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6th February 2022

<b>AN BORD PLEANÁLA</b>	
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ABP-	
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Re: Appeal to An Bord Pleanála on permission granted by Dublin City Council on Planning application 2862/21

#### Grounds for appeal

The planning permission contravenes the Dublin City Development Plan 2016-2022 in respect of Built Heritage and Culture; and City Economy and Enterprise.

It is quite clear that a very important historic and cultural site (even if it is not a protected structure) is being almost obliterated for the sake of a development. The Council recognises the importance of an historic site in relation to UNESCO World Heritage status and its value as a social, cultural and economic asset.

#### UNESCO World Heritage Site

*(The strategic approach to the protection and enhancement of the city's built heritage shall be guided by the recommendations on the Historic Urban Environment adopted on 10 November 2011 by UNESCO's General Conference, providing for the historic urban landscape approach that sees urban heritage as a social, cultural and economic asset for the development of cities, with tangible and intangible urban heritage as sources of social cohesion, factors of diversity and drivers of creativity, innovation and urban regeneration. Page 183) (This approach, shall in turn, guide the City Council, in partnership with the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, and other stakeholders, in the pursuit of a World Heritage nomination for the Historic City of Dublin. Page 184).*

It is astonishing that the Council would seek a World Heritage nomination for the Historic City of Dublin while at the same time giving permission to a developer to destroy the one single unique site and buildings that would qualify for designation in its own right.

The Council acknowledges the importance of the curtilage of such a site and would refuse permission for a development which has the potential adverse impact on its setting of such an asset. *(The curtilage of a Protected Structure is often an essential part of the structure's special interest. Page 187 Any development which has an adverse impact on the setting of a protected structure will be refused planning permission. 187-188)*

Permission to demolish so much of the battlefield site runs contrary to the above.

## DUBLIN CITY DEVELOPMENT PLAN 2016 - 2022 PROGRESS REPORT

Report No 313/2018 Report of the Assistant Chief Executive 26 October 2018

Urban Regeneration Development Fund application in September 2018 for Moore Street to assist in the renewal of this area as a historic quarter incorporating new streets and a mix of uses. Page 14

CHCO30: To seek to provide a "revolutionary" or "green" trail in the city, linking sites such as Boland's Mills, GPO, Moore Street, Dublin Castle, Kilmainham Jail and Richmond Barracks, Mount Street Bridge, the Mendicity Institute, Arbour Hill, The Four Courts, Annesley Bridge and North King Street similar to that in Boston, which can be a significant tourist attraction. Page 41

CHCO31: To develop a 1916 Historic Quarter, including Moore Street, with its National Monument and historic terrace, an appropriately developed street market, the GPO and Parnell Square, creating an integrated historic, literary and commercial. Pages 41-2

It is quite clear that the City Council accepts the historic importance of the Moore Street area but doesn't seem to understand what makes it historically important. Instead of preserving the whole battlefield site, the Council has given permission for it to be almost obliterated and in place of having the actual battlefield site, as exists at present, there will be signs, notices and foot trails. This considerably devalues what is left and is quite surreal.

### **Historic importance**

The historic importance of the site has been pointed out not only in my observation to the council prior to their decision but in many other observations as well. Yet in the document granting permission there is no reference at all to its historic importance.

The application for permission does not adequately recognise Moore Street as a place or town place that is of special architectural, historical, archaeological, artistic cultural, social or technical interest as a designated Architectural Conservation Area.

The applicant does not as claimed secure protect or sensitively preserve 1916 elements on site. It seeks to destroy as much as possible.

The application does not reflect the historical importance of this area described by The National Museum of Ireland as 'the most important historic site in modern Irish history'.

The application seeks the demolition of part of the terrace of houses that was the last Headquarters of the 1916 Provisional Government of the Irish Republic.

The proposed development will alter and interfere with lines of historic streets and laneways directly linked to The Rising.

The applicants seek the demolition of no.18 Moore Street a 19th century structure and other 1916 Monuments, buildings and structures that have yet to be independently assessed or surveyed.

The application includes the appropriation and invasion of the curtilage of National Monuments and protected structures throughout the site.

The application runs contrary not only to the objectives of The Dublin Development Plan but also the aims and objectives of the Ó Snodaigh Bill under consideration by Dáil Éireann and The Moore Street Renewal and Development Bill placed before An Seanad by Minister Darragh O' Brien in 2015.

The City Council is also out of step with international standards for preserving historic buildings and sites.

### **Venice Charter**

The proposed development is out of context with the declared National Monument at 14 to 17 contrary to Venice Charter principles and International guidelines on the protection of history and heritage.

### **INTERNATIONAL CHARTER FOR THE CONSERVATION AND RESTORATION OF MONUMENTS AND SITES (THE VENICE CHARTER 1964) Venice Charter**

*Article 1. The concept of a historic monument embraces not only the single architectural work but also the urban or rural setting in which is found the evidence of a particular civilization, a significant development or a historic event. This applies not only to great works of art but also to more modest works of the past which have acquired cultural significance with the passing of time.*

*Article 6. The conservation of a monument implies preserving a setting which is not out of scale. Wherever the traditional setting exists, it must be kept. No new construction, demolition or modification which would alter the relations of mass and colour must be allowed.*

*Article 7. A monument is inseparable from the history to which it bears witness and from the setting in which it occurs.*

### **Convention for the Protection of the Architectural Heritage of Europe \* Granada, 3.X.1985**

*Article 1 For the purposes of this Convention, the expression "architectural heritage" shall be considered to comprise the following permanent properties:*

*1 monuments: all buildings and structures of conspicuous historical, archaeological, artistic, scientific, social or technical interest, including their fixtures and fittings;*

*2 groups of buildings: homogeneous groups of urban or rural buildings conspicuous for their historical, archaeological, artistic, scientific, social or technical interest which are sufficiently coherent to form topographically definable units;*

*3 sites: the combined works of man and nature, being areas which are partially built upon and sufficiently distinctive and homogeneous to be topographically definable and are of conspicuous historical, archaeological, artistic, scientific, social or technical interest.*

### **Integrity of the site**

While the current battlefield site has been deliberately run-down, at least one can visualise today almost the same landscape where the Volunteers fled the GPO into Henry Place, crossed Moore Lane under machine gun fire from the British, before bursting through the side wall of number 10 Moore Street and tunnelling through to number 25. This application and its associated parts totally destroys the landscape of the battlefield site then and now.

It has been argued that some of the houses in the terrace were built post 1916 and others were not in existence at the time of the Rising so the terrace as we know it today is therefore not authentic. Thom's Directory records that no. 19 was in ruins at the time and a witness statement records the Volunteers crossing open ground between nos. 18 and 20. The witness statement however also

refers to a hoarding which if it had not been in place, would have exposed the Volunteers to fire from the British lines at Parnell Street. So, there was a continuous secure line along the front of the terrace. The curtilage of no. 19 extended from Moore Street to Moore Lane and the rest of the site was intact. The integrity of no. 19 therefore existed in 1916 and the integrity of the terrace as a whole also still existed. The street is over 250 years old and to justify dividing it into two parts because the house part of no. 19 was in ruins for a few years is ridiculous. The curtilage of the battlefield site includes the curtilage of the terrace, the laneways and the important buildings identified in the High Court judgement of 2016.

One could look to Frankfurt where Wolfgang Von Goethe was born in a 17th century house which was destroyed during the second World War. It has since been faithfully restored. The historic centre of Warsaw was obliterated during the war but the old town was completely rebuilt. And of course, the GPO was restored after its destruction in 1916. The importance of these sites, even without the original buildings, was recognised and the appropriate response was forthcoming. So, it is disingenuous to state that there is little historical integrity to the terrace as a whole. The site is so historic and important that even if the whole terrace had been completely demolished, then it should be restored to its 1916 state as per the examples listed above.

#### **Historic importance of the site – nationally and internationally**

The Easter Rising is one of the most significant events in Irish history. It was the catalyst that led through the War of Independence to the foundation of this state. The vision and courage of the Volunteers, contrasted with the brutal execution of their leaders, led over the next few years to an overwhelming desire for independence, culminating in the decisive victory of Sinn Féin in the 1918 election. The commemoration of the centenary a few years ago, showed how much the Easter Rising still resonates with the ordinary citizens of Ireland.

But the importance of the Easter Rising goes beyond the foundation of the state and one simple narrative. It reflects the different political strands and relationships within the island and between the islands then and now. Catholics and Protestants fought on both sides; men from Scotland and England fought on both sides; so did Irish brothers and neighbours. Among the dead were over a dozen policemen and soldiers from the Ulster Unionist community and many of those associated with the Rising were born in or lived in Ulster – Roger Casement, Tom Clarke, James Connolly, Sean MacDermott and Major McBride to name but a few. The Rising brought together all strands of Irish society from the working-class members of the Citizen Army and the Irish Volunteers to well-educated poets, teachers and lawyers. Although mainly a Dublin event, men and women from both urban and rural Ireland were active throughout the island – three of the Volunteers killed on the Friday evening in Moore Street were from County Kerry. The ideologies behind all these different participating groups are just as relevant today and just as potent.

The importance of the Rising also goes beyond the borders of the state. Many countries that were also militarily invaded and taken over by one of the Great Powers experienced the same conditions that brought about the Rising – the dividing and conquering of the native people; the introduction of settlers; the denigration and suppression of indigenous heritage, culture, religion and language; the rewriting of history; the absorbing into their army and the local police of natives; the broken promises and treaties; the abuse of law and control of the political process and the media were some of the methods used to imposing a system of control to ensure that power and authority were retained. The tensions released in Ireland as a result were replicated through the rest of the



conquered world. So many other countries can identify the themes within the Rising as similar to the experiences within their own country. In some cases, it was the inspiration for action towards gaining their own freedom and independence.

War of course is common to all nations at one time or another. It is something we all can associate with, either directly or indirectly. And the Rising offers a unique insight into all the aspects of war, the tactics, the strategy, the emotions and the deaths. For the Rising was a small-scale war, it was on a human scale, it was personal, it was intimate, it was in your face. Thousands died in a single day in the European battlefields of the First World War but only around 500 died in the fighting of Easter Week. We know their names, ages, addresses, where and when they died and where they are buried. We know many of their stories, we can identify with them. The story of the Rising is the accumulated stories of those ordinary men, women and children caught up in those extraordinary times; civilians killed in their own homes; killed in crossfire on the street; deliberately targeted; Volunteers, English soldiers, policemen killed in action. All the emotions and trappings of war were reflected in these stories - the fear, the tragedy, the stupidity, the excitement, bravery, cowardice, glory. And lastly the executions. These were all played out through the life and deaths of those present and give a better understanding of what war is and what it does to those involved directly or indirectly.

**The importance of the site nationally and internationally, its appeal globally and its central urban location makes it worthy of a UNESCO World Heritage site.**

At the heart and at the death of the Rising was the GPO and Moore Street. The GPO is considered to be the most iconic building of the Rising. There was fighting in the streets all around it but there was never a frontal attack. Its importance lies in the fact that it was the headquarters of the newly declared Irish Republic and it was from there that the Proclamation was read out declaring Ireland to be free and independent. Six of the seven signatories of the Proclamation were based there during the week. Yet the GPO was completely destroyed and then rebuilt after the Rising. No one questions its authenticity or status today. When the GPO was on the brink of destruction and the members of the Provisional Government and the headquarters staff were forced to flee, the importance linked to the GPO site moved with them into the laneways and the Moore Street terrace which then took on the same importance as the GPO itself. It was in these lanes that the Volunteers took their heaviest casualties during the Rising and in the terrace where the Provisional Government met for the last time and where they issued the surrender which declared the ending of the short-lived Irish Republic. The Provisional Government was born in the GPO with the reading of the Proclamation and it died in Moore Street with the issuing of the note of surrender.

#### **Moore Street terrace – GHQ of the Provisional Government**

Moore Street terrace was the staff headquarters of the Provisional Government – they occupied the entire terrace, from numbers 10-25, just as they occupied the entire GPO. No one suggests only a portion of the GPO should be retained. The greatest loss of Volunteer life in any one event during the Rising was in those moments – 7 Volunteers were killed in action and one later died of his wounds. The total number of all fatalities was over 20.

And the amazing thing is that the terrace, laneways and buildings that featured so strongly in the story of that Friday night are still mostly intact. There is Henry Place just across from the GPO side door, almost as it was in 1916 – a dog legged lane in the dying light, noise all around with hundreds of men caught up in a crush, unable to go further because of the machine gun firing down Moore Lane. At the dog leg the Bottling store where Volunteer Patrick Lynch lost his life; Moore Lane where

the body of Volunteer Michael Mulvihill was found next day and where Volunteer Henry Coyle was shot through the head by a sniper; and the White House in Henry Place which Volunteers believed was occupied by the British who were firing on them in the lane. Here too, 16 year old Bridget McKane was accidentally shot while the Volunteers tried to break into the house.

At the corner of Henry Place and Moore Street Volunteers Shortis, Macken and O'Connor fell dead at the onset of the O'Rahilly charge up Moore Street. Eventually the Volunteers broke through to Number 10 and members of the Provisional Government spent the night there along with dozens of others. Nurse O'Farrell left Number 15 to bring the note of surrender to the British. The members of the Provisional Government had their last meeting in Number 16 and decided to surrender to prevent further loss of life. James Connolly was brought down the stairs in No. 17. The Volunteers met in the garden of Number 20-21 and refused to surrender until Sean McDermott persuaded them otherwise. At the end of the terrace, Number 25, Sean McLoughlin had gathered a few Volunteers with the aim of making a final charge against the British barricades to clear the way for the rest of their comrades to escape to Williams and Woods factory. The next day, along Moore Street lay the bodies of civilians and soldiers.

### **City Economy and Enterprise .**

The Council is failing in its duty to obtain best economic value for the citizens of Dublin. The Council, as standard practice, should commission an economic report into how such a valuable central site could best benefit the citizens and city of Dublin. The development, if granted permission by An Bord Pleanála, will simply replace existing footfall elsewhere and transfer money from one part of the city/country to central Dublin. A proper battlefield site would attract millions of extra tourists and those interested in history, heritage and culture. In accordance with the economic aspect of a UNESCO site, it should be recorded that the Titanic Centre has attracted nearly 1 billion euro investments in hotels alone in Belfast in the last 10 years. (Irish Times 21 January 2022) Over 800,000 people visited the centre in the year before Covid.

### **Conclusion**

From the point of view of history, culture and heritage, the three applications 2861-3/21 should be considered as a single application. One fee to Dublin City Council and one fee to An Bord Pleanála should be sufficient to cover what is essentially one application broken into three parts and later three more parts.

It should be a requirement of the planning permission that the developers should restore the terrace to what it looked like in 1916.

Moore Lane to be retained with existing height levels on both sides.

Henry Place to be retained with existing height levels on both sides.

The laneways and other buildings associated with the Rising and noted by Judge Max Barrett to be restored to what they would have looked like in 1916.

Any new buildings adjacent to or within the battlefield site should not detract from the battlefield site in terms of height or architectural design and should blend in with the site.

Moore Street, which was built over 250 years ago, even without its Easter Rising connection, is important enough to be restored to its original glory.

I urge An Bord Pleanála in carrying out their duty to protect and preserve this area of special historical and architectural interest to reject this application in the National interest, the public interest and in the interest of proper planning and development.

Ray Bateson, author and historian

The Battle of Moore Street/ Cath Shráid Uí Mhórdha

They Died by Pearse's Side

Memorials of the Easter Rising

& others

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

<b>PLAN NO.</b>	2862/21
<b>DATE RECEIVED:</b>	01-Jun-2021
<b>LOCATION :</b>	10-13 & 19-21 Moore Street, 5A Moore Lane & 6-7 & 10-12 Moore Lane & 17-18 Henry Place, Dublin 1
<b>PROPOSAL :</b>	<p>PROTECTED STRUCTURE: Dublin Central GP Limited intends to apply for Permission for a period of 7 years at a site, 'Dublin Central - Site 4', (c. 0.3 Ha) at Nos. 10 - 13 and Nos. 18 - 21 Moore Street, No. 5A Moore Lane (also known as Nos. 15 - 16 Henry Place), Nos. 6 - 7 and Nos. 10 - 12 Moore Lane and Nos. 17 - 18 Henry Place (also known as Nos. 4 - 5 Moore Lane), Dublin 1. Also, the site includes the rear of Nos. 50 - 51 and Nos. 52 - 54 Upper O'Connell Street, No. 13 Moore Lane, No. 14 Moore Lane (otherwise known as Nos. 1 - 3 O'Rahilly Parade and Nos. 14 - 15 Moore Lane or Nos. 1 - 8 O'Rahilly Parade and Nos. 14 - 15 Moore Lane), Dublin 1 and otherwise generally bounded by No. 22 Moore Street and No. 13 Moore Lane to the north, Moore Lane to the east, Moore Street to the west and Henry Place to the south. Nos. 14 - 17 Moore Street (National Monument / Protected Structures) is bounded on the north and south by the proposed development. The proposed development comprises a mixed-use scheme (c. 3,290 sq. m gross floor area) in 2no. parts located north and south of the Nos. 14 - 17 Moore Street (a National Monument / Protected Structures) ranging in height from 1 - 3 storeys including retained independent single storey basements comprising 15no. apartment units (c. 1,454 sq. m gfa), café / restaurant use (c. 864 sq. m gfa), retail use (c. 617 sq. m gfa), cultural use (c. 60 sq. m gfa) and office use (c. 295 sq. m gfa). The proposed development to the north of Nos. 14 - 17 Moore Street consists of: - Nos. 20 - 21 Moore Street are refurbished and adapted to provide 1no. café / restaurant / licenced premises with takeaway / collection facility (c. 80 sq. m in total) at ground floor addressing both Moore Street and proposed new public plaza to the rear and 1no. 1-bed apartment and 1no. 2 bed apartment located at 1st and 2nd floor level - 4no. in total (cycle and bin storage at ground floor level). No terraces or</p>



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balconies are proposed to the residential units; Provision of a new 2 storey extension at the side of No. 17 Moore Street (National Monument / Protected Structure) to act as an extension for ancillary use to the National Monument - a cultural facility (c. 60 sq. m gfa); Provision of an archway between the gable of No. 20 Moore Street and the new 2 storey extension to No. 17 Moore Street (National Monument / Protected Structure) to form an entrance to a new public plaza off Moore Street; Provision of a 2 storey building with profiled roof consisting 1no. licenced restaurant / café unit with takeaway / collection facility (c. 250 sq. m gfa). This building sits independently of the northern boundary of No. 9 Moore Lane at the rear of Nos. 14 - 17 Moore Street; Provision of part of a new public plaza (1,085 sq. m) and associated temporary works pending completion of the combined plaza with the concurrent planning application for the adjoining Site 5 immediately to the north (1,253 sq. m public plaza overall); The proposed development to the south of Nos. 14 - 17 Moore Street consists of:

- 11no. apartment units (7no. 1-bed apartments and 4no. 2-bed apartments), accessed from proposed central courtyard from Henry Place in 2 - 3 storeys buildings (1 storey to rear) contained above ground floor within No. 10 Moore Street (refurbished and adapted), Nos. 11 - 13 Moore Street (replacement buildings with party wall of No. 12 and No. 13 Moore Street retained) and No. 5A Moore Lane (also known as Nos. 15 - 16 Henry Place - replacement building) and Nos. 17 - 18 Henry Place (also known as Nos. 4 - 5 Moore Lane - ground floor façade retained) with associated resident storage area at basement level of No. 10 Moore Street; 5no. retail units at ground floor: Unit 6 (c. 149 sq. m gfa) and Unit 7 (c. 128 sq. m gfa) on Moore Lane, Unit 10 (c. 69 sq. m gfa), Unit 11 (c. 149 sq. m gfa - including basement level) and Unit 12 (c. 58 sq. m gfa) on Moore Street; 2no. licenced restaurant / café units with takeaway / collection facility at ground floor: Unit 4 (c. 250 sq. m gfa - including basement level) onto Moore Lane and Unit 7 (c. 130 sq. m gfa - including basement level) onto Moore Street; 1no. office unit at first floor (c. 221 sq. m gfa) of 6 - 7 Moore Lane with access from ground on Moore Lane; A new courtyard is proposed between the rear of Moore Street buildings and Moore Lane buildings to provide communal open space (c. 155 sq. m) for the residential units; All apartment served by terraces / balconies with exception of Unit 13, No. 10 Moore Street. All associated and ancillary site development, conservation, demolition, landscaping, site infrastructure and temporary works, including:
- Conservation, repair, refurbishment and adaptive reuse of part of existing building fabric including:
- Retention of Nos. 20 - 21 Moore Street with internal and external modifications and new shopfronts; Retention of No. 10 Moore Street with internal and external modifications and new shopfront; Retention of Nos. 6 - 7 Moore Lane with internal and external modifications and new shopfronts; Works to include repair and upgrade works (where required) of existing masonry,

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

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

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

To Whom It May Concern,

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

- All queries should be submitted to the e mail address shown above.
- Please note that a request for Further Information or Clarification of Further information is not a decision.
- **You will not be notified**, if Further Information or Clarification of Further information is requested by the Planning Authority.

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

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

A weekly list of planning applications and decisions is available for inspection at all Dublin City Council Libraries & on **Dublin City Council's website. [www.dublincity.ie](http://www.dublincity.ie).**

Yours faithfully,

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**For ADMINISTRATIVE OFFICER**

