

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

## SECTION 131 FORM

Appeal NO: ABP 312642-22

Defer Re O/H

TO: SEO

Having considered the contents of the submission dated/ received 03/03/2022  
fromBrian McGrath recommend that section 131 of the Planning and Development Act, 2000  
be not be invoked at this stage for the following reason(s): No New planningE.O. Risa A.Date: 11/3/21

To EO: \_\_\_\_\_

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 \_\_\_\_\_

Please prepare BP \_\_\_\_\_ - Section 131 notice enclosing a copy of the attached  
submission

to: \_\_\_\_\_ Task No: \_\_\_\_\_

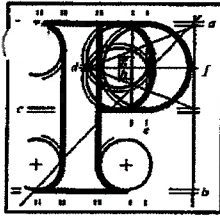
Allow 2/3/4 weeks – BP \_\_\_\_\_

EO: \_\_\_\_\_

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

AA: \_\_\_\_\_

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



**An  
Bord  
Pleanála**

## **Planning Appeal Online Observation**

**Online Reference: (NPA-OBS-  
000581)**

### **Online Observation Details**

<b>Contact Name:</b>	Brian McGrath
<b>Lodgement Date:</b>	03/03/2022 16:51:09
<b>Case Number / Description:</b>	312642

### **Payment Details**

<b>Payment Method:</b>	Online Payment
<b>Cardholder Name:</b>	Brian McGrath
<b>Payment Amount:</b>	€50.00

***3rd Party Observation against Planning Permission for Moore, O'Connell, and Parnell Streets, Reference Number - 2862/21 planning permission granted on 13<sup>th</sup> 12<sup>th</sup> 2021. Brian McGrath, 16 Glenmore Road, Dublin [REDACTED] 3<sup>rd</sup> 3<sup>rd</sup> 2021. Appeal made on the 4<sup>th</sup> February 2021.***

**Case reference: PL29N. 312642 -10-13 & 18-21 Moore Street, 5A Moore Lane & 6-7 & 10-12 Moore Lane & 17-18 Henry Place, Dublin 1 (2862/21).**

Dublin City Council

Protected Structure: Permission for 7 years to include: 15 apartments, cafe/restaurant with takeaway facility, cultural use and office use, conservation/preservation works. An Environmental Impact Assessment Report (EIAR) accompanies this planning application.

Dublin Central GP Limited (Applicant)

Amanda Higgins & Others (3rd Party Appellant) (Active)

Ray Bateson (3rd Party Appellant) (Active)

Ray Bateson (3rd Party Appellant)

The Moore Street Preservation Trust (3rd Party Appellant) (Active)

The Moore Street Preservation Trust (3rd Party Appellant)

Dublin One Business Alliance (3rd Party Appellant) (Active)

Patrick Cooney on behalf of Save 16 Moore Street Committee (3rd Party Appellant)

Patrick Cooney on behalf of Save 16 Moore Street Committee (3rd Party Appellant) (Invalid)

Mícheál McDonncha & Others (3rd Party Appellant) (Active)

Sinn Féin Group Dublin City Council (3rd Party Appellant)

Mary Lou McDonald (3rd Party Appellant)

Mary Lou McDonald (3rd Party Appellant) (Active)

Colm Murchu (3rd Party Appellant) (Active)

Dublin Central GP Limited (1st Party Appellant) (Active)

Dublin Central GP Limited (1st Party Appellant)

Patrick Cooney on behalf of Save 16 Moore Street Committee (3rd Party Appellant)

Patrick Cooney on behalf of Save 16 Moore Street Committee (3rd Party Appellant) (Active)

Troys Family Butchers Limited (3rd Party Appellant) (Active)

Moore Street Preservation Trust (3rd Party Appellant)

***Observation on Planning Appeal from Brian McGrath:***

To the Secretary, An Bord Pleanála, The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 .

I have the following comments to make about the planning application, No. 2862/21: Dublin Central, 10-13 & 18-21 Moore Street, 5A Moore Lane & 6-7 & 10-12 Moore Lane & 17-18 Henry Place, Dublin 1.

January 2022. 2862/21:

On June 2021, the so-called Moore St. – Parnell St. – O'Connell St. office and retail development ('*Dublin Central*') was submitted to Dublin city council, planning permission was granted on the 12<sup>th</sup> January 2022. I had made an observation against the development on heritage grounds to Dublin City Council on that year. As well as Moore Street, the proposal includes demolition of several buildings in O'Connell St., with facades only retained. Although the current proposal is focused mostly on Moore St., significant destruction of Dublin's historic, Moore, Parnell and O'Connell Streets will face demolition and reconstruction.

<https://www.buildingsofireland.ie/buildings-search/building/50010562/71-parnell-street-dublin-dublin>

For my purpose, I will treat the Upper O'Connell Street terrace as a homogeneous group, in the spirit of the *Convention for the Protection of the Architectural Heritage of Europe*, as "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." p.2. *European Treaty Series No. 121*

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

<https://www.dfa.ie/media/dfa/alldfawebsitemedia/treatyseries/uploads/documents/treaties/docs/2000-8.pdf>

On Parnell and O'Connell Streets, the following buildings are to be demolished with the facades retained -

**71 Parnell Street:**

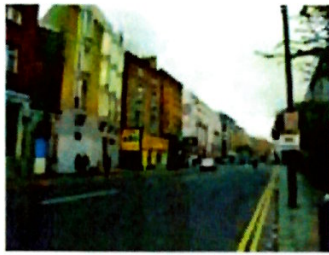


**71 Parnell St** - <https://www.buildingsofireland.ie/buildings-search/building/50010562/71-parnell-street-dublin-dublin>

This is not a protected structure. The [\*National Inventory of Architectural Heritage\*](#) states that the building is a "Terraced two-bay four-storey brick building, built c.1830, with staggered elevation, and recent timber shopfront to ground floor. ... Yellow brick walls laid in English garden wall bond to front and rear, cement rendered to east side elevation. Gauged brick flat-arched window openings with granite sills and original timber sliding sash windows with convex horns, three-over-three pane to third floor and six-over-six to first and second floors. [the] Shopfront has traditional-style details, including decorative coin-moulded cornice."

<https://www.buildingsofireland.ie/buildings-search/building/50010562/71-parnell-street-dublin-dublin>

The current planning status is scheduled for demolition.



Further, the *'building is a rare nineteenth-century survivor on a street blighted by 1970s road widening schemes and unsympathetic recent commercial developments.* Therefore, it provides historical context for this street. Its staggered facade is unusual and its location opposite the Rotunda Hospital, giving it further context. *'Formerly known as Great Britain Street, Parnell Street was laid out in the early eighteenth century, and completed by 1760.'* In short, No.71 is the last survivor of sustained destruction of a unique architectural fabric and is also now slated for demolition. The building is unlisted.

**No.70 Parnell St.** (Record of Protected Structures Reference: 6423, NIAH reference, 50010561, rated of significance and within the O'Connell Street Architectural Conservation Area). p.4. Appendix A2. 00943256. There is no planning permission for demolition at this point and the building is rated as a site boundary.

<https://www.dublincity.ie/sites/default/files/2020-08/dublin-city-development-plan-2016-2022-volume-4.pdf>



**No. 70 Parnell with No.71 to left.**

<https://www.buildingsofireland.ie/buildings-search/building/50010561/patrick-conway-70-parnell-street-dublin-dublin>

No.70 was built around 1880, having a *'two-storey return and full-height square-profile return to rear (south) elevation, with continuous pub front to ground floor of both elevations and having angled corner-sited entrance bay. Flat roof with red brick chimneystacks and terracotta chimneypots to east and south party walls behind red brick parapet wall with masonry coping.'*

<https://www.buildingsofireland.ie/buildings-search/building/50010561/patrick-conway-70-parnell-street-dublin-dublin>

*'Timber shopfront comprising fluted engaged pilasters on plinth bases, with panelled round-headed consoles flanking glazed timber framed edentablatures, moulded dentillated cornice over and decorative platband cornice over square-headed glazed openings on timber risers.*



*...ber intermediate pilasters to west elevation, having hipped timber panels, square-headed window openings with fixed display windows over timber panelled risers, and with timber plinth course throughout. Decorative cast-iron cresting to top of shopfront.'*

<https://www.buildingsofireland.ie/buildings-search/building/50010561/patrick-conway-70-parnell-street-dublin-dublin>

The demolition of No.71 would remove one of the last of Parnell street's old buildings and further isolate No.70., leaving it as a truncated corner building.

#### ***Protected Structures on O'Connell St:***

Previously known as Sackville Street, Upper O'Connell Street was developed as part of the Gardiner Estate from 1749. The second Luke Gardiner, continued this development south from the 1780s onwards, creating a throughfare whose breadth and scale became one of Dublin's most iconic streets.

<https://www.buildingsofireland.ie/buildings-search/building/50010552/oconnell-street-upper-garda-station-44-oconnell-street-upper-dublin-dublin>

There are several buildings in O'Connell St. slated for demolition as part of the 'Dublin Central' scheme here centred around the *Carlton Cinema* site. It should be noted that most of these buildings are in good to excellent condition, apart from the Carlton, (which is not in a ruinous condition), repairs could easily be made to these structures.

<https://www.buildingsofireland.ie/buildings-search/building/50010543/xd-theatre-52-54-oconnell-street-upper-dublin-dublin>

The latest proposal presents a banal and oppressive front onto O'Connell Street, and permanently alters the old long street by opening up a street/square running towards a rebuilt Moore Street.

#### ***42 O'Connell St., Dublin 1:***



(from UCD) - <https://www.buildingsofireland.ie/buildings-search/building/50010554/catholic-commercial-club-42-oconnell-street-upper-dublin-dublin>

**42 O'Connell Street Upper:** The so-called Catholic Commercial Club, The NIAH rating is of National significance, (Reg No 50010554, RPS No. 6022. (p.209.

<https://www.dublincity.ie/sites/default/files/2020-08/dublin-city-development-plan-2016-2022-volume-4.pdf>), the date is 1750 – 1755. This is a unique 18th century building, including O'Connell Hall, 1892, and again unique as a 19th century surviving ballroom. It is

within the O'Connell Street Area of Conservation (ACA) and is a listed building. O'Connell Hall as the planning application acknowledges, p.8. Document No. 00943256.

**Structure:** The building is a 'terraced three-bay four-storey townhouse over exposed basement, built c.1752, now vacant. Single-span hipped roof with natural slate roof tiles hidden behind parapet. Two replacement brick chimneystacks to north and south walls. Cast-iron hopper and down-pipe to south end of east elevation. Red brick walls laid in Flemish bond over granite plinth course and limestone rusticated basement. Parapet wall has been replaced with newer brick over top floor window level. Two large wall-ties to north end of east elevation at third and second floor levels. Gauged brick square-headed window openings with rendered and painted reveals and concrete sills.'



*Doric Door frame of No.42*

NIAH: [There are] 'replacement timber sliding sash windows, three-over-three pane to third floor, six-over-six to second floor, and nine-over-nine to first and ground floors. Replacement side-hung timber casement window to basement. Tripartite limestone Doric door surround consisting of pediment and damaged frieze, supported by three-quarter engaged columns over tall plinth and lintel having carved decoration of lion's head flanked by festoons. Single-pane timber sliding sash sidelights to either side of door.

Cast-iron railings on chamfered granite plinth with decorative corner posts and decorative median panel on either side of entrance door. Enclosed rusticated basement with limestone flags and large red letters 'APOLLO' on east elevation facing street. North elevation of basement under main entrance door combines sections of rubble stone, eighteenth-century brick and modern concrete blocks. North elevation shows original junction with no. 41 demolished in 1968, having steel braces supporting north wall. Rear of site via Moore Lane off Parnell Street inaccessible at time of survey.'

NIAH. – [Catholic Commercial Club](#)

#### **History:**

'This east-facing red brick terraced house was built by Robert Robinson MD, state physician and Professor of Anatomy at Trinity College. The building is indicated on Rocque's map of 1756.

It is the only intact eighteenth-century house to survive on O'Connell Street. The townhouse has attained national significance due to its design by architect Richard Castle (construction was supervised by John Ensor) and plasterwork believed to have been executed by stuccodore Robert West.' NIAH -



<https://www.buildingsofireland.ie/buildings-search/building/50010554/catholic-commercial-club-42-oconnell-street-upper-dublin-dublin>

**Ownership:**

The house was subsequently owned by Sir Archibald Acheson, Baron Gosford c.1780 and remained in the possession of the family until at least 1882. In 1854 it became the office of *The Royal Agricultural Improvement Society of Ireland*, in 1865, *The Irish Farmers' Club*, and the *Catholic Commercial Club* from 1882 to 1972.

**History of O'Connell Street / Gardiner's Mall:**

'No. 42 was purchased by the Hotel in 1972. Though much older than its surrounding buildings, *its neighbours maintain the parapet line of no. 42*. Sackville Mall was initiated by Luke Gardiner from 1749 when he purchased land from the Moore Estate and demolished the northern part of Drogheda Street, widening it to create a rectangular Mall. Leases were issued in 1751 and private mansions were built on the east and west sides of the street over the next decade.'

Gardiner's Mall was extended to the river as *Lower Sackville Street by the Wide Streets Commissioners in the late eighteenth century, and was renamed O'Connell Street in 1924 in memory of Daniel O'Connell.*

NIAH - <https://www.buildingsofireland.ie/buildings-search/building/50010554/catholic-commercial-club-42-oconnell-street-upper-dublin-dublin>

**43 O'Connell Street Upper, Dublin 1** - NIAH Reference: 50010553. RPS No. 6023 – p.209. <https://www.dublincity.ie/sites/default/files/2020-08/dublin-city-development-plan-2016-2022-volume-4.pdf>

**Special interest:** Architectural, Artistic. Date: 1920 – 1930. p.5. Document no. 00943256.



**Façade of No. 43**

<https://www.buildingsofireland.ie/buildings-search/building/50010553/ned-kelly-sportsclub-43-oconnell-street-upper-dublin-dublin>

Dublin Central application – façade to be retained only, the remaining structure slated for demolition. The building has a handsome and severe façade of Portland stone, typical of the post – 1920's reconstruction.

**Structure:** No.42. is a terraced two-bay five-storey building over a partially exposed basement, and is dated from 1925, with a shopfront at ground floor level. There is a two-storey brick building fronting onto Moore Lane. There is a flat roof hidden behind Portland stone parapet wall with shallow pediment inscribed 'AD 1925' and deep moulded parapet cornice. Red brick chimneystacks to both party walls.

<https://www.buildingsofireland.ie/buildings-search/building/50010553/ned-kelly-sportsclub-43-oconnell-street-upper-dublin-dublin>

***Portland Stone:***



The building has '*coursed Portland stone ashlar walls with three pilasters rising from shopfront to parapet interrupted by deep moulded cornice with mutules and frieze over third floor. Outer pilasters have Ionic capitals with lions' heads and foliate mouldings below cornice.*'

There are '*paired window openings throughout, square-headed to first, second and fourth floors, round-headed to third floor with replacement windows throughout. Fourth floor windows have apron panels, continuous impost moulding and keystones. Third floor openings have archivolt mouldings, continuous impost moulding, shared sills and apron panels. First and second floor openings have shared sills, shared string courses to heads and festoon mouldings to second floor aprons. Shopfront has polished granite plinth flanked by polished granite pilasters with bronze straps and Portland stone Ionic capitals with lions' heads and Portland stone fascia.*'

[The] '*door opening to north bay has flat-panelled timber door with pedimented lintel panel and festoon moulding with leaded Art Nouveau overlight, providing access to upper floors. To south end of shopfront is railed basement area with iron railings and corner posts on granite plinth wall and steel steps. Two-storey red brick structure encloses site to rear with gauged brick flat-arch window openings having leaded coloured glazing to first floor and loading bay to both floors, fronting onto Moore Lane.*'



*façade of No.43* - <https://www.buildingsofireland.ie/buildings-search/building/50010553/ned-kelly-sportsclub-43-oconnell-street-upper-dublin-dublin>

#### ***History of No.43:***

No. 43 was built to replace an earlier house following the destruction of much of the street during the 1916 Rising, it shares much of its detailing with other contemporary buildings on the street, with the scale following in the *tradition of the original streetscape and is adjacent to the only recognisable original Georgian townhouse remaining* (No.42).

[The building] '*exhibiting an array of quality stone carving and retaining one of the best preserved shopfronts on the street,*' this building plays an important role in the overall impression of the street and forms a part of the wealth of early twentieth-century structures that now defines the character of the area.

<https://www.buildingsofireland.ie/buildings-search/building/50010553/ned-kelly-sportsclub-43-oconnell-street-upper-dublin-dublin>



#### ***44 O'Connell St. Upper, Dublin 1:***

<https://www.buildingsofireland.ie/buildings-search/building/50010552/oconnell-street-upper-garda-station-44-oconnell-street-upper-dublin-dublin>

(Dublin City Development Plan 2016–2022: Record of Protected Structures p.209 - 6024. - <https://www.dublincity.ie/sites/default/files/2020-08/dublin-city-development-plan-2016-2022-volume-4.pdf>

44 O'Connell Street Upper, Dublin 1. Reg No. 50010552 - Rating – Regional. Categories of Special Interest: Architectural, Artistic.

The current planning status: the façade alone is to be retained. p.2. Appendix A2., Summary, Building Inventory, Description & Assessment. Document No. 00943256.

#### ***Structure of No. 44:***

No.44 is a terraced two-bay four-storey building, built c.1925, with an original shopfront to ground floor having recent inserted fittings. The flat roof has stepped red brick chimneys, shared with adjoining buildings, concealed behind cement parapet with a small central pediment. Portland stone walls to front elevation over a limestone plinth.

<https://www.buildingsofireland.ie/buildings-search/building/50010552/oconnell-street-upper-garda-station-44-oconnell-street-upper-dublin-dublin>

[There is a] *'substantial granite cornice forming sill course to third floor over Doric frieze with round medallions between triglyphs, flanked by squared panels, supported by Portland stone pilasters with acanthus and lotus leaf capitals, on plinths flanking first and second floors. Limestone and pink granite walling to ground floor with cornice forming sill course to first floor. Square-headed window openings with moulded Portland stone reveals and sills to first and second floors. Original quadripartite iron-framed windows with Portland stone mullions, moulded lintel to first floor windows, panelled aprons to second floor windows and shared moulded architraves surrounding first and second floor windows of each bay.'*



**Sash Window**

<https://www.buildingsofireland.ie/buildings-search/building/50010552/oconnell-street-upper-garda-station-44-oconnell-street-upper-dublin-dublin>

*'Original twelve-over-twelve pane timber sliding sash windows to three-bay third floor with moulded architraves. Shopfront comprising Doric timber piers, flanked by pink granite pilasters on limestone plinths with square panels over having round medallions, supporting plain frieze and with modillion cornice.'*



**Main Entrance -**

<https://www.buildingsofireland.ie/buildings-search/building/50010552/oconnell-street-upper-garda-station-44-oconnell-street-upper-dublin-dublin>

*'Square-headed door opening to southern bay housing original timber panelled double-leaf door with brass door studs set to timber surrounds with decorative carved lintel and obscured*



*glass transom over surmounted by louvered vent.'*

<https://www.buildingsofireland.ie/buildings-search/building/50010552/oconnell-street-upper-garda-station-44-oconnell-street-upper-dublin-dublin>

***History of No.44:***



***No.44.*** - <https://www.buildingsofireland.ie/buildings-search/building/50010552/oconnell-street-upper-garda-station-44-oconnell-street-upper-dublin-dublin>

No.44 was 'rebuilt after the destruction of the 1916 Rising, this building was originally Adam Scott & Company, shippers of wine and foreign spirits and wholesale tea merchants. The building forms one of three Portland stone structures built in a row and sharing a similar massing, parapet and cornice height.

***Opinion of NLAMH:*** No.44. is echoed at No. 43, an ionic version of the same building. The thoroughly-executed design forms a 'good aesthetic and positive example of Irish Art Deco architecture, and has further heritage value with the retention of original fenestration and a partially-retained pink granite and limestone ground floor.'

'It forms an 'integral part of the rhythmic streetscape and echoes similar structures across the wide thoroughfare.'

<https://www.buildingsofireland.ie/buildings-search/building/50010552/oconnell-street-upper-garda-station-44-oconnell-street-upper-dublin-dublin>

The upper floor façades) were reconstructed after 1922, and are internally similar to a 18<sup>th</sup> century structure, and is a protected structure, and also includes an 18<sup>th</sup> century basement and surviving party walls used with salvaged 18<sup>th</sup> material. Although a new building, the architects evidently made every effort to salvage and re-use what they could of the destroyed 18<sup>th</sup> century house. p.2. Appendix A2. 00943256. Summary of Building Inventory, Description and Assessment.

<http://strongholdpreservation.com/42-o'connell-st.-dublin-helifix-stitching-bars-cintec-anchors-masonry-cracking-ireland.aspx?product=1143>

***45 O'Connell St. Upper, Dublin 1:***



<https://www.buildingsofireland.ie/buildings-search/building/50010551/45-oconnell-street-upper-dublin-dublin-city>

(NIAH No. 50010551 – Rating – Regional Categories of Special Interest Architectural, Artistic Date: 1925 – 1935). –

<https://www.buildingsofireland.ie/buildings-search/building/50010551/45-oconnell-street-upper-dublin-dublin-city>

**Structure:**

No. 45 is a terraced three-bay four-storey granite and Portland stone building, built c.1930, with ashlar limestone walls *‘having moulded granite stringcourse above third floor openings and stepped cornice with modillions forming sill course over Portland stone platband. Stepped moulded cornice to ground floor over ashlar granite band surmounting channelled granite wall with plinth. Projecting channelled pilasters flanking doorcase and recessed window openings.*

<https://www.buildingsofireland.ie/buildings-search/building/50010551/45-oconnell-street-upper-dublin-dublin-city>

*.. The building has Square-headed window openings with ashlar granite lintels, surrounds and Portland stone sills to upper floors with original timber sash windows comprising six-over-six pane arrangements to first and second floors and three-over-six pane arrangements to third floor openings. .. Square-headed window openings to rear elevation having cement lintels with steel casement and top-hung windows. Square-headed door opening within channelled surround to front elevation, having recent steel shutter, granite reveals and single bull-nosed granite step.’*

<https://www.buildingsofireland.ie/buildings-search/building/50010551/45-oconnell-street-upper-dublin-dublin-city>



**Window of No.45**



<https://www.buildingsofireland.ie/buildings-search/building/50010551/45-oconnell-street-upper-dublin-dublin-city>



#### ***Ground Floor of No. 45***

*This building maintains original neo-Georgian detailing, including a good cornice to its first floor, architraves, and channelled granite which recall the previous forms of the street while also contributing a simple but well-executed twentieth-century aspect. It also adds architectural variety to the northern end of the street which is dominated largely by Art Deco buildings, and shares a parapet and cornice height with the two granite buildings to the north.*

This building is not protected, it was built in 1769 of Portland stone, and was damaged, but not destroyed, in 1922, but was in ruins in 1928, and is a well crafted and unique building in Dublin City, with exceptional detailing extending throughout all areas, with the new façade reflects 18th century architecture forms (by the renowned architect Harold Leask) as the application itself acknowledges. Leask was careful to reflect the 18<sup>th</sup> century form in the building. p.3. Appendix A2., Summary, Building Inventory, Description & Assessment. Document No. 00943256.

***Carlton Cinema: 52-54 O'Connell St. Upper, Dublin 1.,***

p.209. Dublin City Development Plan 2016–2022: Record of Protected Structures - 6025 – p.209. <https://www.dublincity.ie/sites/default/files/2020-08/dublin-city-development-plan-2016-2022-volume-4.pdf>



52-54 O'Connell Street Upper, Dublin 1 Former Carlton Cinema: upper floor façade), a protected art deco structure, and is unique in Dublin. -

<https://www.buildingsofireland.ie/buildings-search/building/50010543/xd-theatre-52-54-oconnell-street-upper-dublin-dublin>

p.7. Reg No. 50010543, Rating: Regional Categories of Special Interest - Architectural, Artistic, Social. Date:1930 – 1940. Protected structure reference – 6025.

*The building is a 'terraced three-storey stone-fronted Art Deco cinema, built 1934-8, to designs of Robinson & Keefe, having seven-bay group within colonnade to upper floors flanked by single-bay ends, and with modernized ground floor. Now with amusement arcade*

*to ground floor. Flat roof to front section concealed behind stone parapet wall with moulded granite coping.*



#### ***Corner of façade of Carlton Cinema.***

*Central double-height seven-bay columnar breakfront comprising square-headed vertical window having iron balconettes over ground floor and flanked by paired engaged Giant stylized Ionic-style columns on raised plinths, paired to either end and supporting full entablature, advanced to either end and surmounted by tripod lamps.'*

<https://www.buildingsofireland.ie/buildings-search/building/50010543/xd-theatre-52-54-oconnell-street-upper-dublin-dublin>

#### ***History:***

This Art Deco cinema was built in 1938 and was initially known as the Carlton (2), as it was built on the site of the previous Carlton (1), demolished in 1936. *'The classical Portland stone façade was designed in accordance with the guidelines for the reconstruction of O'Connell Street, located opposite the Savoy Cinema, built in 1929.'*

The design of the building, influenced by cinema architecture in London, includes a variety of styles on its stripped down façade, featuring Art Deco motifs and classical references.

*'Despite the loss of internal fabric, the exterior has survived relatively intact and the façade is a fine reflection of 1930s Irish cinema architecture. Like the Savoy, the Carlton Cinema is a well-known landmark, an important repository of memory for local people, and an integral part of the city centre streetscape.'*

<https://www.buildingsofireland.ie/buildings-search/building/50010543/xd-theatre-52-54-oconnell-street-upper-dublin-dublin>

**55- 56 O'ConnellSt. Upper, Dublin1** - <https://www.buildingsofireland.ie/buildings-search/building/50010552/oconnell-street-upper-garda-station-44-oconnell-street-upper-dublin-dublin>



No. 55-6 is a terraced five-bay four-storey commercial building with attic, built 1924, currently in use as an amusement arcade and with a shopfront to the ground floor. *'Flat roof with pan-tiled front pitch having five dormers. Red brick chimneystacks to both party walls with cement coping and clay pots. Dormers set behind red brick parapet wall with cement coping and deep moulded Portland stone cornice to base.'* –

<https://www.buildingsofireland.ie/buildings-search/building/50010552/oconnell-street-upper-garda-station-44-oconnell-street-upper-dublin-dublin>



<https://www.buildingsofireland.ie/buildings-search/building/50010542/dr-quirkeys-good-time-emporium-oconnell-street-upper-dublin-dublin-city>

*'Central three bays slightly recessed with upper floor windows arranged vertically with Portland stone frames and brick panels between. Square-headed window openings throughout with plain Portland stone surrounds to outer bays, steel casement windows throughout and painted window aprons to central windows with gilt wreaths, festoons and frames. Continuous Portland stone cornice at first floor sill level with Portland stone architrave and frieze. Structure extended full depth of site.'*

<https://www.buildingsofireland.ie/buildings-search/building/50010542/dr-quirkeys-good-time-emporium-oconnell-street-upper-dublin-dublin-city>



***Façade:***

**History:** This commercial building was built to replace earlier structures damaged during the 1916 Rising.

*The present shopfront possibly disguises the original scheme beneath but manages to respect the symmetrical five-bay arrangement of the upper floors. The retention of original steel windows and façade embellishments gives the structure some integrity and forms part of the early twentieth-century character of the streetscape.'*

<https://www.buildingsofireland.ie/buildings-search/building/50010542/dr-quirkeys-good-time-emporium-oconnell-street-upper-dublin-dublin-city>

No.'s 55-56 was rebuilt in 1931. NIAH No.50010542. The rating is regional, the Categories of Special Interest - Architectural, Artistic 1920 – 1925. The building is not protected.

<https://www.buildingsofireland.ie/buildings-search/building/50010542/dr-quirkeys-good-time-emporium-oconnell-street-upper-dublin-dublin-city>



#### **57 O'Connell St. Upper, Dublin 1**

<https://www.buildingsofireland.ie/buildings-search/building/50010541/carrolls-irish-gifts-oconnell-street-upper-dublin-dublin-city-2>

The building is a red brick structure and protected, RPS No. 6026. p.209.

<https://www.dublincity.ie/sites/default/files/2020-08/dublin-city-development-plan-2016-2022-volume-4.pdf> It was rebuilt in 1926 after its destruction in 1922.

NIAH No. 5001054, Rating, Regional .Categories of Special Interest: Architectural, Artistic. Date: 1920 – 1930.

*'Terraced three-bay four-storey commercial building, built c.1925, with shopfront to ground floor. Flat roof with brick chimneystack to north party wall behind granite ashlar parapet wall and iron railing supported on granite blocks with guttae. Red brick walls laid in English garden wall bond. Square-headed window openings with plain granite architrave surrounds, granite sills and original timber sliding sash windows, three-over-six pane to third floor and six-over-six to second floor.'* -

<https://www.buildingsofireland.ie/buildings-search/building/50010541/carrolls-irish-gifts-oconnell-street-upper-dublin-dublin-city-2>





***Square – Headed Windows:***

*'Three square-headed window openings to first floor with advanced granite ashlar surround comprising chamfered jambs supporting plain architrave and blocking course with four decorative granite brackets framing second floor windows. Paired one-over-one pane timber sliding sash windows to first floor. Recent shopfront set in original granite ashlar frame with plinth mouldings and continuous panel moulding with incised lettering 'A. & R. THWAITES & Co. Limited'. Plain granite frieze and cornice to first floor sill level. Structure extended to rear.'* -

<https://www.buildingsofireland.ie/buildings-search/building/50010541/carrolls-irish-gifts-oconnell-street-upper-dublin-dublin-city-2>

***Style of No. 57:***



***Granite Detailing of Shopfront:***

This brick and granite building was erected as part of the reconstruction of O'Connell Street following the widespread destruction during the 1916 Rising. Designed by Adam Millar in 1922 in an Art Deco style the building *respects the traditional Georgian plot ratio of the previous building*. 'The retention of the shopfront surround and original name to the fascia in addition to the elaborate granite details *adds to the wealth of early twentieth-century architecture that forms much of the character of the street.*' -

<https://www.buildingsofireland.ie/buildings-search/building/50010541/carrolls-irish-gifts-oconnell-street-upper-dublin-dublin-city-2>



(NIAH No.50010540 - Rating Regional Categories of Special Interest Architectural, Artistic,

Date: 1920 – 1930 another protected building, rebuilt in 1920's it shares an interior lightwell with No.57. The application acknowledges that these are fine examples of 1920s architecture.

**No.59 O'Connell St. (Annex)**, dated 1752, at rear of No.59., O'Connell St (Dublin Bus HQ). NIAH No. 50060601 Rating Regional Categories of Special Interest Architectural, Artistic, Historical, Social, Technical Date: 1955 – 1960.

Also, the reading room at the rear of No,59, with an oval light, is of 18th century origin, with the application acknowledging that this is a *unique example of 18th and 19th century architecture*, however the structure is not protected. This is to be demolished completely. p.12. Summary Building Inventory, description and assessment. Appendix A2,

<https://webapps.dublincity.ie/AnitePublicDocs/00943417.pdf>



**61 O'Connell St. Upper, Dublin 1** - <https://www.buildingsofireland.ie/buildings-search/building/50016534/flanagans-restaurant-oconnell-street-upper-dublin-dublin-city>

No. 61, O'Connell Street is of 18th Century origin, and as such is a unique survivor of the destruction of both the 1916 and 1922 street fighting in Dublin. (NIAH No: 50010534 Rating Regional Categories of Special Interest Architectural, Artistic. Dated: 1750 - 1915). RPS No.6029. – p.209. <https://www.dublincity.ie/sites/default/files/2020-08/dublin-city-development-plan-2016-2022-volume-4.pdf>



### ***Upper Terrace***

*'No. 61 is a terraced two-bay four-storey brick townhouse, built in 1760, and remodelled in 1913. M-profile slate roof behind rebuilt parapet wall with granite coping. Rendered stepped chimneystacks with clay pots to both party walls. Red brick walls laid in Flemish bond,*



*built to top floor with moulded brick string course and dentillated brick course to parapet. Cement rendered walls to rear elevation. Square-headed window openings with concrete sills and replacement timber sliding sash windows. Lugged architrave surrounds to first and second floors, plain architrave surrounds to third floor with pediments to first floor windows and cornices to second floor windows. Square-headed window openings to rear with replacement casement windows and single round-headed former stair window opening.’ –*

<https://www.buildingsofireland.ie/buildings-search/building/50010534/flanagans-restaurant-oconnell-street-upper-dublin-dublin-city>

### ***History:***

This former Georgian townhouse

*is one of the few buildings to survive the destruction of the 1916 Rising*

*and was converted for shop use by Edwin Bradbury in 1913. ‘The graduated fenestration pattern is the most obvious sign of its eighteenth-century origins, while the decorative window surrounds appear much later but nonetheless add to the wealth and variety of building types on this streetscape.’*

<https://www.buildingsofireland.ie/buildings-search/building/50010534/flanagans-restaurant-oconnell-street-upper-dublin-dublin-city>

One of the oldest buildings in Dublin (1750) is also slated for demolition as part of the Dublin Central scheme.



Most of these outstanding pieces of architecture and of Dublin's unique architectural history are slated for demolition, with facades to be retained as part of this retail and office development. However, this is the same as complete destruction of this unique pieces of Dublin architecture, stretching back as they do from the 18th century, to the rebuilding after the war of independence, to the art deco architecture of the 1920's to 1930's. The 1916-22 street buildings are no mean pieces of architecture, and constitute not merely fine facades of cut stone and red and brown brick, but Portland stone on O'Connell Street.

### ***Comments on Protected Structures:***

A structure must be listed on the planning authority's

*Record of Protected Structures (RPS)*

to qualify for protected status under the Act.

*'The RPS must include every structure in the planning authority's area of special interest. Inclusion of these structures in the RPS means that their importance is recognised, they are legally protected from harm and all future changes to the structure are controlled and managed through the development control process'*

(for example, planning permission) or by issuing a declaration under

<https://www.irishstatutebook.ie/eli/2000/act/30/section/57/enacted/en/html>

57.—(1) Notwithstanding section 4 (1)(h), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—

- (a) the structure, or
- (b) any element of the structure which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

<https://www.irishstatutebook.ie/eli/2000/act/30/enacted/en/print#sec51>

If a structure is included in the RPS, the protection extends to:

The interior of the structure, The land and *curtilage* (meaning the land and all outbuildings immediately surrounding a structure) which is (or was) used for the purposes of the structure.

This has particular relevance for **No. 42 O'Connell St., Dublin 1**, (Dublin City Development Plan 2016–2022: (Record of Protected Structures p.209 5999 6012 40-42 O'Connell Street Lower, Dublin 1 Dublin 1 Shop/offices) which includes a unique 19th century building, O'Connell Hall, at the rear of the building.

<https://digital.ucd.ie/view/ivrla:31632>

***Dublin City Development Plan 2016–2022 Record of Protected Structures:***

Further, 58.—(1) Each owner and each occupier shall, to the extent consistent with the rights and obligations arising out of their respective interests in a protected structure or a proposed protected structure, ensure that the structure, or any element of it which contributes to its special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, is not endangered.

<https://www.irishstatutebook.ie/eli/2000/act/30/enacted/en/print#sec54>

...y other adjacent structures on that land and their interiors, and all fixtures and features forming part of the interior and exterior of the protected structure or any structure on the grounds attached to it, in other words, all the adjoined structures are regarded as having equal protection and status under the law.

[https://www.citizensinformation.ie/en/housing/building\\_or\\_altering\\_a\\_home/protected\\_structures.html](https://www.citizensinformation.ie/en/housing/building_or_altering_a_home/protected_structures.html)

<https://www.dublincity.ie/sites/default/files/2020-08/dublin-city-development-plan-2016-2022-volume-4.pdf>

The application is in clear violation of the protected status of the buildings on O'Connell street and for that reason alone should be rejected.

#### ***Protected Structures:***

Naturally, under the planning system, many minor works to structures do not normally require planning permission under exempted development. However, for a protected structure, such works can be carried out without planning permission only if the works would not affect the character of the structure or any element of the structure that contributes to its special interest. A declaration from the local authority would be necessary as to the type of works which would or would not materially affect the character of the structure.

The planning authority could attempt to add and delete structures from its RPS when reviewing the development plan or at any other time. Three stages must be gone through before a structure can be added to the RPS:

- Identification
- Assessment
- Notification

[https://www.citizensinformation.ie/en/housing/building\\_or\\_altering\\_a\\_home/protected\\_structures.html](https://www.citizensinformation.ie/en/housing/building_or_altering_a_home/protected_structures.html)

No such procedure has been initiated with regard to the O'Connell street buildings under consideration as part of the Dublin Central plan either in either application.

#### ***1922 O'Connell St. Architecture in context:***

Post – Independence architects made efforts to reflect the 18th century layout as part of the post War of Independence / Civil War reconstruction, their loss is basically a loss of 18th architectural form in O'Connell St, itself. The 1922 architects correctly acted to retain the form of the 18th century buildings in their reconstruction. This fact is acknowledged in the Dublin Central application (*No.45 Upper O'Connell St.*) itself.

<https://webapps.dublincity.ie/AnitePublicDocs/00943417.pdf>

This is completely different from a pastiche reflection in terms of a sandblasted façade., retained as a piece of nostalgia, as will be the case if the 'Dublin Central' scheme proceeds in its current form as the 18<sup>th</sup> century form of the street will be altered forever.

#### ***O'Connell St. in Planning and Heritage context***

Allowing the demolition of protected structures and façade retention alone will serve as a green light for the demolition of protected structures more generally, if listed buildings on the main street of the capital can be struck off the protected list (the protected status applies to the structure, not simply the extent façade), to facilitate a commercial development then the concept of heritage protection is itself meaningless. In this case, the development is a test case for protected structures.

[https://www.citizensinformation.ie/en/housing/building\\_or\\_altering\\_a\\_home/protected\\_structures.html](https://www.citizensinformation.ie/en/housing/building_or_altering_a_home/protected_structures.html)

#### ***Final Points on this Historic Street:***

There are some points to make about this latest proposal, the relevant points are as follows:

Most of the O'Connell Street buildings are of immense historic importance and have considerable architectural merit in their own right, these include the post 1922 structures, which strove to reflect the 18<sup>th</sup> century form of the destroyed and damaged buildings. The post 1922 structures should be retained in their entirety and not subject to destruction as they are as much a part of Ireland's architectural history as the General Post Office, *which was also reconstructed after 1922*. The G.P.O. has just as much heritage protection as the Upper O'Connell Street terrace, and could in the future be subject to equal vulnerability should the original 2010 permission (2479/08) and the present (2862/21) be allowed to stand and pass.

#### ***Relevant Legislation:***

If listed buildings can be destroyed then the protective heritage legislation is itself redundant, it has no legal value and can be overridden if the Government so chooses. O'Connell Street is therefore a test principle of this view, the properties are valueless at the stroke of a pen.

It is presumed that the delisting process will be by Ministerial order, however, the legislation is clear that a separate planning process initiated by the local council is necessary to remove a protected structure. This clearly has not occurred, and the properties remain on the protected structures list. Not only that, but the works must not materially alter the character of the structure, demolition alters the character of the structure, façade retention or not.

57.—(1) Notwithstanding [section 4 \(1\)\(h\)](#), the carrying out of works to a protected structure, or a proposed protected structure, shall be exempted development only if those works would not materially affect the character of—

- (a) the structure, or
- (b) any element of the structure which contributes to its special

architectural, historical,  
archaeological, artistic,  
cultural, scientific, social or  
technical interest.

<https://www.irishstatutebook.ie/eli/2000/act/30/enacted/en/print#sec54>

This proposal is direct violation of the spirit and substance of the planning and heritage legislation, and (in my view), of the *Convention for the Protection of the Architectural Heritage of Europe*, on which the planning and development act 2000 is in part based.

<https://www.dfa.ie/media/dfa/alldfawebsitemedia/treatyseries/uploads/documents/treaties/docs/2000-8.pdf>

The Upper O'Connell street terrace are the last remnants of the original 18<sup>th</sup> century Georgian street, and are successful in their own right as a resurrection of the spirit of the original conception of O'Connell Street. In fact, given the immense difficulties the architects faced, in terms of budget and other factors, their achievement was noteworthy and is deserving of the continued protection of the state.

I consider the proposed demolition in O'Connell Street to be acting against protective legislation in Ireland and against the spirit of Article 5 of the Convention for the Protection of the Architectural Heritage of Europe \*(p.3. "*Each Party undertakes to prohibit the removal, in whole or in part, of any protected monument, except where the material safeguarding of such monuments makes removal imperative. In these circumstances the competent authority shall take the necessary precautions for its dismantling, transfer and reinstatement at a suitable location.*") –

<https://www.dfa.ie/media/dfa/alldfawebsitemedia/treatyseries/uploads/documents/treaties/docs/2000-8.pdf>

Yours Faithfully,

Brian McGrath.

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Dublin 7

