



IWAI Executive
honsecretary@iwai.ie

To: Chief Planner

Title: Planning Dept., Dublin City Council

Address: Civic Offices, Wood Quay, Dublin 8
D08 RF3F
Ireland

Date: 24.03.25

Below please find the IWAI's submission regarding planning application WEBDSDZ1350/25, by Misery Hill Entertainment Limited at 9 Hanover Quay and encroaching on Grand Canal Dock, Dublin 2, (both protected structures). IWAI has no objection to the planned facilities at that address **in principle**, however, we have some serious reservations and two main issues which would need to be rectified before we could conceivably support the project.

1. Introduction & IWAI History

The Inland Waterways Association of Ireland (IWAI) was established in 1954. It has 24 branches across the thirty-two counties of Ireland. It has 2000 members. It represents a wide range of members interests regarding the inland waterways, from use and activities, to, community interests, navigation issues, tourism development, preservation and conservation all in relation to the socio and economic benefits of the waterways. Our members are not just boat owners but waterways lovers of all types. *We are the Voice of the Inland Waterways!*

IWAI has a long history of working with statutory agencies, funding groups, and community interests with regards to promoting access to the waterways. In recent years this has taken the form of working with Waterways Ireland – the navigation authority, government Departments in relation to legislative reform regarding byelaws on boating use on the canals and Barrow sections of the waterways and undertaking large infrastructural refurbishment projects such as the regeneration of the Boyne Canal in Co. Meath. IWAI also supports Special Interest Groups such as the CSIG which has undertaken a digital national mapping and charting project of much of the Shannon, Erne, Royal Canal, Grand Canal and Barrow Navigation. In late 2018, as a response to the severe difficulties encountered by boating users of the Grand Canal and Royal Canal, which collectively along with a partial route on the River Shannon form the **Green and Silver Route**, a special interest Nav-Watch¹ group was established within the Canal branches of IWAI. The purpose of this group is to constructively contribute to the knowledge base regarding access to waterways, their navigational maintenance, development and use from a boating perspective. Sharing this information with the relevant agencies for the betterment of these navigations.

2. Issue No. 1: Failing to Protecting the Heritage

The Grand Canal Dock (GCD) area is listed on the Record of Protected Structures and as such is protected. The site is within the Zone 11 Waterways Protection and in a Conservation Area. As stated in the Conservation Report; It is the policy of Dublin City Council to protect the special interest and character of all Dublin's Conservation Areas – identified under Z8 and Z2 zoning.

The proposed development intends to cantilever the building out over the waters of GCD which will render that portion of the quayside inaccessible. It will also create an area of dead water beneath the building where the building's obstructive cantilever prevents masted vessels from mooring. **This reduces the footprint of the Dock and creates a dangerous precedence which other developments will wish to copy.** The Quayside and a large area of water below this overhanging building will effectively be privatised, allowing the public realm to be commandeered for private use is totally unacceptable. The installation of a large 50m X 10m pontoon, as proposed to Waterways Ireland, would constitute an even greater obstruction to traffic in the Dock.

Waterways Ireland (WI) are currently restoring the larger of the three locks (Camden Lock) at the entrance to GCD from the Liffey. This lock chamber will again accommodate larger sailing/masted

¹ Nav-Watch – comprising expert members of Canals & Barrow branches of the Inland Waterways Association of Ireland from the Royal Canal, Kildare, Dublin, North Barrow, Barrow, Offaly, and Shannon Harbour IWAI areas.

vessels and ships, giving them access to GCD again after many years. The potential for flotillas such as the 'Tall Ships' returning to GCD will be finally realised. This Dock is a wonderful example of Dublin City's living heritage, it should be assured and reinvigourated rather than privatized in pieces, or mothballed as is often the case unfortunately. We need to look more carefully at the potential of our heritage structures and where possible marry them to the future rather than hastily consigning them to the past. Allowing the proposed building to cantilever over the dock places the development ahead of the protection of the Dock's heritage and falls far short of the principles of protection placed on this zone and should not be allowed. It effectively privatizes the quayside and water below the building. The footprint of GCD's waters should be protected skyward by refusing any buildings to overhang and therefore occupy space which should be the sole domain of masted vessels, as the Dock was designed. In that respect it constitutes a change of use of the Dock area in part.

The proposed pontoon (50m X 10m), which would be a considerable area of waterway to lose, seeks to control a large area of the Dock's water immediately in front of the development. Once in place this would constitute an obstruction to traffic moving/turning within the Dock. Again, this is an unacceptable attempt to commandeer the public realm and convert it to private use. It is likely that if it were ever allowed to be installed, because of its vast size and weight, it would never be removed, contrary to the suggestion that it would be removed as required. We note that WI have refused this in their Land Owners Consent letter attached to the application. We agree that this should never be allowed, in this or any future version of the plan.

3. Issue No. 2: Righting the Wrongs of the Past



The Eastern end of 9 Hanover Quay, featuring wall and fencing blocking access to the quayside.

9 Hanover Quay is prime real-estate today, in sharp contrast to the impoverished and derelict state of the area when it was rebuilt as a private dwelling. At the time, it may have been a consideration to allow the quayside to be blocked at either end of the building to ensure security for the homeowner. However, we have moved on substantially from the poor planning era of the mid-late 20th Century. Today we value and protect the heritage of our past and the return of public access to this section of the quayside should be included as an integral part of the development's design. It should be possible to moor beside the development or walk past along the quayside. Otherwise, it can be shown that the integrity of the dock would be compromised in favour of the development.



The Western end of 9 Hanover Quay, the boundary wall extends to the edge of the quayside, blocking access to and crucially from the quayside.

It should be noted at this point that some might state that a precedence has already been set by the cantilevered design of a block on Grand Canal Quay, overlooking the smaller Inner Dock. IWAI did not object to this building when WI gave permission for the overhang. Although it created a dark, cold and uninviting section of water, this building overlooks the Inner Dock of GCD. The Inner Dock has very restricted access for vessels, due to the low Grand Canal Road Bridge on Ringsend Road, which can only accommodate vessels with low air-draft such as the canal boats and barges which occupy the marina situated there. The overhang of the building poses no obstruction to vessels using the Inner Dock, it is unfortunate but somewhat acceptable for that reason.

The Navigation Channel

It must also be remembered that GCD forms an integral part of the Navigation Channel of the Grand Canal. Navigation channels, as transport routes, enjoy similar rights of way as roads. Thus, an obstruction to navigation may be challenged as a public nuisance. Grand Canal Dock, by virtue of the size of large vessel which it can accommodate, can be considered a navigation channel in its entirety as vessels may require considerable space to manoeuvre and turn.

Focusing on Living Accommodation in the Current Housing Crisis

Today, with our housing crisis, the canals and inland waterways are again beginning to thrive. Demand for marina berths close to the capital has exploded and WI has a long waiting list for berths where only a handful exist. Houseboat ownership has become a very attractive option for many young couples/singles who, though gainfully employed, cannot afford home ownership in the capital. IWA has in the recent past, suggested that the derelict George's Dock be used as a liveaboard marina and not as a white-water kayaking facility or a bathing lido. These facilities too are needed but better situated outside the confines of the city centre, perhaps on a coastal site as were most lido's before the building of heated pools in the 1960s marked their demise. This would be a much-needed facility, a very appropriate and sensitive use of the heritage structure, marrying it to the future by creating a vital service and strong community with a uniquely low carbon footprint, as most liveaboard communities are. We would urge Dublin City Council to look for development opportunities which help to expand services on the city's waterways to cater for a needy public rather than restrict waterways access in favour of the private sector, irrespective of how attractive that development might or might not be.

Waterways Ireland's Support for the Project

IWA are generally supportive of the great work which WI manage to do on a very limited budget (budgetary constraints have still not fully eased since the years of austerity following 2008). However, in this instance, IWA are disappointed that WI have chosen to give their support for this development and feel it falls short of their remit to Protect and Preserve the Waterways and their associated Heritage Structures. Perhaps WI failed to consider the return of tall-masted vessels to GCD.

It is our understanding that The State has tasked WI with monetizing its substantial asset portfolio to supplement its funding stream. In the case of the existing development which overhangs the Inner Dock, we believe there may have been a compensatory payment made to WI for use of the air-draft. If that were the case, we believe this type of transaction to be a conflict of interest which might badly serve the preservation of heritage, it is a poor compromise which should not be made. It should not be a consideration or deciding factor in this case, or any proposed development bounding GCD.

4. Conclusion

The IWAI believes that this development would be a misuse of the heritage structures of the Dock area and it's Quaysides, it would impact negatively on Grand Canal Dock, the cantilever and pontoon would both constitute obstructions to navigation and would privatize the public spaces they would occupy.

It falls short of the stated standards by which the Council is obliged to preserve this historic maritime zone. It essential that the Council protects the integrity of the Dock and preserves the full functionality of the dock's quaysides and it's waters. We would hope that these issues can be resolved in any revised plan. Should this plan be passed in this current form we will be obliged to appeal it to ABP.