

File With _____

SECTION 131 FORM

Appeal NO: ABP 315053-22Defer Re O/H ☐

TO: SEO

Having considered the contents of the submission dated/ received 8/1/29
from① R/W I recommend that section 131 of the Planning and Development Act, 2000
be/~~not be~~ invoked at this stage for the following reason(s): as per Board directionE.O.: [Signature]Date: 14/1/24

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 Task-368432-24Please prepare BP 70 - Section 131 notice enclosing a copy of the attached
submissionto: other partiesAllow 2/3/4 weeks – BP 70EO: [Signature]Date: 18/1/24AA: Fadine KhosrouDate: 19/1/24

File With _____

CORRESPONDENCE FORMAppeal No: ABP 315053-22

M _____

Please treat correspondence received on 8/1/24 as follows:

- | | |
|--|--|
| 1. Update database with new agent for Applicant/Appellant _____
2. Acknowledge with BP <u>22</u>
3. Keep copy of Board's Letter <input type="checkbox"/> | 1. RETURN TO SENDER with BP _____
2. Keep Envelope: <input type="checkbox"/>
3. Keep Copy of Board's letter <input type="checkbox"/> |
|--|--|

Amendments/Comments

~~CPRI Rep to 5131~~

LD 9/1/24

4. Attach to file

- | | |
|---|---|
| (a) R/S <input type="checkbox"/> | (d) Screening <input type="checkbox"/> |
| (b) GIS Processing <input type="checkbox"/> | (e) Inspectorate <input type="checkbox"/> |
| (c) Processing <input type="checkbox"/> | |

RETURN TO EO ☒*James*

	Plans Date Stamped <input type="checkbox"/>
	Date Stamped Filled in <input type="checkbox"/>
EO: <i>[Signature]</i>	AA: <i>Fadima Khotipov</i>
Date: <i>10/1/24</i>	Date: <i>10/01/24</i>

J. Sweeney

Derek Keilly

From: Bord
Sent: Monday 8 January 2024 16:05
To: Appeals2
Cc: James Sweeney
Subject: FW: FAO: James Sweeney_ABP-315053-22 - Construction of 24 storey building, City Quay
Attachments: ABP_Dec 23 correspondence.pdf; 221223_City Quay appeal_OPW obs.pdf

From: Rebecca Mullin <rebecca.mullin@opw.ie>
Sent: Monday, January 8, 2024 2:41 PM
To: Bord <bord@pleanala.ie>
Cc: Roisin Walsh <Roisin.Walsh@opw.ie>
Subject: FAO: James Sweeney_ABP-315053-22 - Construction of 24 storey building, City Quay

A Chara,

In response to the letter from ABP (dated 04 Dec 2023)(attached), please find attached to this email the observation from the OPW dated 22-12-23.

Please don't hesitate to get in touch with myself, the undersigned, if anything further is required. I would appreciate an acknowledgement of receipt of this observation please.

Kind regards,
Rebecca.

Rebecca Mullin MIPI MUBC
Planner - State/Principal Architect's Office

Oifig na nOibreacha Poiblí
Office of Public Works

Sráid Jonathan Swift, Baile Átha Troim, Co na Mí, C15 NX36
Jonathan Swift Street, Trim, Co Meath, C15 NX36

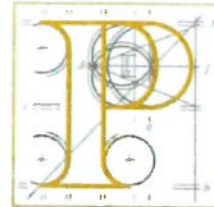
M +353 87 431 1577 T +353 46 942 3087
<https://gov.ie/opw>

To send me files larger than 30MB, please use the link below
<https://filetransfer.opw.ie/filedrop/rebecca.mullin@opw.ie>

Email Disclaimer: <https://www.gov.ie/en/organisation-information/439daf-email-disclaimer/>

Case Number: ABP-315053-22

Planning Authority Reference Number: 4674/22



An
Bord
Pleanála

Office of Public Works
1GQ George's Quay
Dublin 2
D02 Y098

Date: 04 December 2023

Re: Demolition of buildings. Construction of 24 storey mixed use building with all ancillary site works. NIS and EIAR submitted to PA
Site bound by City Quay to the north, Moss Street to the west & Gloucester Street South to the south, Dublin 2. The site includes 1-4 City Quay (D02 PC03), 5 City Quay and 23-25 Moss Street (D02 F854)

Dear Sir / Madam,

I have been asked by the Board to refer to the above-mentioned appeal.

The Board proposes to take into account the following:

- a) The Board noted that since the receipt of the appeal and responses to same, including observations on the appeal, that the Dublin City Development Plan 2022-2028 has come into effect.
- b) In this regard, the Development Plan now includes Appendix 3, which sets out performance criteria by which proposals for landmark/tall buildings must be assessed.
- c) You are therefore invited to provide a commentary in relation to the considerations outlined above, as they relate to the subject appeal, or any other Development Plan matters you may consider of relevance.

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Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902

In accordance with section 137 of the Planning and Development Act, 2000, (as amended), you are invited to submit any submission or observation that you may have in relation to the matter(s) raised on or before **9th January 2024**. Any submission or observation you make should be confined to the issues specified above as the Board cannot consider comments that are outside the scope of the matter(s) in question. **The provisions of section 251 of the Planning and Development Act, 2000, (as amended), relating to the holiday period between the 24th December and 1st January, both days inclusive, have been taken into account in the calculation of the response date.** Your submission in response to this notice must be received by the Board not later than 5.30 p.m. on the date specified above.

Any submission or observation received by the Board after the expiration of the specified period shall not, in accordance with section 137 of the 2000 Act, (as amended), be considered by the Board.

Yours faithfully,



James Sweeney
Executive Officer
Direct Line:

BP73 - Xmas Registered Post

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The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1
D01 V902

Date: 22 December 2023

Observation from the Office of Public Works

RE: ABP Case Number ABP-315053-22 and the ABP letter to OPW dated 04 December 2023.

A Chara,

The Office of Public Works (OPW) wishes to make the following observation on the above referenced item.

1.0 INTRODUCTION

The development that is the subject of ABP Case reference PL29S.315053 comprises the construction of a 24 storey mixed-use building with all ancillary site works at a site bound by City Quay to the north, Moss Street to the west & Gloucester Street South to the south, Dublin 2. The site includes 1-4 City Quay (D02 PC03), 5 City Quay and 23-25 Moss Street (D02 F854) (4674/22).

The OPW's interest in this proposed development arises from its location of 0.1 kilometres from the chief elevation of the Custom House. The OPW is responsible for the management and care of this important state-owned historic building.

The Custom House, and the Custom House Quay, are included in the Dublin City Council Record of Protected Structures. In recognition of its special character, the building and its surrounding environs are included within a Conservation Area (Specific Objective) in the current city development plan (*Dublin City Development Plan 2022-28*). The chief building also carries a rating of "International" significance on the National Inventory of Architectural Heritage (NIAH) in Ireland.



2.0 OPW's ENGAGEMENT WITH ABP CASE NUMBER ABP-315053-22 TO DATE

The OPW made an observation on DCC Pl. Reg. Ref. 4674/22 (refused permission by DCC on 11 Oct 2022). This decision is now the subject of a first party appeal. The OPW made an observation on this appeal on 01 December 2022.

3.0 APPENDIX 3 (HEIGHT STRATEGY) OF *DUBLIN CITY DEVELOPMENT PLAN 2022-28*

ABP have indicated that they now propose to take Appendix 3 (Height Strategy) Of *Dublin City Development Plan 2022-28* into account in their on-going assessment of this appeal.

Consequently, the OPW has undertaken a review of Appendix 3, in particular Section 5.0 Landmark/Tall Buildings, Table 4: Performance Criteria in Assessing Proposals for Landmark Tall Building/s and Section 6.0 Guidelines for Higher Buildings in Areas of Historic Sensitivity.

It is the opinion of the OPW that the content of Appendix 3 (Height Strategy) is in line with our earlier commentary in relation to this proposed development. In particular, we note the following recommendations in Section 6.0:

Developments of significant height and scale are generally not considered appropriate in historic settings including conservation areas, architectural conservation areas, the historic city centre, the River Liffey and quays, Trinity College, the Cathedrals, Dublin Castle and medieval quarter, the Georgian core and historic squares and the canals or where the setting of a protected structure would be seriously harmed by the inappropriate locating of such a proposal (page 237).

and

New development must respond to local character and protect and enhance the built heritage. New development should not have an adverse impact on a protected structure or its curtilage (page 237).

5.0 CONCLUSION

In light of the above extracts – the philosophy and thinking of which are reflected throughout Appendix 3 (Height Strategy) – the OPW wishes to reiterate its position in relation to the proposed development of a 24 storey mixed-use building at City Quay, as fully outlined in our letter to ABP dated 01 December 2022. We request that this letter is given due consideration in ABP's assessment of the first party appeal on ABP-315053-22.



If further information or input is required from the items raised in this submission, please do not hesitate to contact the OPW at:

info@opw.ie

Yours sincerely,

A handwritten signature in dark ink, reading "Rosemary Collier". To the right of the signature is a faint, light blue rectangular stamp.

Rosemary Collier
Head of Heritage & Capital Works Delivery

A handwritten signature in dark ink, reading "Ciaran O'Connor".

Ciaran O' Connor
State Architect / Principal Architect

