

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

## SECTION 131 FORM

Appeal NO: ABP-312 642-22

Defer Re O/H

TO:SEO

Having considered the contents of the submission ~~dated~~ received 11/03/2022

from

Mossee Street  
Traders

I 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 planning  
IssuesE.O.: Risa DunnDate: 30/3/20

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 2/3/4weeks – BP \_\_\_\_\_

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

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

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

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

Appeal No: ABP 312642-22

M S White

Please treat correspondence received on 11/03/2022 as follows:

<ol style="list-style-type: none"><li>1. Update database with new agent for Applicant/Appellant _____</li><li>2. Acknowledge with BP <u>20</u> _____</li><li>3. Keep copy of Board's Letter <input type="checkbox"/></li></ol>	<ol style="list-style-type: none"><li>1. RETURN TO SENDER with BP _____</li><li>2. Keep Envelope: <input type="checkbox"/></li><li>3. Keep Copy of Board's letter <input type="checkbox"/></li></ol>
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Amendments/Comments
Moore Street Traders Response to applicant appeal

<p><b>4. Attach to file</b></p> <p>(a) R/S <input type="checkbox"/></p> <p>(b) GIS Processing <input type="checkbox"/></p> <p>(c) Processing <input type="checkbox"/></p> <p>(d) Screening <input type="checkbox"/></p> <p>(e) Inspectorate <input type="checkbox"/></p>	<p><b>RETURN TO EO</b> <input checked="" type="checkbox"/></p> <p><i>Lisa Quinn</i></p>
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	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <i>Andrew Lally</i>	AA: <i>Sinead White</i>
Date: <i>28/03/2022</i>	Date: <i>28.3.22</i>

**William Doran (TechIEI)**  
**Planning and Project Management Consultant,**  
**Land and Property Surveys**  
**Fire Safety & Disability Access Consultant**  
**7, St. Mary's Road,**  
**Ballsbridge,**  
**Dublin 4**

Ph: [REDACTED]  
Email: [REDACTED]

**An Bord Pleanála,**  
**Marlborough Street,**  
**Dublin 1**  
**BY HAND**

**9<sup>th</sup> March, 2022**

**JN 6791**

**Re: 2862/21 – Dublin Central Site 4 ABP-312642-22**

**Applicant: Dublin Central GP Limited.**

**Directors: Rebecca Patton, Vanessa Mitchel, Andrew Diggins, Connor Owens.**

**Description of proposed Development:**

**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 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 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, 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.**

Dear Sir,

Further to your letter of February 14th 2022 and enclosures, I am instructed by;

Amanda Higgins Pitch No A5 & A6, Moore Street, Dublin 1  
Catherine Kennedy Pitch No A38, Moore Street, Dublin 1.  
Paul Shannon Pitch No A66, Moore Street, Dublin 1.  
Martina Owens Pitch No A17, Moore Street, Dublin 1.  
Rose Kinsella Pitch No A17A, Moore Street, Dublin 1.  
Sharon Byrne Pitch No A55, Moore Street, Dublin 1.

Collectively known as the Moore Street Traders, referred below as Moore Street Traders, to respond to the submission by Stephen Little, dated 8th February, 2022, submitted on behalf of the Applicant, Dublin Central GP Limited in relation to FIRST PARTY APPEAL against Condition 3.

My original objection in relation to this proposed development and my submission in relation to the additional information stand, as does my previous appeal submission, all must be read in conjunction with the following;

#### **POWER TO EXTEND APPROPRIATE PERIOD.**

In circumstances where the Planning Authority has under Section 42 of the Planning and Development Act 2000, as amended, the discretion to extend the duration of a planning permission, taking into account the circumstance prevailing at the time, it is not appropriate to vary Condition 3 of the Local Authority notification to grant permission by increasing the duration of the planning permission from the usual statutory period to seven years.

The proposed development has an impact on the wider community and business within the environs of the proposed site, and the extension of the period within which the permission must be substantially completed is not appropriate, particularly where the proposed developers wishes to prevent the Moore Street Traders from operating during the construction period.

Should An Bord Pleanala decide to grant a planning permission for a seven year period it is reasonable that the developer be prevented from making subsequent use of Section 42 of the Planning and Development Act 2000, to extend the permission further, possibly out to an overall twelve years. In such circumstances it would be appropriate to exclude the use of Section 42 in the permission.

I ask An Bord Pleanala to refuse planning permission for this proposed development or to include enforceable planning conditions which protect the livelihood of my clients, the Moore Street Traders, and allows them to continue trading uninterrupted on Moore Street, with proper, practical and sensible planning conditions to control noise and dust as well.



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Yours Faithfully,

A handwritten signature in black ink, appearing to read 'William Doran', with a long horizontal flourish extending to the right.

William Doran