending and generation of jobs. Through offering a more dynamic retail, food & beverage and leisure offering in the city centre, Site 3 provides an opportunity in the Dublin City Retail Core to evolve in a mixed-use sustainable manner and create a destination for people to linger, stay, live, shop, work and socialise during the day and at night time.

As recommended in Section 15.14.4 – Offices of the Development Plan, the proposed scheme was accompanied by an Architectural Design Statement, prepared by MOLA Architects at application stage and refined through Further Information stage. All relevant standards identified in Section 15.14.7 – Retail and Food & Beverage of the Development Plan have been appropriately considered as part of the application at both application stage and further information stage. We refer the Board to these planning documents submitted at these stages, which have been furnished to it by Dublin City Council.

2.10.1.10 Section 15.15 - Built Heritage and Archaeology

In response to section 15.15 of the Development Plan regarding Built Heritage and Archaeology we refer the Board to the previous sections of this response report and other documents identified as follows :

- Section 2.6 above;
- Section 2.6 of the Section 137 response issued to the Board on the 11 January 2024;
- Masterplan Conservation Plan, prepared by Molloy & Associates Conservation Architects as submitted at planning application stage;
- Chapter 15 and 16 of the Environmental Impact Assessment Report, prepared by Stephen Little & Associates Town Planning and Development Consultants as submitted at planning application stage;
- Site 3 Architectural Heritage Impact Assessment, prepared by Molloy & Associates Conservation Architects as submitted at planning application stage;
- Site 3 Archaeological Impact Assessment, prepared by Courtney Derry Heritage Consultants as submitted at planning application stage;
- Site 3 Architectural Conservation Further Information Responses, prepared by Molloy & Associates Conservations Architects as submitted at Further Information Stage.

2.10.1.11 Section 15.16 Sustainable Movement and Transport

We refer the board to Section 2.5 above and section 2.5 of the Section 137 response issued to the Board on the 11 January 2024, for a response in relation to sustainable movement and transport.

We also refer to the various transportation reports submitted at planning application stage for Site 3 and the Masterplan.

2.10.1.12 Section 15.17 - Public Realm

For a response in relation to Shopfront and Façade Design we refer the Board to section 2.9.2.10 of the Section 137 response issued to the Board on the 11 January 2024.

In relation to Public realm the Planning Authority assessment of the Site 3 proposal, in the context of the overall Masterplan vision, was positive in respect to public realm, stating that –

“The scale and extent of the overall masterplan site invites opportunities for meaningful placemaking within these neglected laneways and back streets. The enhancement of pedestrian links including the introduction of a new passageway bisecting the subject site will filter pedestrians into these laneways and in doing so, activate the laneways bringing vitality and vibrancy to the area. In addition, improvements to the public realm, including the provision of new public spaces within the wider masterplan site, will further contribute towards placemaking and creating the potential for a destination. The proposal for a mixture of façade retention, new development with a significant transition in scale to the 9 storey hotel building will create visual interest within this defined masterplan site and the use of the passageway to facilitate access to the wider masterplan site will enhance permeability, create intrigue and provides for an inviting entrance to the development.”

2.10.1.13 Section 15.18 - Environmental Management

We refer the Board to the various environmental management reports as submitted at application stage for the Masterplan and Site 3, these are as follows:

- Preliminary Construction Traffic Management Plan, prepared by Waterman Moylan Consulting Engineers Limited.
- Masterplan Outline Construction & Demolition Management Plan, prepared by Waterman Moylan Consulting Engineers Limited.
- Overall Development – Basement Impact Assessment, prepared by Waterman Structures Limited.
- Engineering Drawings, prepared by Waterman Moylan Consulting Engineers.
- Site 3 Engineering Assessment Report, prepared by Waterman Moylan Consulting Engineers Limited.
- Flood Risk Assessment, prepared by Waterman Moylan Consulting Engineers Limited
- Site 3 Preliminary Construction Traffic Management Plan, prepared by Waterman Moylan Consulting Engineers Limited.
- Site 3 Outline Construction & Demolition Management Plan, prepared by Waterman Moylan Consulting Engineers Limited.
- Site 3 Basement Impact Assessment, prepared by Waterman Structures Limited.
- Site 3 Structural Report, prepared by Waterman Structures Limited.
- Site 3 Subterranean Construction Method Statement, prepared by Waterman Structures Limited.

- Construction & Demolition Waste Management Plan (enclosed in Appendix 14.1 of the accompanying EIAR), prepared by AWN Consulting.
- Operational Waste Management Plan (enclosed in Appendix 14.2 of the accompanying EIAR), prepared by AWN Consulting.
- Telecommunications Report, prepared Independent Site Management Ltd.
- Site 3 Energy & Sustainability Statement, prepared by BDP M&E Consulting Engineers.

3 CONCLUSION

We do not consider that the submissions made to the Board, in respect of the Applicant's further information submission dated 11 January 2024, raise any significant new issues that the Applicant and the Planning Authority have not already comprehensively dealt with through the Planning Application, Further Information and appeal process.

It remains our opinion that the proposed Site 3 scheme as presented to the Board under ABP Ref. 312603-22 is consistent with all of the relevant policies and objectives of the Dublin City Development Plan 2022-2028.

STEPHEN LITTLE & ASSOCIATES

12 February 2024

