

DEPUTY PLANNING OFFICER

APPLICATION NO.	WEB5224/25
PROPOSAL	RETENTION PERMISSION : PROTECTED STRUCTURE: I, Dublin Outcasts, intend to apply for retention permission for development at this site, Clarkes City Arms, 55 Prussia Street, Dublin 7, within the curtilage of a protected Structure RPS No. 6874 The development will consist of the following siteworks. 1. The 3 number outdoor food outlets are operating side yard presently. 2. The Sauna business is operating at the side yard presently. 3. The outdoor dining area with a roofed structure, table and chairs is provided at the side yard presently.
LOCATION	Clarke's City Arms, 55 Prussia Street, Dublin 7
APPLICANT	Dublin Outcasts, Dublin Outcasts
DATE LODGED	18-May-2026
ZONING	
APPLICATION TYPE	Retention Permission

08/06/2026

Site Notices: In order

Pre Planning Consultation:

No pre-planning consultation on current proposal recorded.

Zoning/Designations/Constraints

The site is governed by the land use zoning Zone Z4 – Key Urban Villages/Urban Villages, the objective of which is *'to provide for and improve mixed-services facilities*

Conservation have noted that the late 18th century red-brick building at No. 55 Prussia Street and its historic coach house and extensions are included in the National Inventory of Architectural Heritage (NIAH) Reg. Nos. 50070059 and 50070060 respectively

Conservation also notes that the group of 4no. terraced houses to the south of the subject site (Nos. 56, 57, 58 & 59[pair] Prussia Street) are also included in the NIAH Reg. Nos. 50070058, 50070057, 50070514

The frontage of the development site and overall parent land holding are inside the red-hatched/lined Conservation area.

Conservation note that the subject site is located within the area included in the list of Priority Architectural Conservation Areas (ACAs) Stoneybatter (Section 11.5.2) to be assessed under the current Dublin City Development Plan 2022-2028

Most of the development site and overall parent land holding are inside the Historic City Centre Archaeological zone

Site Description:

The subject site, which has a stated area of 0.033ha, is located to west side of Prussia Street

The subject open yard is located to the south side of Clarkes City Arms Bar. The site and complex are protected (RPS No. 6874)

The former Prussia Street IDA Centre is located to the south and has permission for a new purpose-built student accommodation (Reg. Ref. LRD6050/24-S3 refers). The Drumalee Grove residential housing estate to is located to the west.

The subject site is a gated and walled-in open yard to the south of the pub building. From aerial photographs it appears the ad-hoc recreational campus has expanded into the now roofless rear shed building hardstanding. From Google Streetview the operation manifested around the time of Covid-19.

Proposal

Retention Permission is being sought for:

Retention of:

- 3 number outdoor food outlets.
- Sauna business
- outdoor dining area

The plans note that the existing unauthorised signage has been removed

Consent has been given by the owners to make the application

Planning History:

<u>Reg. Ref.</u>	<u>Decision/Description</u>
E0992/24	Businesses operating from car park
5351/07	PP REFUSED by DCC & ABP for: partial Demolition, reconstruction and restoration of existing public house; extension, basement function room, 15no apartments in 4-5 storey-over-basement block, convert outbuildings to 2no 3-bedroom houses, gates and piers, boundary works and site works (Protected Structure). The total area of the new construction is 1847sqm and the total area of the existing, reconstructed and restored building is 639sqm. The existing main building at ground, first and second floor forming 'Saor Ollscoil na hEireann'. (in separate ownership) does not form part of this application.

ABP Reasons for REFUSAL:

1. *having regard to the existing and proposed mix of uses on the site and to the scale and extent of the proposed development, the deficiencies in the provision and quality of the proposed residential accommodation and taking into account that a majority of the units meet only minimum standards in relation to floor area, room size and open space as set out in the Dublin City Development Plan, 2005-2011 Variation 21 and the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities issued by the Department of the*

Environment, Heritage and Local Government in September, 2007, it is considered that the proposed development would result in overdevelopment of the site and would constitute a substandard form of residential development. The proposed development would, therefore, contravene materially the current Development Plan for the area and be contrary to the proper planning and sustainable development of the area.

2. *Having regard to the massing, height and scale of the development, it is considered that, by reason of its unacceptable close proximity to the adjoining boundary at Drumalee Court, the proposed development would result in excessive overlooking, overshadowing and loss of privacy for these residential units, would result in poor residential quality and would seriously injure the amenities of property in the vicinity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area*

2240/92 PP GRANTED for Retention of existing change of use from Hotel Function to Light Lithographic Printing & Retail Sales including external signage

Adjacent

Former IDA Centre

LRD6050/24-S3 PP by ABP GRANTED for demolition of the existing 4 no. warehouse structures to provide for the construction of a Purpose-built Student Accommodation development, a ground floor café, and all ancillary site development

Sample applications nearby

31A Manor Street

3010/25 3Yr Temp. PP GRANTED for single storey cafe space located to the rear open yard area accessed through an alleyway off Stoneybatter with a signage panel above

32 Manor Street

4763/19 PP Change of use from shop to Restaurant

Conditions

2. The proposed restaurant hereby permitted shall not operate outside the hours of 0800 to 2300 on any day.

Reason: In order to safeguard the amenities of adjoining residential properties.

3. Before the use thereby permitted commences, a scheme shall be submitted to, and approved in writing by the Planning Authority for the effective control of fumes and odours from the premises. The scheme shall be implemented before the use commences and thereafter permanently maintained.

Reason: In the interests of the amenities of both the immediate neighbours and general surroundings.

34 Manor Street (Social Fabric Café Ltd)

3990/18 PP GRANTED for granted for change of use from existing commercial building to coffee shop, to include kitchen, bathroom facilities, refit, front shop upgrade and signage.

Observations/Submissions:

None recorded

Interdepartmental Report(s):

Transportation Planning Division:	Further Information requested
Drainage Division:	No objection subject to conditions.
EHO:	Refusal Recommended
Conservation:	Further Information requested
Archaeology:	No report received

Consultees

TII:	Request that if the above application is successful and not exempt, as a condition of the grant to include for the Section 49 Contribution Scheme Levy
NTA:	No response received
Uisce Éireann:	No report received
DAU:	No report received
Faílte Ireland:	No report received
An Chomhairle Ealaíon:	No report received
Áras na hOidhreachta:	No report received
An Taisce:	No report received

Planning Assessment:

Relevant Section 28 Ministerial Guidelines

Architectural Heritage Protection Guidelines, Dept. of Arts Heritage and the Gaeltacht (2011)

Smarter Travel – A New Transport Policy for Ireland (2009-2020)

2022-2028 Development Plan Policies/Objectives

2.5 Economic and Employment Strategy
The strategy for the city economy and enterprise is to safeguard and enhance Dublin's role as Ireland's internationally competitive capital; to promote strategic and targeted employment growth; to support regeneration and tackle vacancy; to support the creation of high quality urban spaces and the transition to a low-carbon, green, circular economy; to support key economic sectors; and to foster local economic development and social enterprise.

This approach aligns with the overall goals of NPF, RSES and MASP for the economic development of Dublin City as Ireland's leading global city of scale (see Chapter 6: City Economy and Enterprise).

The overall approach to the provision of employment lands in the Dublin City area has regard to the role of the city as the country's most significant employment centre which attracts significant numbers of workers from surrounding local authority areas. The city has seen a significant change in the character of its employment land over the last number of years.

Chapter 6: City Economy and Enterprise

CEE1	Dublin's Role as the National Economic Engine (i) To promote and enhance the role of Dublin as the national economic engine and driver of economic recovery and growth, with the city centre as its core economic generator. (ii) To promote and facilitate Dublin as a creative and innovative city that is globally competitive, internationally linked, attractive and open. (iii) To promote an internationalisation strategy building mutually-beneficial economic and other links with key cities globally to encourage investment and tourism in Dublin
CEE8	The City Centre To support the development a vibrant mix of office, retail, tourism related and cultural activities in the city centre and to facilitate the regeneration and development of key potential growth areas such as the Diageo lands, the St. James's Healthcare Campus and Environs and the TU Dublin campus at Grangegorman
CEE26	Tourism in Dublin
S135	Ambient Noise Quality
S142	Light Pollution
BHA019	Built Heritage and Archaeology
BHA9	Conservation Areas
BHA26	Archaeological Heritage
14.7.4	Key Urban Villages and Urban Villages – Zone Z4
15.14.7.2	Restaurants/Cafes
15.14.7.3	Fast Food/Takeaway
15.14.7.4	Noise, Odour, Ventilation for Restaurant / Café / Take – Away
15.17.4	Outdoor Seating and Street Furniture
15.17.5	Shopfront and Façade Design
<u>Appendix 6</u>	Conservation
<u>Appendix 5</u>	Transport and Mobility: Technical Requirements
Appendix 15	Land-use definitions
	Cultural/ Recreational Building and Uses

A building, or part thereof, used for cultural/ recreational purposes to which the public may be admitted on payment of a charge or free of charge

Sports Facility and Recreational Uses

A building, or part thereof, or land used for organised and competitive sporting activity and/or recreational use that aims to promote physical activity and well-being e.g. sports hall, gym, health studio, squash centre, tennis club, golf club, swimming pool, sports pitch, athletic track, skate park, racecourse and most indoor sports facilities not involving the use of firearms or motorised vehicles and including ancillary meeting or activity rooms and clubhouses.

Restaurant

A building where the primary function is for the sale of food, meals/ refreshment for consumption on the premises

Take-Away

A premises used for the sale of hot food for consumption off the premises

Appendix 17: Advertising and Signage Strategy

Evaluation

Principle of development

While the collection of activities and uses on site is not defined it is noted that: *café/tearoom, and restaurant, cultural/recreational building and use, sports facility and recreational uses, and takeaway uses* are all considered 'permissible' use on lands governed by the Z4 zoning the development as such is therefore acceptable in principle and is assessed further on its merits.

The on-site food element maybe regarded as more café/restaurant – albeit the structures used would also suggest take-away characteristics. 15.14.7.3 'Fast Food/Takeaways' of the Development Plan requires that the planning authority shall have regard to a number of factors such as the effect of noise, general disturbance, hours of operation, litter and fumes on the amenities of nearby residents; The number/frequency of such facilities in the area within 1km of school sites. (Any new outlets will not be permitted within 250m of a school site.); waste management. It is recommended that the applicant detail how the proposal responds to these considerations and also the requirements of 15.14.7.2 with regard to café/restaurants.

The sauna facility would be regarded as recreational uses in the main but can have some therapeutic aspect. The plans note a mobile caravan on site as well as timber sheds and a metal container – with no assigned uses for them.

Justification

As provided by the landowner (extract)

Following the Covid pandemic, my business experienced a considerable decline. The area was rather rundown and neglected, with ongoing issues related to anti-social behaviour, including the presence of drug addiction facilities in the vicinity, which contributed to these problems.

The yard now offers a unique sauna experience alongside exceptional pizza and burgers. This combination has attracted a substantial increase in footfall to my

bar. The boost in business has enabled me to employ an additional three staff members to meet the increased demand.

A notable change has been the influx of Stoneybatter residents, who now come in to enjoy drinks and socialise with my traditional inner-city customers. This new dynamic has revitalised the atmosphere, making the bar lively and fun once again. The City Arms would not have attracted these local residents without the food yard initiative.

The yard has not only improved my business but has also greatly enhanced the appearance of the locality. It has become a vibrant social hub, enjoyed by hundreds of locals each week. Furthermore, the yard now directly employs at least ten staff members, further contributing to the local economy

The potential contribution of such facilities along with potential synergies with the pre-existing pub operation is recognised in terms of adding to the vitality and viability of the Z4 area. Based on recently developed permission and permitted applications the area will see a continued rise in residential and student populations – with also the Grangegorman campus very close at hand.

There is a concern at the cluttered nature of the layout, as well as the inconsistent form and finish to on site structures on the RPS, red-hatched conservation area and streetscape in general. No dimension details of the existing on-site structures have been provided and neither has there been an adequate photographic survey. The applicant also appears to have recycled a heritage report from close to 20 years ago. (see Conservation comments)

At a very minimum the removal of unauthorised signs, reinstatement of the front gates, and reopening of the one of the blocked side gates would improve upon the ad – hoc nature of the operation. While the boho aspect might be seen as having a certain charm – a consistent design and materials approach could potentially provide some visual order noting the protected status of the site – subject to addressing Conservation's concerns below.

Air Quality Monitoring & Noise

From mapping it appears that scheme's functions have steadily expanded westward towards existing houses. To the south it is also noted that a new purpose-built student accommodation scheme on the former IDA site has been permitted.

No detail of operating/opening hours have been provided. Also, no details have been provided over any outdoor music being played and the level of outdoor lighting.

It is noted that the EHO's Air Quality Monitoring & Noise Control Unit recommends refusal - who commenting as follows:

This unit would have concerns in granting retention permission, because this unit has already received valid complaints from the public in relation to the nuisance smoke and fumes emanating from the chimneys supporting the fires to heat the sauna water. These chimney outlets are positioned at a low-level elevation in relation to the surrounding residential developments. The scientific requirement to have high chimneys is essential for smoke dispersion because they lift pollutants to higher altitudes and disperses and dilutes any pollutants more effectively. This helps to prevent the possibility of harmful emissions settling close to the ground, and as such, affecting human health.

It is also noted that there appears to be an adjacent outdoor smoking area, which from DCC's GIS appeared sometime after 2005. From Google Street view and aerial photography, a small canopy structure was eventually replaced by a larger extended wooden-sided part-covered structure – which is now fully covered over. While outside the site boundary it remains unclear as to the role of this structure and its relationship to the subject retention proposal and whether or not patrons of the pub can use the development site as a beer garden.

No details of waste storage are detailed, or how the management of same relates to the pub function.

Conservation

The Conservation section have commented as follows (extract):

Policy Context and Significance: The subject site adjoins and is located to the south of No. 55 Prussia Street, which is included in the Record of Protected Structures (RPS) Ref. No. 6874 – *'Former City Arms Hotel, including entrance steps, railings, entrance gates, piers and stone features'*, and is located within a Red Line Conservation Area and Planning Zone Z4 – Key Urban Villages/Urban Villages, the objective of which is *'to provide for and improve mixed-services facilities'*. The subject site is located within the area included in the list of Priority Architectural Conservation Areas (ACAs) Stoneybatter (Section 11.5.2) to be assessed under the current Dublin City Development Plan 2022 - 2028. The late 18th century red-brick building at No. 55 Prussia Street and its historic coach house and extensions are included in the National Inventory of Architectural Heritage (NIAH) Reg. Nos. 50070059 and 50070060 respectively. The main building was added to in 1881 and forms a prominent landmark within the historic streetscape and spine of the historic village and is afforded a Regional Rating and is of special Architectural, Artistic, Cultural, Historical and Social interest. Furthermore, the group of 4no. terraced houses to the south of the subject site (Nos. 56, 57, 58 & 59[pair] Prussia Street) are also included in the NIAH Reg. Nos. 50070058, 50070057, 50070514. The morphological development that occurred to the Protected Structure is evident between the 1st edition Ordnance Survey 6' to 1 Mile Map (1843) and the 2nd Edition Ordnance Survey Map (1864) with the introduction of gates and access road to the former Cattle Market located within the former rear garden of the Protected Structure. It is noted that when the building was recorded for the NIAH on the 02/01/2013, the description refers to *'the cut granite piers to double-leaf wrought-iron gates, flanked by rusticated screen wall with square-headed openings each containing wrought-iron gate'*. Unfortunately, the historic gate has subsequently been removed from the southern pedestrian entrance and the flat-headed opening has been closed up with a recessed modern rock-faced material, as is illustrated in Google Street View visuals between June 2009 to October 2024. There is no planning permission in place for this work, and the removal of the historic fabric is unauthorised. Drawing Nos. 103A, 104A, 303A, 304A indicate a decorative historic gate within the south pedestrian entrance, which is contradicted by the photo of the entrance on drawing no. 304A where there is a full height sign within the former opening, and by Precision Surveys Topographic Survey (18/10/2024). Dixon McGaver Nolan Architects Survey Plan drawing no. 101 (December '06 – submitted for a previous planning application at this site, (DCC Reg. Ref. 5351/07) indicate that the southern pedestrian opening is closed by a wall. The CO recommends that the existing modern wall and signage is removed and that the original gate (unauthorised removal) is re-hung in its original location. If

the gate has been lost / sold / destroyed, this shall be clarified as part of a RFI submission, and the wrought iron gate shall be replaced on a like-for-like basis, to be fabricated by a specialist ironwork contractor to match the existing (original) pedestrian gate in the northern pedestrian opening so as to reinstate the historic entrance configuration.

The CO notes 5no. unauthorised signs mounted on the screen wall and piers to the south of the Protected Structure.

Similar development in the vicinity

It is noted that Planning Ref. No. 3053/22 for Charleville Lodge 268-272 North Circular Road refused permission for semi-permanent fabric pergolas and a horse box café unit within the front garden of the Protected Structures.

Assessment and Conclusion: The CO acknowledges the importance of supporting extant businesses and employment in the subject area, but advises that any interventions executed to and within the setting and curtilage of Protected Structures shall be designed, specified and executed in a holistic manner to minimise any adverse impacts on the Protected Structure with the input of a Conservation Professional with the appropriate expertise, in accordance with Policy BHA2 and BHA9 of the Current Dublin City Development Plan 2022 - 2028. The documentation submitted does not reflect the input of a conservation professional with the necessary expertise to advise the Applicant.

The minimal information submitted does not facilitate the proper assessment by the CO that is required of the impacts of the proposed retention of the visually incongruous and unsympathetic unauthorised outdoor food outlets, saunas and associated enclosures, outdoor dining area with roofed structure, chairs and tables and signage mounted on the entrance piers to the south of the Protected Structure.

The drawings submitted do not adequately nor accurately indicate all of the ad hoc unauthorised inappropriate structures that are located on the subject site, including caravans, metal containers, roofed structures, timber sheds, wc, saunas, pump house, water tanks, ice buckets, changing rooms, refuse bins, signage and all associated items and no current photographs are provided for each of the aforementioned enclosures and associated plant.

Dimensioned 1:50 dimensioned drawings cross-referenced to good quality adequately sized photographs of all structures, signage and associated services on the site, and 1:100 dimensioned contextual section/elevation or 3D drawings indicating all items in their current location shall be submitted to facilitate the proper assessment of the proposed retention application.

The un-dated Architectural Heritage Impact Assessment is a poor quality and edited black-and-white copy of a document that is understood to relate to Planning Application Ref. No. 5351/07 (18 years ago). This is unacceptable as that document was produced for another development proposal and cannot therefore adequately assess the impact of the proposed development on the special architectural character, legibility and historic fabric of the Protected Structure and its setting. An augmented and current Architectural Heritage Impact Assessment shall be prepared and submitted by an accredited RIAI Grade 2 or Grade 1 Conservation Architect/Conservation Professional with proven expertise that accurately and adequately describes the proposed retention works, that shall recommend mitigation measures / removes all adverse impacts on the special architectural character and setting of the Protected Structure

Traffic/Access/Parking

TPD comments (extract):

The subject site is located on the west side of Prussia Street which is considered a main arterial route in and out of the city. The site comprises a large gate access

which has the potential to allow vehicular access. This gate appears to be closed at all times with a covered seating area to the immediate west of the gate inside the curtilage of the site. To the north of this gate is a separate pedestrian entrance. The proposal seeks retention for outdoor food outlets, a sauna business and an outdoor dining area with a roofed structure, table and chairs.

There is no car parking proposed as part of the development. Given the location of the site this is acceptable to this division.

There is no detail provided in terms of bicycle parking. The subject site is located within Zone 1 of Map J of the Dublin City Development Plan 2022-2028. This requires a minimum of bicycle parking requirement for leisure use (in this case the sauna use) of 1 per 5 staff long term, and 1 per 50m² for visitors. For café/restaurant use, the requirement is 1 per 5 staff long term and 1 per 10 seats short stay. There are a number of covered seating areas, however the number of seats are not denoted. No staff numbers are outlined. The applicant is requested to provide bicycle parking to development plan standards in this regard.

In terms of servicing, there is no detail in terms of the proposed servicing of the development given the sites proximity to Prussia Street with a pedestrian crossing located close to the pedestrian entrance and an outbound cycle lane provided. The applicant is requested to outline details in terms of servicing in this regard.

Further information is requested

Drainage

A report has been received from the Drainage Division of Dublin City Council which states that there is no objection to the proposal, subject to conditions.

Appropriate Assessment:

Having regard to the nature and scale of the proposed development and the proximity to the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

EIA:

Having regard to the nature and scale of the proposed development there is no real likelihood of significant effects on the environment arising from the proposed development. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

Further information was sought – see as follows:

Assessment of Further information

The submission has not been deemed to constitute significant further information in accordance with Article 35 of the Planning and Development Regulations 2001, as amended

The applicant seems to have only made a partial and somewhat unstructured response to the various request items set out below – as also noted up by DCC's CO:

The CO has not seen a response to the other items requested in the RFI, which would have significant visual and spatial impacts on the existing development and the receiving environment including the historic streetscape of Prussia Street and the setting and architectural character of the adjoining Protected Structure and adjacent historic structures: 1.a) additional dimensioned section/elevation drawings of the existing arrangement / 3D drawings cross-referenced to photographs; 2. a) and b) re. bicycle stands and servicing of the site; 3. Environmental Health Officer items; 4, 5, 6, 7 re. Operating hours, music, food preparation, identification of all installations; 8. Re. Waste storage details; 9. Relationship between the proposed retention items with the other unauthorised structure to the rear of the Protected Structure within the ownership of the Applicant (outside the red line boundary).

The applicant's response seems to have come via their Historic Buildings Consultant and not the original notifier/agent.

The response that has been made appears to be mainly in relation to built-heritage issues as set out in Further Information request item 1.

The applicant's Historic Buildings Consultant however as part of their submission as part of possibly a catch-all for the remaining Fi request items also states:

The proposals are most welcome as they will turn an abandoned courtyard into a dynamic area with food outlets and sauna business, providing an amenity for the residents in line with Z4 Key Urban Villages/ Urban Villages with the objective 'To provide for and improve mixed services facilities'.

It is also noted that the applicant does not appear to have availed of the opportunity to seek the discretionary extension to the statutory response time to the Further Information request – with the 6- months response time now expired.

Further Information Request item 1

The applicant is requested to respond to the Conservation requests as follows:

- a) The applicant is requested to provide dimensioned 1:50 dimensioned drawings cross-referenced to good quality adequately sized photographs of all structures, signage and associated services on the site, and 1:100 dimensioned contextual section/elevation or 3D drawings indicating all items in their current location, in order to facilitate the proper assessment of the proposed retention application. All anomalies/inaccuracies noted in the body of the report above shall be reflected in the additional information submitted.*
- b) The applicant is requested to provide an augmented and current Architectural Heritage Impact Assessment shall be prepared and submitted by an accredited RIAI Grade 2 or Grade 1 Conservation Architect/Conservation Professional with proven expertise that accurately and adequately describes the proposed retention works, that shall recommend mitigation measures /shall remove all adverse impacts on the special architectural character and setting of the Protected Structure.*

The Applicant shall appoint a RIAI Grade 1 or Grade 2 Conservation Architect (equal Conservation Professional) with proven expertise to submit the Additional Information requested to include the above information

The CO commented on the proposals as follows (extract):

The CO has considered the additional information submitted which includes 3no. items only:

1. Un-numbered elevation drawing of the entrance gates and piers on Prussia Street indicating where advertisement signage has been removed;
2. David Slattery Architect Historic Buildings Consultant Cover letter 12th May 2026 and
3. Architectural Heritage Impact Assessment (AHIA) which includes detailed chronological description, comprehensive archive maps and photographs, and outline conservation specifications.

The CO has not seen a response to the other items requested in the RFI, which would have significant visual and spatial impacts on the existing development and the receiving environment including the historic streetscape of Prussia Street and the setting and architectural character of the adjoining Protected Structure and adjacent historic structures: 1.a) additional dimensioned section/elevation drawings of the existing arrangement / 3D drawings cross-referenced to photographs; 2. a) and b) re. bicycle stands and servicing of the site; 3. Environmental Health Officer items; 4, 5, 6, 7 re. Operating hours, music, food preparation, identification of all installations; 8. Re. Waste storage details; 9. Relationship between the proposed retention items with the other unauthorised structure to the rear of the Protected Structure within the ownership of the Applicant (outside the red line boundary).

AHIA

4.9 Setting (p.28)

The CO acknowledges that the existing stone piers and vehicular and pedestrian gates that once served the late 19th century Cattle Market were a later addition to the group of buildings that formed the City Arms Hotel.

However, their design, composition, materiality and detailing (representative of the architectural preferences of the time of their construction) are of a high quality which contributes to the group setting and architectural character of the former City Arms Hotel and its ancillary buildings, and the historic Prussia Street streetscape. These survivors including No. 55 Prussia Street (Protected Structure) and the adjoining 19th century houses at Nos. 56, 57, 58 and 59 Prussia Street represent an important part of the remaining historic architectural heritage of this area which has been eroded by large scale developments in the receiving environment. Therefore, any proposed new development on this site must be of the highest quality and carefully considered.

5. Proposed Works (p.30)

In addition to the proposed retention of the existing outdoor food outlets, outdoor dining area and sauna business at No. 55 Prussia Street side yard, the following conservation works to the Former Cattle Market Entrance Gate are proposed:

- Cleaning of granite piers
- Repointing of the granite piers with a lime-based mortar
- Repointing of the brickwork section with a lime-based mortar
- Removal of the advertising panel to the south of the gate (this and all other previous advertising signs have been removed)
- Reinstatement of the lighting to the pier lights.

The CO recommends the following conservation works are executed in addition to the items noted above:

- Reinstatement of the lighting to the pier lights should include the refurbishment and repair (as required) of the ironwork and glass within the light fittings.
- General careful cleaning of granite piers shall include the removal of graffiti. The fabric shall be given a light clean to avoid the unnecessary loss of patina. All cleaning shall be subject to the written agreement of samples by the CO.
- Rationalisation and tidy-up of untidy wiring strung between historic lamp standards on the piers, and to the final escape signage over the northern pedestrian gate.
- Cleaning, preparation, repair and redecoration of the historic gates in an evidence-based appropriate manner – marked-up 1:20 drawing or high-resolution photograph indicating proposed repairs to be submitted for the written agreement of the CO.
- Carefully reposition the stone capping to the north gate pier of the large gate to ensure its stability – the capping has shifted.
- Removal of invasive vegetation from existing historic walls surrounding the red-line area and repointing of vulnerable brickwork (AHIA Fig. 57)

The AHIA states a number of times that *‘there are no proposals to reinstate the south pedestrian gate by removing the stone and reinstate the wrought iron gate at this date. Should Dublin City Council provide a conservation grant, these works will be carried out’*.

However, all of the original planning drawings submitted on the 24/09/2025 drawing nos. 2409-103A, 2409-104A, 2409-303A, 2409-304A illustrate a matching (handed) decorative pedestrian gate to be reinstated within the southernmost entrance, which is supported in principle by the CO and would represent conservation gain. The Applicant is encouraged to apply for a BHIS 2027 Grant in July 2026 – this will be supported by the Local Authority, providing the required information is submitted. The reinstatement of the pedestrian gate would necessitate the removal of the existing lean-to timber shed behind the former opening.

The removal of the original expansive gardens and eventual installation of utilitarian security measures located directly to the rear of the primary Protected Structure No. 55 Prussia to facilitate the development of the late 19th century Cattle Mart and the subsequent 20th century Drumalee Residential Estate in the 1970s and alterations to the City Arms Pub are noted. (Ref. AHIA Fig. 5, 6, 38a, 38b).

The CO emphasises the importance of the surviving remnants of the historic random rubble calp limestone walls and opening that was once part of a more substantial boundary wall between the curtilage of the City Arms Hotel to the north of the access lane to the Cattle Market, as indicated on the 1864-66 Ordnance Survey Map. These stone walls currently separate the rear of No. 55 Prussia Street and the Central Arms smoking area (outside the red line boundary) and the sauna area (within the red line boundary).

Notwithstanding their later provenance than that of the primary Protected Structure at No. 55 Prussia Street, alterations to or further diminishment of or removals from these walls would not be supported by the CO and would require planning permission. It appears that an additional opening and steps may have been inserted into the stone wall which is not indicated on the submitted 2006 Survey Drawing no. 06012-101 (2006) or updated survey 06012-101A – ref. AHIA Fig.24. It is acknowledged that this area is outside the red line boundary but is within the blue-line boundary within the ownership of the Applicant, but it is important that all drawings submitted form an accurate record of all areas around

the Protected Structure. A remnant of the stone boundary wall is visible in AHIA Fig. 105 & 106 where firewood is stored for the saunas. Bags of firewood are also visible in Fig. 51 and 63 adjacent to the front entrance to/exit from the site.

The CO has reviewed the comprehensive additional photographs submitted in the AHIA which describe the existing arrangement within the red-line boundary and adjoining blue-line boundary located within the curtilage of the Protected Structures. The following shortcomings/areas of concern are illustrated in the photographs submitted and should not be granted retention permission as currently installed:

- Ad hoc installation of mechanical and electrical services – AHIA Fig. 56, 73, 104, 105, 107
- Untidy and poorly maintained ‘back-of-house’ areas – AHIA Fig. 57, 58, 59, 60, 71, 72, 73 (unstable brickwork at the top of the wall), 80, 102, 103
- Invasive vegetation to boundary walls – AHIA Fig. 55, 57
- Poorly considered storage of equipment, materials, bins – AHIA Fig. 51, 53, 63
- Perspex roofs within and adjacent to the red line boundary – AHIA Fig. 66, 67
- Escape routes – AHIA Fig. 68, 69

Observations on associated areas outside the red-line boundary, but which are within the blue-line boundary and in the ownership of the Applicant:

- Perspex roofs and ad hoc boundary treatments (possibly installed during Covid restrictions) – AHIA Fig. 24, 74, 75, 77 Perspex roof fixed to south wall of Clarke’s City Arms Pub, timber fence separating smoking area from the area within the red line site, removing the legibility of the former laneway that once gave access to the cattle markets; AHIA Fig. 83, 84 High timber fencing to rear courtyard and free-standing timber and perspex roof (to the rear/west of the Protected Structure), not connected to but giving rise to an adverse visual impact on the setting and architectural character of the Protected Structure No. 55 Prussia Street
- Views of Harris metal fencing and high timber fencing to the rear of the Protected Structure No. 55 Prussia Street – Fig. 92, 93, 92a, 93a, 94, 95 – it is noted that metal ‘estate’ railings are visible behind the timber fencing/screening.

CO key observations

The proposed works do not demonstrate regard to the Architectural Heritage Protection Guidelines for Planning Authorities, and do not protect the Protected Structure from works that would negatively impact its special character and appearance, nor demonstrate that the works have been carried out in accordance with best conservation practice. The way the interventions have been executed has not ensured that the development is sensitively sited, laid out and designed.

It is accepted in principle that it should be possible to install a carefully considered well-designed arrangement that is sensitive to its receiving environment that meets all necessary statutory requirements, to animate and support the business of the Clarke’s City Arms Pub, and that the proposed conservation repair works to the former entrance screen, piers and gates to the Cattle Market, including the reinstatement of the wrought iron gate to the pedestrian entrance to the south, would have a beneficial impact on the overall setting of the Protected Structure and historic streetscape. However, the present arrangement is unsatisfactory for the reasons stated.

CO conclusion

Contrary to the Conservation Architect's conclusions set out in Sections 6 and 7 of the AHIA, and notwithstanding the reversibility of the present installations, enclosures and associated plumbing, drainage, electrical and other services, the CO considers that by way of its form, its ad-hoc, untidy, poorly-considered layout, siting and materiality, combined with the other unauthorised covered areas and screens to the rear and side of No. 55 Prussia Street (Protected Structure) used by the patrons of the City Arms Pub, albeit which are outside the red line site boundary but within the ownership of the Applicant, the proposed permanent retention of the existing development creates a cumulatively seriously adverse and injurious visual impact on the special architectural character and setting of the Protected Structure when viewed from the historic Streetscape, and within the environs of the group of buildings that once formed the City Arms Hotel.

The granting of retention permission for the existing development would set an undesirable precedent and would contravene the requirements of Dublin City Council's 2022 – 2028 Development Plan Policies BHA2 a), b), d) and BHA9 and should be refused.

As noted the CO recommends refusal but has provided optional conditions if a grant of permission was to be considered. However, in light of lack of response on other Fi request items there would be concerns about resolving outstanding issues post-permission.

Further Information Request item 2

The applicant is requested to address the following concerns of the Transportation Planning Division:

- a. The applicant is requested by way of revised drawings to provide bicycle parking consistent with Table 1, Volume 2, Appendix 5 of the Dublin City Development Plan 2022-2028 standards. Bicycle parking should be secure sheltered and well lit.*
- b. The applicant is requested by way of revised drawings and documentation to provide details on the servicing of the development in terms of refuse collection and daily deliveries to the site to ensure that there is no impingement on traffic flows on Prussia Street.*

The TPD have commented as follows:

No information has been provided for item no. 2(a) or 2(b) which pertains to this division. Given the absence of information provided it is considered that the documentation lacks the sufficient details in order for this division to review the proposal. Therefore, this division recommends a refusal.

TPD's recommended Reason for Refusal:

The applicant has failed to provide documentation in relation to Item no. 2 of the request for further information which pertains to transportation matters. As such, given the absence of a response to the transportation item, it is considered that the documentation lacks sufficient information in order to allow this Division to provide a comprehensive assessment of the proposal. Therefore, the proposed development is considered contrary to the proper planning and sustainable development of the area.

Further Information Request item 3

The applicant is requested to note that the Environmental Health Office have recommended refusal as there have been valid complaints from the public in relation to the nuisance smoke and fumes emanating from the chimneys supporting the fires to heat the sauna water. -the applicant however is requested to detail measures/structures that will overcome these as issues, and while air pollution control is not a matter for planning, additional features/mechanisms may potential further detract from the character of the protected structure and the red hatched conservation area.

Further Information Request item 4

The applicant is requested to provide details of operating hours of the development to be retained.

No obvious response has been provided.

Further Information Request item 5

The applicant is requested to confirm whether or not there is outdoor music on site.

No obvious response has been provided.

Further Information Request item 6

In terms of the food element of the operation the applicant is requested to detail how it meets the requirement 15.14.7.2 and 15.14.7.3 of 2022-2028 Development Plan.

No obvious response has been provided.

Further Information Request item 7

The applicant is requested to clarify the use and role of the mobile caravan and timber sheds and metal container- which are unassigned on the submitted plans.

No obvious response has been provided.

Further Information Request item 8

No obvious response has been provided.

No details of waste storage for the operation are detailed, or how the management of same relates to the pub function. The applicant is requested to clarify.

Further Information Request item 9

Outside of the development site but in the owner's overall landholding at this location there appears to be an unauthorised single storey wooden structure placed up against the pub's southern gable wall. The applicant is requested to

clarify its function and its potential relationship to the subject retention proposal. It is also requested that confirmation is provided as to whether or not can patrons of the pub use the development site as a beer garden during or after the daily operation of the subject retention proposal.

The applicant has attached a submission from the owner, who states that a lean-to smoking area -beer garden structure was erected in 2005 and has been in place since. It is separated from the subject yard by a 6-8Ft wooden fence. There is access from this structure to the 'food yard' that is an emergency escape route for the pub – which was requested by the fire officer in 2010.

In terms of management the owner states that pub patrons are not allowed to use food yard as a beer garden -which is a separate business – with the pub having two bar gardens. However, food yard patrons can take food into the pub to consume.

While the submission is noted it makes no reference to whether the smoking area and beer gardens ever gained the benefit of planning permission. Further Clarke's City Arms is a protected structure – and such structure impact on its setting etc. Also, it is not fully clarified how the food yard would not be used as another *de facto* beer garden to the pub. It is however noted the smoking area/beer garden areas are outside the scope of the current application.

Further EIA/AA Screening Assessment

Following receipt of the further information response, it is considered that there are no further environmental considerations having regard to the initial assessment detailed in the previous main report

Conclusion

In addition to the CO's recommendation for refusal, with the applicant only offering a partial response to the various Further Information request items the planning authority, while open to a 'managed facility' has been provided with insufficient information as to the type and level of impacts that the retention proposal has upon the amenities of the area and importantly as then to what measures can be employed to mitigate such impacts if so required in order to accommodate the proposal or perhaps just some aspects of it.

Recommendation

It is recommended that the retention proposal is REFUSED for the following reasons:

1. By way of its form, its ad-hoc, untidy, poorly-considered layout, siting and materiality, combined with the other unauthorised covered areas and screens to the rear and side of No. 55 Prussia Street (Protected Structure) used by the patrons of the City Arms Pub, albeit which are outside the red line site boundary but within the ownership of the Applicant, the proposed permanent retention of the existing development creates a cumulatively seriously adverse and injurious visual impact on the special architectural character and setting of the Protected Structure when viewed from the historic streetscape, and within the environs of the group of buildings that once formed the City Arms Hotel. As such the retention of the existing development would set an undesirable precedent and would contravene the requirements of Dublin City Council's 2022 – 2028 Development Plan

Policies BHA2 a), b), d) and BHA9 and thus therefore contrary to the proper planning for the area.

2. Having regard to the various uses involved in the retention proposal, the proximity to existing commercial and residential uses in the area and potential interactions, it is considered that the documentation submitted with the application lacks sufficient details or clarification of same such that the Planning Authority cannot be assured that the proposed retention proposal does not unduly affect the amenity of the local area nor unduly affect public health, and also does not provide any ready base line for the appropriate application of mitigation measures to accommodate the proposed elements of the proposal. Therefore, the proposed development is considered contrary to the proper planning and sustainable development of the area