

Mary Tucker

From: Bord
Sent: Friday 12 January 2024 14:49
To: Appeals2; LAPS; SIDS
Subject: FW: Invited further comments in relation to ABP-312603-22, ref 2861/21
Attachments: Moore street latest submission - ref 286121 .docx

-----Original Message-----

From: Shane Stokes [REDACTED]
Sent: Thursday, January 11, 2024 5:29 PM
To: Bord <bord@pleanala.ie>
Subject: Invited further comments in relation to ABP-312603-22, ref 2861/21

Hi folks, I previously made a submission and was invited before Christmas to make additional comments.
Please see the attached document.

Kind regards,

Shane Stokes
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11/1/24

Relating to: PA 2861/21/ABP 312603/Moore Street

To whom it may concern:

I am writing to make an observation on appeals to the Moore Street developments by Hammerson. I previously made a submission and last month received a written invitation from An Bord Pleanála to provide further comments in light of the new Dublin City Development Plan 2022 – 2028.

I have done so below, referring to relevant sections in chapter 11 Built Heritage and Archaeology, Chapter 12 Culture, and Chapter 13 Strategic Development Regeneration Areas.

As mentioned in my original submission, I believe that the proposed development is excessively intrusive on the historic site of Moore Street, one which the National Museum has referred to as the 'most important historic site in modern Irish history.'

In that submission I also acknowledged the declaration of numbers 14 to 17 Moore Street as a national monument and incorporation into Hammerson's plans, but agreed with many others that this gesture is simply not enough when dealing with such a historically, archaeologically and culturally crucial site.

I note various appeals lodged against Hammerson's plans, including appeals by Deputy Mary Lou McDonald, the Moore Street Preservation Trust and others, as well as Dublin City Council's plans to defend a judicial review taken on behalf of Hammerson.

I believe that any reading of the new Dublin City Development Plan 2022 – 2028 strengthens the case that the buildings on Moore Street must be preserved, and refer to three sections below.

1) BUILT HERITAGE AND ARCHAEOLOGY (CHAPTER 11)

In section 11.1 Introduction, the Development Plan states that 'the city's heritage contributes significantly to the collective memory of its communities and to the richness and diversity of its urban fabric,' and that 'it is key to the city's character, identity and authenticity and is a vital social, cultural, and economic asset for the development of the city.'

The introduction further asserts that 'the city's historic buildings, streetscapes, villages, Georgian terraces and squares, Victorian and Edwardian architecture, industrial heritage, institutional landmarks, modernist buildings of the 20th century, urban core and the Medieval City, together with its upstanding monuments and buried archaeology, contribute to its local distinctiveness and help create a strong sense of place for citizens and visitors to the city and its neighbourhoods.'

The development plan is described as playing 'a key role in valuing and safeguarding built heritage and archaeology for future generations,' guiding 'decision-making through policies and objectives and the implementation of national legislation to conserve, protect and enhance our built heritage and archaeology.'

This theme is further asserted under section 11.2 Achievements, where it states that **'the Council continually strives to protect, enhance and preserve our heritage assets.'**

Section 11.3 Challenges lists key issues facing the city in terms of its built heritage and archaeology.

This section acknowledges and recognises that **'an overarching issue is the ongoing need to balance the often competing demands of a modern city in terms of consolidation and future growth with the need to protect its intrinsic character.** There is a need to ensure that Dublin City is a real and vibrant city where people live and work, not merely a tourist destination. **Dublin's citizens will be encouraged to live in the historic core and the challenge will be to provide sensitive and environmentally sustainable restoration of historic properties, suitable for modern living.'**

There is a stated intent here to preserve and restore the historic core of Dublin, rather than remove it.

This section also recognises **'that various historic buildings in the city remain underutilised and vacant.** Identifying suitable and viable uses for certain heritage buildings, particularly the upper floors, can be difficult. The challenge is to continuously facilitate and sensitively manage the changes required to adapt, reuse, upgrade and protect our rich architectural heritage whilst retaining its authenticity, integrity and special interests.'

Again, this emphasises the value of retaining the existing historic buildings.

The approach to be taken to achieve these and other goals is addressed in section **11.4 The Strategic Approach**

This undertakes to **'enhance, integrate and protect the special physical, social, economic and cultural value of built heritage assets through appropriate and sensitive development to ensure their preservation for existing and future generations.'**

It also commits to **'ensure buildings of architectural and historic interest are protected and include those structures that are considered, in the opinion of the Planning Authority, to be of special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest in the Record of Protected Structures.'**

Section 11.5 Policies and Objectives elaborates on what should be done, including listing policies of Dublin City Council.

These include:

11.5.1 The Record of Protected Structures recognises that the Planning and Development Act, 2000 (as amended) **'requires each Planning Authority to include in their development plan objectives for the protection of structures, or parts of structures, which are of, special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest.'**

Under BHA1, the stated policy of Dublin City Council is as follows:

'Record of Protected Structures

'(a) To include those structures that are considered to be of special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest in the Record of Protected Structures, and to remove those structures where protection is no longer warranted.

'(d) Ensure that any development, modification, alteration, or extension affecting a protected structure and/or its setting is sensitively sited and designed, and is appropriate in terms of the proposed scale, mass, height, density, layout and materials.'

BHA2 then states that there is a policy to:

'(c) Ensure that the form and structural integrity of the protected structure is retained in any redevelopment and ensure that new development does not adversely impact the curtilage or the special character of the protected structure.'

All of these policies and objectives underline the need to safeguard historic structures, particularly those 'which are of, special architectural, historical, archaeological, artistic, cultural, scientific, technical or social interest,' including by adding such buildings and areas to the record of protected structures, and to ensure that new developments do not clash with this, including scale and appearance.

I would contend that the Hammerson plans do not fit in with any of these stated objectives, and that the following sections underline this point.

Section **BHA6 'Buildings on Historic Maps'** states 'that there will be a presumption against the demolition or substantial loss of any building or other structure which appears on historic maps up to and including the Ordnance Survey of Dublin City, 1847.'

The Moore Street buildings and others in this area do appear on these maps, and are undoubtedly relevant to this policy.

In terms of preserving and protecting such buildings and areas, section **11.5.2 Architectural Conservation Areas** lists a specific mechanism to achieve this objective.

This states that 'the Planning and Development Act, 2000 (as amended), provides the legislative basis for the protection of Architectural Conservation Areas (ACAs). Under the Act, an ACA is defined as a place, area, group of structures or townscape that is of special architectural, historical, archaeological, artistic, cultural, scientific, technical, social interest or value, or contributes to the appreciation of protected structures.

'ACAs are designated in recognition of their special interest or unique historic and architectural character, and important contribution to the heritage of the city. This character is often derived from the cumulative impact of the area's buildings, their setting, landscape and other locally important features which developed gradually over time. An ACA may consist of groupings of buildings and streetscapes and associated open spaces.'

I note that Moore street is listed as a priority ACA project in this section, and feel this is an important consideration for An Bord Pleanála.

Furthermore, the Conservation Section, Planning & Property Development Department underlined the significant historical value of all of the buildings between 10-25 Moore Street.

(below excerpt is from this: <https://www.dublincity.ie/sites/default/files/2022-07/569e-20-21-moore-street-dublin-1-display-report.pdf> - 'Initiation of the Statutory Process for the Proposed Addition of 20/21 Moore Street, Dublin 1, to the Record of Protected Structures in accordance with Sections 54 and 55 of the Planning and Development Act, 2000 (as amended). - by the Conservation Section, Planning & Property Development Department')

It states that 'all of the buildings in situ in the terrace at 10-25 Moore Street were occupied by the rebel forces on the night and morning of the 28th and 29th of April 1916. No. 16 Moore Street, was the last headquarters of the Provisional Government, where the decision to surrender was made.'

It specifically calls for the addition of two buildings to those already listed as protected structures, saying that it 'considers 20/21 Moore Street, Dublin 1, to be of architectural, historical, cultural and social interest,' and that it

'concludes that the structures comprising 20/21 Moore Street, Dublin 1, merit inclusion on the Record of Protected Structures.'

It added: 'It is recommended that the statutory process to initiate the proposed addition of 20/21 Moore Street, Dublin 1, to the Record of Protected Structures, in accordance with Sections 54 and 55 of the Planning and Development Act, 2000 (as amended).'

Relating to Section BHA7: Architectural Conservation Areas

I note that part of Moore street falls within the O'Connell Street ACA, and that a stated policy of Dubin City Council is:

(a) To protect the special interest and character of all areas which have been designated as an Architectural Conservation Area (ACA). Development within or affecting an ACA must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area, and its setting, wherever possible.'

It states that 'development shall not harm buildings, spaces, original street patterns, archaeological sites, historic boundaries or features, which contribute positively to the ACA.'

And that it is a policy to '(b) Ensure that all development proposals within an ACA contribute **positively to the character and distinctiveness of the area** and have full regard to the guidance set out in the Character Appraisals and Framework for each ACA.'

Also relevant is '(c) Ensure that any new development or alteration of a building within an ACA, or **immediately adjoining an ACA**, is complementary and/or sympathetic to their context, sensitively designed and appropriate in terms of scale, height, mass, density, building lines and materials, and that it protects and enhances the ACA. Contemporary design which is in harmony with the area will be encouraged.'

Section BHA8: Demolition in an ACA undertakes to protect what is there from demolition, stating that 'there is a presumption against the demolition or substantial loss of a structure that positively contributes to the character of the ACA except in exceptional circumstances where such loss would also contribute to a significant public benefit.'

Again, I believe that the Hammerson plans do not fit in with these policies, and will have a clearly negative effect on the existing ACA.

The Dublin City Development Plan 2022 - 2028 also makes provisions for other building to also be protected, even if they are not already given such designation.

The section **Buildings of Heritage Interest Including Mews and Vernacular Buildings**: notes that 'Many of the older buildings and structures in the city, whilst not included on the Record of Protected Structures or located within an Architectural Conservation Area, or Conservation Area, make a positive contribution to the historic built environment of the city,'

And that 'The retention and reuse of these buildings add to the streetscape and sense of place and have a role in the sustainable development of the city. There will be a presumption against demolition of individual structures of vernacular or historic/ social interest that contribute to the character of an area.'

Given the rich historical and cultural value of Moore Street, this would appear to apply.

The same conclusion can be reached from reading section **BHA11: Rehabilitation and Reuse of Existing Older Buildings**, which aims:

(a) To retain, where appropriate, and encourage the rehabilitation and suitable adaptive reuse of existing older buildings/structures/features which make a positive contribution to the character and appearance of the area and streetscape, in preference to their demolition and redevelopment.

I note that on page 369 Moore street is listed as part of Dublin's historic core, and described as 'city landmark number 22.'

Finally for this section, I observe that the policy **BHA30: Moore Street National Monument** is 'to co-operate with, and facilitate, the state in its preservation of the National Monument at 14-17 Moore Street on a joint venture basis, and to **support the retention and refurbishment of the cultural quarter associated with 1916 on Moore Street** and taking account of the contents and relevant recommendations of the Moore Street Advisory Group Report to the Minister for Heritage and Electoral Reform and the minister's response.

The second section I wish to refer to is that of culture, which I would also ask An Bord Pleanála to consider as part of the Dublin City Development Plan 2022 – 2028.

CHAPTER 12 CULTURE:

This includes listed goals such as '**the restoration of pre 1916 buildings on Moore Street,**' which is unambiguous in its aims.

Also of relevance is

CUO9: 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 1-8 Moore Street,** and the establishment of a commemorative visitor centre, as a fitting tribute to the men and women of 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.'

I also note that section 12.5.2 identifies Moore Street as part of the North Georgian City cultural quarter, and that the council undertakes to 'continue to support, develop and nurture all identified and emerging cultural quarters within the city and seek the creation of additional spaces where the opportunity arises.'

The final section I would ask An Bord Pleanála to consider is this:

3. CHAPTER 13: STRATEGIC DEVELOPMENT REGENERATION AREAS

In chapter 13, Strategic Development Regeneration Areas, listed assets in SDRA 10 – North East Inner City include this area. The document refers to 'Moore Street to the west of the SDRA, famed for its on-street trading and linked to significant historic events of 1916.'

Stated guiding principles relating to this area include:

'To recognise the importance of the architectural and cultural heritage of the area including existing and proposed **Architectural Conservation Areas** centred on O'Connell Street, North Great Georges Street, Moore Street and Mountjoy Square.'

Furthermore, Dublin City Council aims are listed in the **land use and activity** section:

'O'Connell Street/Moore Street Civic/Cultural Hub –In recognition of the historic built form and history of the area and the potential for public interaction given its key location in the north retail core. With proximity to the emerging cultural quarter around Parnell Square, and its associated range of arts and literary attractions, this hub would act as a natural extension to the existing cultural quarter extending its reach, blending with a new mix of

uses. With excellent transport access, this precinct will become even more accessible to the wider public when planned public transport improvements are delivered over time. **The Moore Street market will become a re-energised market street**, with a significantly improved public realm and act as a gateway, and through route, to the historical assets of the area, to create synergies to benefit the entire city block, breathing new life to the area.'

It notes that 'the historical assets are not limited to Moore Street/Moore Lane, but include O'Connell Street & the GPO.'

Indeed the section '**Guiding principles for key opportunity sites**' identifies Moore Street, Moore Lane, O'Rahilly Parade and others as being of key importance.

It points out that 'the site is of significant historical importance given its association with the 1916 Easter Rising, and Moore Street is also well known for its open-air fruit and vegetable market. The area has the potential to be transformed through heritage-led, mixed-use regeneration that acknowledges and responds creatively to the cultural roles and historical significance of this centrally located site.'

As a result it states that masterplan proposals should incorporate:

- **Heritage –led retention and restoration of all pre-1916 buildings and fabric along Moore Street.**

And to

- **Acknowledge the urban architectural and historical context** and complement the scale and design of the National Monument at Nos. 14 -17 Moore Street and its reuse as a commemorative visitor centre (URDF Government funding relates).

Finally, it states that proposals for this area must also have regard to:

- The policies and provisions of the O'Connell Street Architectural Conservation Area (ACA), 2001, and the Scheme of Special Planning Control for O'Connell Street & Environs 2016, including any amendments thereto, along with those of the proposed **Draft Moore Street Architectural Conservation Area** or similar where adopted.
- The content of the Moore Street Advisory Group's 2021 report to the Minister.

I hope that you can take all of these points into account.

Kind regards,

Shane Stokes