

P. Fitzpatrick

9/12/22

**Appeal No**

ABP— 315 0000

Defer Re O/H



Having considered the contents of the submission dated/received 5/12/22  
from Irish Life Assurance PLC 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 issues raised

☒

**Signed**

Date \_\_\_\_\_

FO

**Signed**

Date \_\_\_\_\_

SEO/SAO

M

Please prepare BP ..... — Section 131 notice enclosing a copy of the attached submission.

**To**

Task No

**Allow 2/3/4 weeks**

BP

**Signed**

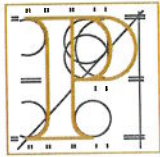
Date \_\_\_\_\_

EO

**Signed**

Date \_\_\_\_\_

AA



An  
Bord  
Pleanála

## Planning Appeal Online Observation

Online Reference  
NPA-OBS-001607

Jan  
DCS

Ldg - 059835-22

### Online Observation Details

Contact Name  
John Sheehan

Lodgement Date  
05/12/2022 13:12:23

Case Number / Description  
315053

### Payment Details

Payment Method  
Online Payment

Cardholder Name  
John Sheehan

Payment Amount  
€50.00

### Processing Section

S.131 Consideration Required

☒ Yes — P.T.O. ☐ N/A — Invalid

Signed

Date

7/12/22

Ldg 7/12/22 : 5/12/22

BP4 O ✓

PB 8/12/22

The Secretary  
An Bord Pleanála

Monday, 5<sup>th</sup> December 2022  
(Online submission)

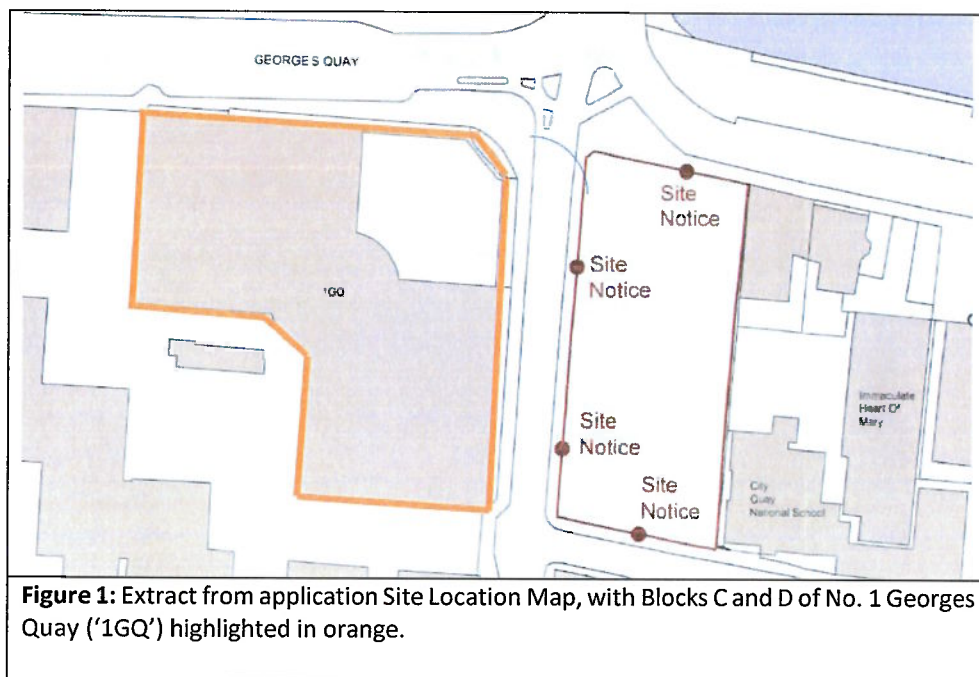
Dear Planner,

**RE: THIRD PARTY OBSERVATION ON FIRST PARTY APPEAL AGAINST DECISION TO REFUSE  
PLANNING PERMISSION (ABP-315053-22)**

(Site at 1-6 City Quay, 23-35 Moss Street and 2-6 Gloucester Street)

## 1.0 INTRODUCTION

Sheehan Planning<sup>1</sup> has prepared this Observation on behalf of Irish Life Assurance plc<sup>2</sup>, owners of 'Blocks C and D, 1 George's Quay, Dublin 2 (D02 Y098), an office complex located to the immediate west of the proposed development.



**Figure 1:** Extract from application Site Location Map, with Blocks C and D of No. 1 Georges Quay ('1GQ') highlighted in orange.

Our clients are concerned at potential negative impacts on their property generally, with particular concern regarding overbearing and loss of light. A separate note on potential loss of sunlight and daylight is included as Appendix 1 of this Observation.<sup>3</sup>

These matters are summarised below.

<sup>1</sup> 44 Balnagowan, Palmerston Park, Dartry, Dublin 6

<sup>2</sup> Irish Life Assurance plc, Irish Life Centre, Abbey Street Lower, Dublin 1

<sup>3</sup> Review of Daylight and Sunlight Report for Proposed Mixed Use Development at City Quay, Dublin 2 with regards to 1GQ. BPC Engineers, 04 Dec 2022

## 2.0 POTENTIAL OVERBEARING - 1 GEORGE'S QUAY

The proposed building directly faces the eastern (Moss Street) flank of No. 1 Georges Quay ('1GQ'). While its city-wide visual impacts may need to be assessed, Irish Life's submission relates only to its potential impacts on 1GQ, as the scale of the proposal will loom over existing adjacent structures, including 1GQ - see Figures 2 and 3 below.



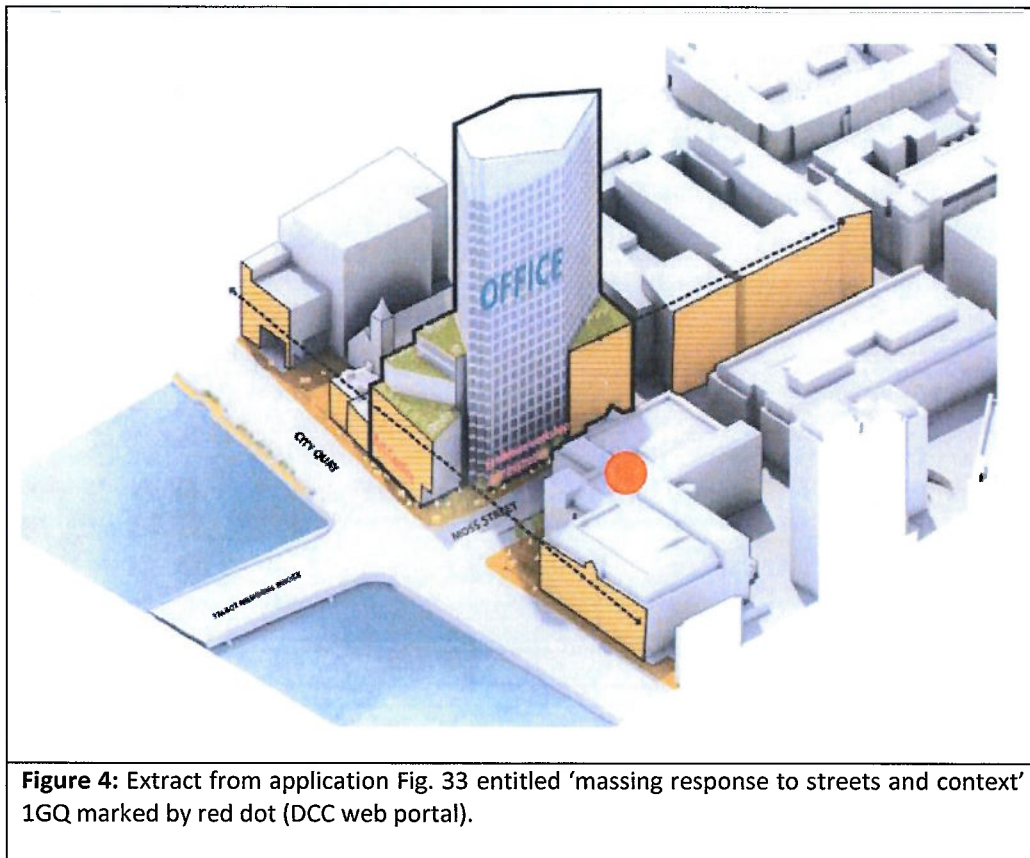
**Figure 2:** Extract from cover of application 'Tall Building Statement' – 1GQ marked with red dot (from DCC web portal)



**Figure 3:** Extract from Fig. 1 of 'Tall Building Statement' (DCC web portal).



The application suggests that the proposed building is designed to respond to its context and illustrates this premise with a drawing which is reproduced as Figure 4 below. We do not agree that this drawing demonstrates a response to the Moss Street context of 1GQ – rather it overwhelms it entirely.



**Figure 4:** Extract from application Fig. 33 entitled 'massing response to streets and context' 1GQ marked by red dot (DCC web portal).

### 3.0 POTENTIAL LOSS OF DAYLIGHT AND SUNLIGHT TO 1 GQ

The Appellant's sunlight and daylight addendum report submitted as part of the First Party appeal, is dismissive of concerns as expressed by Irish Life to the Planning Authority.<sup>4</sup> We are not reassured by this and have asked for a second opinion from BPC Engineers (separately attached). That opinion states as follows:

Irish Life Assurance are actively working towards reducing their environmental footprint in their buildings. 1GQ is an example of the efforts they are making via the deep retrofit of the building which has been completed in recent years. As part of the deep retrofit they have invested in low energy light fittings which includes a daylight dimming system.

Irish Life Assurance has previously respectfully asked the Planning Authority to have regard to the impacts of overbearing and loss of light to the Moss Street flank of their office complex at No. 1 Georges Quay. The applicant's response received from section 3.5.1. of their response states *"The loss to daylight is limited to a small percentage of the façade to Moss Street where the majority of the windows to 1GQ*

<sup>4</sup> Addendum report for An Bord Pleanála First Party Appeal to DCC REG. Ref.:4674/22 – Daylight and Sunlight Assessments of a Proposed Mixed-Use Development at City Quay, Dublin 2 date: 3rd November 2022.

*are small and would be insufficient to provide enough daylight for office task based activities. The small window size to Moss Street with the deep floor plate means the use of supplementary lighting will be required in the office space currently and the effects of any additional reduction in daylight from the 24-storey proposal above the 8-11 story massing the LAP would be minor adverse."*

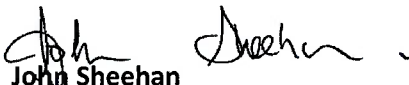
The Sunlight and Daylight results provided in the report prepared by Digital Dimensions shows a major adverse impact on 1GQ. The major adverse impact is because of the following effect on 1GQ: -

- Large number of windows and amenity area are affected.
- The loss of light is substantially outside the guidelines.
- The affected outdoor amenity space of 1GQ has a particularly strong requirement for sunlight and the reduction has not been included in the report completed.

We do not agree with "The Target VSC of 9%" for the 1GQ building as noted in Digital Dimensions sunlight and daylight analysis. The VSC results provided in the sunlight and daylight report verify that the perimeter zones of 1GQ are predominantly being lit by natural daylight currently and this will no longer be the case after the proposed development. Figure 1 shows an excerpt from the response received on the sunlight and daylight analysis to 1GQ. The results provided show a significant effect to over 50 windows facing on to Moss Street, however the response from the applicant to concerns raised by Irish Life Assurance noted *"The loss of daylight is limited to a small percentage of the façade on Moss Street..."*.

### 3.0 CONCLUSION

Irish Life Assurance plc respectfully asks the Board to have regard to their concerns and to consider whether allowing such impacts, in order to facilitate a development of the scale proposed, would be in the best interests of proper planning and sustainable development.

  
John Sheehan  
Sheehan Planning

**Encl.** (€50.00 statutory Observation Fee.)

APPENDIX 1

Review of Daylight and Sunlight Report for Proposed Mixed Use Development at City Quay, Dublin 2 with regards to 1GQ. BPC Engineers, 04 Dec 2022

Review of Daylight and Sunlight Report for Proposed Mixed Use Development at City Quay, Dublin 2 with regards to 1GQ.

Project Ref: 20303 P02

Client: Irish Life

Date: 04/12/2022



BUILDING PERFORMANCE CONSULTING



Daylight & Sunlight Assessment

## 1 Executive Summary

BPC Engineers were engaged via Sheehan Planning on behalf of Irish Life Assurance to carry out a review of the daylight and sunlight report presented to An Bord Pleanála for Planning application ref 4674/22 (i.e. addendum report for An Bord Pleanála First Party Appeal to DCC REG. Ref:4674/22 – Daylight and Sunlight Assessments of a Proposed Mixed Use Development at City Quay, Dublin 2 date: 3<sup>rd</sup> November 2022). Irish Life Assurance own 1GQ and it adjoins the proposed development at City Quay. Irish Life Assurance are actively working towards reducing their environmental footprint in their buildings.

1GQ is an example of the efforts they are making via the deep retrofit of the building which has been completed in recent years. As part of the deep retrofit they have invested in low energy light fittings which includes a daylight dimming system.

Irish Life Assurance has previously respectfully asked the Planning Authority to have regard to the impacts of overbearing and loss of light to the Moss Street flank of their office complex at No. 1 Georges Quay. The applicant's response received from section 3.5.1. of their response states "The loss to daylight is limited to a small percentage of the façade to Moss Street where the majority of the windows to 1GQ are small and would be insufficient to provide enough daylight for office task based activities. The small window size to Moss Street with the deep floor plate means the use of supplementary lighting will be required in the office space currently and the effects of any additional reduction in daylight from the 24 storey proposal above the 8-11 storey massing the LAP would be minor adverse."

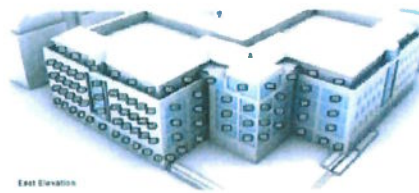
The Sunlight and Daylight results provided in the report prepared by Digital Dimensions shows a major adverse impact on 1GQ. The major adverse impact is because of the following effect on 1GQ:-

- Large number of windows and amenity area are affected.
- The loss of light is substantially outside the guidelines.

- The affected outdoor amenity space of 1GQ has a particularly strong requirement for sunlight and the reduction has not been included in the report completed.

We do not agree with "The Target VSC of 9%" for the 1GQ building as noted in Digital Dimensions sunlight and daylight analysis. The VSC results provided in the sunlight and daylight report verify that the perimeter zones of 1GQ are predominantly being lit by natural daylight currently and this will no longer be the case after the proposed development. Figure 1 shows an excerpt from the response received on the sunlight and daylight analysis to 1GQ. The results provided show a significant effect to over 50 windows facing on to Moss Street, however the response from the applicant to concerns raised by Irish Life Assurance noted "The loss of daylight is limited to a small percentage of the façade on Moss Street..."

3.5.5 1GQ



East Elevation

Figure 15: View of model of commercial building 1GQ, locating of windows assessed for VSC

Vertical Sky Component									
Station ID	Vertical Sky Component - Alternative value for area based on sections and table P + VSC + 1%					Supplementary Information - Missing of horizontal building on proposed site based on the Local Area Plan			
	VSC Existing	VSC Proposed	Ratio: Existing/Proposed	Ratio: Existing/Proposed	Ratio: Existing/Proposed	Local Area Plan	Ratio: Existing/Local Area Plan	Ratio: Existing/Local Area Plan	Overall compliance
1	28.21	9.37	30.7%	N	Y	10.41	25.7%	N	Y

Figure 1: Excerpts from the applicants Daylight and Sunlight Assessment

The proposed development at City Quay appears to **reduce** access to daylight to the east facing facade of 1GQ significantly. We would propose for Digital Dimensions to review their VSC analysis and their rational for the target VSC value of 9%.

Once a review of the proposed **development** analysis has been completed, we would suggest mitigation measures are included to avoid any significant loss of sunlight and daylight to 1GQ. We would be hopeful the applicant of the proposed development at City Quay will take these comments on board and follow the BRE guidance to be classified as a "good neighbour".