

File With \_\_\_\_\_

## SECTION 131 FORM

Appeal NO: ABP 312603Defer Re O/H ☐Having considered the contents of the submission dated/ received 10/1/24  
fromD. Breatnach I recommend that section 131 of the Planning and Development Act, 2000  
be/not be invoked at this stage for the following reason(s): to be corr. as perE.O.: Rosa QuinnBoard direction  
Date: 12/1/24

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage. ☐Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.: \_\_\_\_\_

Date: \_\_\_\_\_

S.A.O.: \_\_\_\_\_

Date: \_\_\_\_\_

M AlfiePlease prepare BP 70 - Section 131 notice enclosing a copy of the attached  
submissionto: All Task No: \_\_\_\_\_Allow 2/3 weeks – BP 70EO: Liz CleaveDate: 22-01-24AA: [Signature]Date: 22/01/24

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## CORRESPONDENCE FORM

Appeal No: ABP 312603-22

M \_\_\_\_\_

Please treat correspondence received on 10/1/24 - email as follows:

1. Update database with new agent for Applicant/Appellant \_\_\_\_\_

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

1. RETURN TO SENDER with BP \_\_\_\_\_

2. Keep Envelope: ☐3. Keep Copy of Board's letter ☐

## Amendments/Comments

Diarmuid Breatnach Response  
to Section 13M.

## 4. Attach to file

(a) R/S ☐(d) Screening ☐(b) GIS Processing ☐(e) Inspectorate ☐(c) Processing ☐RETURN TO EO ☒EO: Risa QuinnDate: 12/1/24Plans Date Stamped ☐Date Stamped Filled in ☐AA: Cathy CondonDate: 12/1/24

**James Sweeney**

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**From:** Appeals2  
**Sent:** Thursday 11 January 2024 12:00  
**To:** Lita Clarke; Lisa Quinn  
**Subject:** FW: Observations re Hammerson application Case ABP-312603-22  
**Attachments:** Observations Hammerson Plan re DC Development Plan 10 January 2024.doc

**From:** Diarmuid Breatnach [REDACTED]  
**Sent:** Wednesday, January 10, 2024 8:22 PM  
**To:** Appeals2 <appeals@pleanala.ie>  
**Subject:** Observations re Hammerson application Case ABP-312603-22

A Chara, Please see attached observations re Hammerson application Case ABP-312603-22

Le dea-ghuí,

Diarmuid Breatnach  
, pp Save Moore Street From Demolition campaign group.

Objection against Hammerson Planning Application for the Moore Street area, January 2024

Case No. ABP-312603-22

Planning Authority Ref. No:2861/21

From Diarmuid Breatnach, 34, Geata an tSéipéil, Bóthar San Alfonsas, BAC 9. ON BEHALF OF THE SAVE MOORE STREET FROM DEMOLITION campaign group.

With reference to the Dublin City Development Plan 2022-2028

## Chapter 4

The application in respect of 36-41 Henry Street, 1-9 Moore Street, 3-13 Henry Place, Charles Court & Mulligan Lane, Dublin 1, not only does not contribute to the cited DC Development Plan but actually militates against it.

*• liveable and inclusive; • resilient and environmentally sustainable; • healthy, integrated and connected; • compact and efficient in its use of resources; and • strong economically with a vibrant cultural life*

The Hammerson plan for retail units in Moore Street and Henry Place will as usual with such large site property landlords give preference to chain stores, i.e those with responsibility and allegiance primarily to the company's headquarters instead of to their location. In other words it does not provide integration with the current Moore Street market but actually militates against it. The small independent businesses in Moore Street on the other hand are integrated into the street market/ small independent businesses environment and dependent on it for their families and workforce. These will be evicted or have their operations badly affected or made impossible to operate by the Hammerson plan in scope and in duration of demolition/ construction period.

This plan provides the kind of 'efficiency' which favours chain stores but not small businesses and kills all cultural life in the area when the chainstores close for the evening. Furthermore small independent businesses show greater resilience and are more easily replaced than chain retail stores (witness Clery's and Debenhams sites long empty). In the longer term chain stores are not efficient and also provide a sustainable livelihood for less people.

Such developments are anything but inclusive or vibrant culturally.

## Chapter 5

*We aim to create a compact city with sustainable neighbourhoods. To do this, we must provide quality housing that is: • suitable for citizens throughout their lives, and • adaptable to people's changing circumstances. The city must provide quality homes and sustainable community facilities and amenities. These need to meet the needs of the city's population and contribute to the making of good, connected neighbourhood plans. Significant population growth is forecast for Dublin City. This means we must plan for*

*new and growing communities and an increasingly diverse as well as ageing population. Our city must have housing that is affordable and attractive to all*

*The development plan includes a socially inclusive Housing Strategy for the existing and future population of the city. This includes catering for the needs of those who require social housing. The Housing Strategy is designed to address overall housing needs and the need for supported housing types. The outcomes from the Housing Strategy inform the core strategy and other policies and objectives dealing with future housing need.*

**The application in respect of 36-41 Henry Street, 1-9 Moore Street, 3-13 Henry Place, Charles Court & Mulligan Lane, Dublin 1, not only does not contribute to the cited DC Development Plan but actually militates against it.**

**The Hammerson plan does not provide any social housing for the sites mentioned and will inevitably provide 79 high-priced rental properties, quite possible with absent sub-renting landlords, with tenants with no connection or loyalty to the area.**

**The scale of units also makes it unlikely that the residents will achieve any kind of communal solidarity.**

## **Chapter 6**

*Dublin is an international city and gateway to the European Union for many businesses. The city and region contribute significantly to the country's economy. The strategy for the city economy and enterprise is to: • safeguard and enhance Dublin's role as Ireland's internationally competitive capital, • promote strategic and targeted employment growth, • support regeneration, • tackle vacant premises, • support the creation of high-quality urban spaces (like improvement to the public realm), • support the transition to a low-carbon, green, circular economy (reuse and recycle economy), • support key economic sectors, and • foster local economic development and social enterprise.*

**The application in respect of 36-41 Henry Street, 1-9 Moore Street, 3-13 Henry Place, Charles Court & Mulligan Lane, Dublin 1, not only does not contribute to the cited DC Development Plan but actually militates against it.**

**The North city centre is in urgent need of regeneration but extending chainstore areas is not the way to achieve it as these areas become social wastelands at night. Moore Street needs development as a combination of small independent businesses with secure leases along with a lively street market, whether covered or open-air.**

**When high street-type chainstores abandon a site it typically remains empty for some time (witness Clery's and Debenhams former sites) whereas small independent business sites are quickly re-occupied (particularly if the rents or leases are not prohibitive). Small independent businesses kind of development foster local economic development and social enterprise which the Hammerson plan does not but rather militates against.**

**Moore Street is already to an extent a public space which should be developed as such rather than undermined as would be the effect of the Hammerson plan if realised.**

## Chapter 7

*Dublin city centre is where people come to experience the city's vibrant street scenes, public spaces and varied cultural and leisure offerings. They come here to: • shop, • work, • study, • live, • socialise, and • spend time. The city's Key Urban Villages (important local retail centres of which there are 12 identified in the city), urban villages and neighbourhood centres are the heart of their local communities. They: • provide a focus for local activities, • allow for sustainable urban living. They also allow people access to: • local shops, • services, • community services, • healthcare, • amenities, and • local work opportunities. Patterns of work and lifestyles have changed due to: • changes in economic conditions, • technological advances, • retail trends, • changing consumer behaviours, and • the Covid-19 pandemic. People draw and attract visitors. This includes: • leisure uses, • residential uses, • office development, • community uses, and • retail. The main aim of the Retail Strategy for Dublin City is to make the city centre retail sector the core priority and the premier retail destination in the State. It also aims to promote and consolidate the role of the Key Urban Villages with an appropriate level of retail development. The strategy sets out how to improve the vibrancy, liveability and competitiveness of the city centre. It proposes: • vibrant shopping streets, • events, • markets, • family leisure activities, • support for the evening economy such as pubs, theatre, cultural events, • a city for homes, • expanded and improved public spaces, • new and upgraded pedestrian and cycle routes, and • integrated public transport. The city's Key Urban Villages, urban villages and neighbourhood centres have their own identity and sense of place. They allow people living in different parts of the city to access a wider variety of commercial, community, social and cultural services locally. These centres will support the 'proximity principle'. This means people's daily requirements can be reached within 15 minutes by foot, bike or public transport. The development plan seeks to make sure that the vitality and viability of these centres can be maintained long term.*ople can now shop, work and be entertained from home so they are using the urban centres differently. To evolve and adapt to these trends, the city centre and the urban centres will need to offer wide-ranging amenities and uses to

**The application in respect of 36-41 Henry Street, 1-9 Moore Street, 3-13 Henry Place, Charles Court & Mulligan Lane, Dublin 1, not only does not contribute to the cited DC Development Plan but actually militates against it.**

**The Moore Street area is already, save for accommodation, an urban village and this aspect should be developed instead of ignored and/ or undermined. It combines this with a vibrant shopping street when property speculators are not closing shops and when the street comes alive as a market street, as we have seen recently with the addition of hot food and craft stalls. None of the Hammerson plan provides for pubs (of which there were within living memory at least four in the street). The Hammerson plan for a two-storey building for culture/gallery combined with restaurant/ cafe does little to facilitate culture. Gallery spaces are often quiet and even dormant much of the time and do not adapt easily to performance, when art items need curating and protection. There is no theatre plan in**



the Hammerson application, no dedicated cultural performance space nor even pubs which could provide same with function rooms or small stage.

There are no family leisure facilities in the Hammerson plan and in fact the Save Moore Street From Demolition has advocated creche and small playground provision in Moore Lane, which figure in none of the many aspects of the Hammerson Plan for the whole area.

## Chapter 8

*Sustainable and efficient movement of people and goods is crucial for the success and vitality of the city. We need to move away from private car and fossil-fuel-based mobility to reduce the negative impacts of transport and climate change. The plan seeks to promote ease of movement within and around the city. It also aims to play a key role in:*

- safeguarding the environment, and*
- adapting to the impacts of climate change.*

*This policy approach promotes:*

- the integration of land use and transportation, and*
- improved public transport and active travel infrastructure such as walking and cycling.*

*The policy also promotes an increased shift towards sustainable modes of travel and an increased focus on the public realm (such as improved footpaths), as well as healthy placemaking. Healthy placemaking involves shaping the built environment so that healthy activities and experiences are integral to people's everyday lives. For example, measures to locate amenities are within walking distance and neighbourhoods that have more facilities such as parks and green spaces. This plan looks to the future of mobility in the city. This includes increasing the role of:*

- shared mobility schemes,*
- electric vehicles, and*
- other 'micro' mobility options like e-scooters.*

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In order to develop the Moore Street area further as an area where *healthy activities and experiences integral to people's everyday lives* may be experienced, a range of activities need to be available and as a street market as its core the area is well placed to deliver this. This also assumes *safety and the perception of safety* which is assisted by being lively and well-lit by night rather than dark and surrounded with closed shops (like Henry Street and much of Grafton Street at night, both areas of predominantly chain retail stores).

Nor is there anything in the Hammerson plan to provide for children and young people, as advocated in submission to the Minister of Heritage's Advisory Group on Moore Street by the SMSFD group, despite the location of nearby primary and secondary schools.

## Chapter 11: Built heritage and archaeology

*The development plan plays a key role in valuing and safeguarding built heritage and archaeology for future generations. These include features such as historic buildings, Georgian terraces and squares as well as monuments and so on. The plan guides:*

- decision-making through policies and objectives, and*
- how to put in place national*

*legislation to conserve, protect and enhance our built heritage and archaeology. The principal things that will enable the City Council to enhance the special characteristics of the city's built heritage and archaeology are: • the Record of Protected Structures (a list of protected structures such as the Georgian Houses on Merrion Square), • the designation of Architectural Conservation Areas and Areas of Special Planning Control (areas that are formally allocated special status to protect their character and or contribution to the heritage of the city), and • safeguarding zones of archaeological interest (for example the medieval city quarter and the Dublin City Walls). The development plan seeks to put in place the current Dublin City Heritage Plan. It will support the preparation and implementation of the Dublin City Heritage Plan 2022-2026.*

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The whole of the Moore Lane area contains built heritage and archaeology in the form of entire buildings or part interiors or exteriors or basements, in addition to curtilages. It also contains the remains of a medieval midden.

Those built heritage sites are either under threat from Hammerson, poorly maintained by Hammerson or the subject of High Court appeal by Hammerson against their listing as of historical value. In particular the whole of Henry Place bears the historical footsteps of the GPO Garrison's evacuation. No.13 seems to refer to the building formerly known as "the white house", the original front of which was covered in British Army bullet damage in 1916 and the interior of which was scouted during the evacuation by a group reputedly led by Michael Collins.

Built heritage in Moore Street includes the terrace Nos. 10-25 terrace through which the Volunteers tunneled throughout the night of Easter Friday into Saturday morning with notable events in a number of those buildings.

It also includes the pre-1916 architecturally interesting buildings on the north-west terrace of Moore Street, including a typical 'Dutch Billy' building and interesting frontage moldings and grotesque on No.55, the north-facing wall of which still bears bullet-strike damage. The north-east terrace was destroyed by British artillery barrage and resulting fires but the reconstructed frontages are of interest and appealing. The Hammerson Plans shows no acknowledgement of historical or architectural importance of built heritage, much less conservation and commemoration plans anywhere in the Moore Street/ Moore Lane/ Henry Place area.

## Chapter 12

*Culture is a universal and fundamental part of the human experience. It plays a central role in defining us as a society and as a city. Cultural and interpretative expression takes many forms like: • music, • dance, • visual arts, • sculpture, • theatre, and • literature. As the Capital City, Dublin leads the State in the wealth of culture available to all. Dublin has everything from major cultural institutions and globally recognised festivals to local community spaces and events. As Dublin continues to grow, we face the*



*challenge of protecting its arts and cultural assets while allowing sustainable growth. It also need to expand the range of spaces and places available so the pace of cultural growth can match our population growth. To enable new facilities, these challenges must be met in all parts of the city, including:* • *the regeneration of industrial lands, • the regeneration of older social housing complexes, • new builds in the suburbs, and • gaps in facilities provided within the existing inner and outer city suburbs. All of this must be done while at the same time meeting the density targets within the National Planning Framework and the Regional Spatial and Economic Strategy (RSES). As recognised in the Government policy document, Culture 2025, participation in cultural activities can:* • *contribute to social cohesion, • reduce isolation, and • enrich all our lives. Cultural infrastructure is a key social asset that must be planned for in the same way as our water supply, our transport, our parks and our built heritage. The development plan seeks to address the planning challenges facing the cultural sector. It recognises that the protection and expansion of all types of cultural assets can only be achieved through both public and private investment. This reflects the diverse and wide-ranging sector that it is. The plan aims to provide for a vibrant and sustainable cultural sector and associated cultural infrastructure to meet the needs of the city. To cater for the future population growth outlined in the National Planning Framework, such growth must be in line with the strategic investment priority of the National Planning Framework. This means keeping culture at the heart of communities.*

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The Moore Street area as a centuries-old street market and historical battleground provides an excellent setting for culture. In recent years it has hosted history reenactments, concerts, dramatic performances, carnival and festivals. The latter have included events in Culture Night, History Week, Bram Stoker Festival and Food Festival. The area is regularly used by history tours operators.

In addition, among the historical figures of the battleground there were a great many Irish Language activists, speakers, writers, poets, visual artists, musicians and performers. Indeed, among the five of the Seven Signatories of the 1916 Proclamation who spent their last hours of freedom in Moore Street, no less than four were members of Connradh na Gaeilge/ the Gaelic League.

Apart from a vague reference to a possible cultural/ gallery use in a building also containing a cafe-restaurant, there is absolutely nothing in this application to provide or enhance a cultural environment. And every new application approved that does not provide such reduces further the possibility of such being provided in the future in the area.

**This Hammerson application should be rejected.**

*The development plan designates 17 Strategic Development Regeneration Areas. This is a key part of delivering compact growth (compact growth involves the better use of available land within built up areas close to public transport and the city centre for development opportunities). We believe that these areas can deliver significant quantities of homes and employment for the city. For each of the SDRAs, guiding principles are provided. They set out how to make the most of the potential of these areas and develop their character. Key objectives we must achieve are set out regarding: • mix of uses, • street network, • linkages and connections within the area and to surrounding areas, for example, new routes and lanes, • providing urban spaces, parks and playgrounds, and • providing retail and recreational facilities.*

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The only "linkage" of note in this application is to an already busy surrounding area of chain retail stores and chain eateries/ caf  s. It has no "mix of uses" in these and its housing component and vague 'cultural' components have already been commented upon. There are no recreational facilities to be provide within the plan.

This application should be rejected.

## Chapter 15

*Chapters 14, 15 and 16: Land-use zoning, development standards and implementation The zoning (the use of land for a particular purpose) and development standard provisions of this plan support the delivery of the Core Strategy. In particular, the zoning provisions make sure there is enough land to meet: • population targets, and • the economic role of the city as the nation's capital. Zoning also makes sure: • there is intensification of development such as housing along public transport corridors, and • that a mixed-use approach is promoted. The mixed-use approach will underpin a compact and sustainable city. The Development Standards reinforce this approach with clear guidance for: • quality residential development, • successful neighbourhoods, and • green infrastructure such as public open space. These are essential parts of the intensification of the city. This intensification relates to compact growth (the better use of available land within built up areas close to public transport and the city centre for development opportunities). It also involves promoting more effective use of land. Chapter 16 sets out: • our city's key performance indicators (signs of progress), and • how the plan will be put in place and monitored.*

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There is little mixed-use approach in this application except that of a takeaway-cafe-restaurant and retail (probably chain store) buildings in an area already heavily supplied

with same and a rental accommodation block at presumably high area rent. The cultural space is not easily accessible. The plan does not provide for a successful neighbourhood in an area already bereft of neighbourhood planning.

## **IN CONCLUSION**

The application in respect of 36-41 Henry Street, 1-9 Moore Street, 3-13 Henry Place, Charles Court & Mulligan Lane, Dublin 1, not only does not contribute to the cited DC Development Plan but actually militates against many of the Development Plan's objectives and other better proposals. As this application does not contribute at all or appropriately to the Dublin Area Plan and furthermore works against its major elements it should be rejected.