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**(a) Planning and Development Act 2000 (as amended) & Planning and Development Regulations 2001 (as amended) (Part 8)**  
**(b) Local Government Act 2001**

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In compliance with the provisions of Section 179 of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended) and in compliance with the provisions of the Local Government Act 2001, I hereby notify you that it is proposed to carry out development works at Newmarket, Dublin 8

### **Proposed Works**

A public realm improvement plan for Newmarket, Dublin 8 and its environs. The proposed works are designed to create a high quality, multi functional market square and city wide destination and to improve permeability throughout the area via enhanced links across Cork Street to the north and Mill Street to the south. The aim is to encourage day and night time activities around the public open spaces and create a public realm that prioritises walking, cycling and easy street crossing with particular emphasis on pedestrian priority. It is also intended to enhance public lighting in the area to avoid blind spots and unsafe areas as well as improving and encouraging the cultural and tourist offer of Newmarket Square and its environs.

Attached to this report is a site location map and a number of drawings illustrating the proposed development.

### **Zoning**

The subject site is surrounded by an area zoned Z10 on the northern, southern and western boundaries, with the objective 'to consolidate and facilitate the development of inner city and inner suburban sites for mixed uses, with residential the predominant use in suburban locations, and office /retail/residential the predominant uses in inner city areas'. The eastern end of the site is bounded by Z1 lands with the objective 'to protect provide and improve residential amenities.' The site itself comprises entirely public realm and is not zoned.

### **Site Description**

The site comprises primarily of Newmarket Square, but also includes Mill Street, Mill Lane, Newmarket Street, Brabazon Street and Ward's Hill. Newmarket Square comprises a significant urban space. It is bounded to the north primarily by two storey industrial buildings, a protected warehouse building and vacant lands. To the south it is bounded by a mixture of underutilised retail/market buildings, and a modern Distillery visitor centre. The works proposed include the surface of the square and the roads surrounding it. At the eastern end of the square centrally located within carriageway there is a redbrick single storey substation

building. This is in a poor state of repair with buddleia growing from the roof. The approach to the square from Mill Street has some original stone setts, other than that the surfaces are primarily asphalt, in some case in a poor state of repair. Mill Street has a concrete finish. The footpaths are concrete.

### **Site Planning History**

There is no record of any previous planning history on this site.

### **Area Committee**

The South Central Area Committee was informed of the initiation of the Part 8 planning process for the proposed development at the above location at its meeting on 15<sup>th</sup> February 2017.

### **Submissions/ Observations**

Third Parties: Two observations have been received in relation to this application:  
Sharon Greene, Dublin Flea Market.

The Newmarket Partnership - Declan Brassil and company Ltd., Cronin Sutton Consulting engineers, Mitchell + Associates Landscape Architects.

The following is a summary of the issues raised;

Stall holder issues:

1. The provision of Water and electrical supplies would be welcomed; it is advised that these would be located in the outer edge of the street.
2. The tree planting would take consideration of the location of popup gazebos.
3. The provision of sunken covered anchor points 3m apart would help secure the pop-up gazebos.
4. The bottle banks be relocated.
5. If street furniture in terms of seating is being considered it should be moveable.

Traffic issues:

1. Details design stage, consideration should be give to the movements of HGVs in particular swept paths along Ward Hill and Mill Street.
2. Loading areas are restrictive, there is potential for loading/servicing off Cork Street. Specifically loading/setdown areas are identified on St. Lukes Avenue.
3. Consideration should be given to improvements at the junction of Ardee Street, from Newmarket.
4. The restriction of vehicle traffic from Brabazon Place to Ward Hill via Newmarket Square is welcomed.
5. Servicing of Newmarket Square with 'Grafton street hours' for deliveries would be welcomed.
6. Mill Lane should be pedestrianised.
7. A defined zone in front of 10 Mill Street would increase the sense of place.
8. Newmarket Street has the potential to accommodate more functions and incorporate a green oasis.
9. Arising from the reduced parking provision increased enforcement would be required.
10. The parking area indicated could be reconfigured to provide a drop off area and disabled parking.
11. The improved pedestrian environment is welcomed.
12. A construction traffic management plan should be prepared.
13. Road surfaces proposed should take account of possible future construction traffic.

14. Full implementation of the scheme at an early stage is recommended.
15. No service drawings were provided. There may be potential of interceptor service chamber runs at either side of the square.

Design issues:

There is potential to treat the interface with Brabazon Place and Ward Hill as shared surfaces to minimise fragmentation of the overall space.

3 views from Newmarket could be enhanced –

- a) Newmarket looking south,
- b) Newmarket looking north
- c) Brabazon Street looking north.

North side of Newmarket potential for 5m wide footpaths and further enhancements recommended.

Playfulness and Art could be included in the design of the scheme.

Interpretation of heritage could be incorporated into the design.

Introduce SUDS.

These issues have been taken into consideration in the assessment of this Part 8.

The proposing Department/South Central Area Office have submitted the following comments in relation to third party submissions received.

1. Traffic Movement

No issue with undertaking a more detailed analysis of HGV swept paths at detailed design stage.

2. Servicing

11 car parking spaces would be removed if additional loading bay/set down were provided across from Brabazon Place. If a loading bay is incorporated on the west it would result in the loss of 4 spaces, this is the option pursued.

The recommendation to make a slight improvement at the junction with Ardee Street is agreed.

It is agreed to restrict servicing hours across the square, with removable bollards integrated at the east and west side.

3. Mill Lane.

The pedestrianisation of Mill Lane is a longer term aim of the public realm improvement plan.

4. Mill Street

The public realm will be upgraded with greening, lighting and footpath improvements.

5. Newmarket Street

The suggested greening measures are supported.

6. Parking –

The relocation of carparking spaces at the south east of the site is not feasible as there is not enough space available between the proposed café and the building to the south.

7. Pedestrian Permeability

The creation of the Universal Square will impact positively on pedestrian permeability.

#### 8. Construction stage

A Construction Traffic Management Plan will be carried out in conjunction with local businesses. High quality materials will be used on carriageways to ensure no future issues associated with HGV use.

#### 9. Phasing

Phasing is proposed due to the anticipated private development that may take place.

#### 10. Surface Treatment

This has been discussed with Road Maintenance Section – white and dark grey granite is proposed. Underground Services and surface services will be integrated during tender stage. A service chamber forming the perimeter of the universal square will be to allow for drainage and services.

#### 11. Public Realm Considerations

In terms of the shared space treatment, the delineations are required throughout the square and adjoining streets. It is proposed to enhance the linear views with appropriate surface treatment, greening and public lighting.

The suggested 5m footpath and additional green strip would be detrimental to the creation of a true central public square for public and cultural events. Furthermore patches of grass in the public realm have been proven to be unsuccessful.

The SUDS element will be integrated in the green area around Brabazon Square Car park, the Cultural Square, the Universal Square and to the north part of New Market Street.

### **Interdepartmental Reports**

Drainage Division: Conditions recommended.

Roads and Traffic Planning Division:

Extensive consultation with this division was undertaken prior to the lodgement of the Part 8 application. The principle of the proposed public realm improvements at Newmarket Square is supported by this division.

It is noted that Newmarket Square is adjoined by development sites. The timing for the delivery of the proposed public realm improvements should take cognisance of the timeframe for delivering development on these sites.

Conditions are recommended.

City Archaeologist

It is noted that the proposed development is within the Zone of Archaeological Constraint for the Recorded Monument DU018-020 (Dublin City), which is subject to statutory protection under Section 12 of the National Monuments (Amendment) Act 1994. Further, the site in question is located within the Zone of Archaeological Interest in the Dublin City Development Plan 2016-2022. Some years ago the area was the subject of a booklet in relation to Newmarket and Weaver Square commissioned by Dublin City Council and written by Bill Fraser (an archaeologist). The documentation submitted by the applicant for the current application included a booklet entitled "Newmarket Square & Environs Public Realm Improvement Plan – Part VIII Explanatory Booklet ". Section 2 of the History & Archaeology section of that booklet concludes with the following paragraph:

"Discussions have been held with the City Archaeologist in relation to the proposal. The design team is committed to completing an archaeological desktop study in relation to Newmarket and the surrounding environs prior to any works taking place."

Conditions are recommended.

## **Planning Assessment**

### Planning context:

This is a part 8 application under the Local Government (Planning and Development) Regulations 2001-20011 Part VIII.

The proposed works would be bounded by an area zoned primarily Z10 in the 2016-2022 Dublin City Development Plan, with the eastern section zoned Z1.

The works proposed would be to the public realm.

Newmarket Square is located in the area covered by the Liberties Local Area Plan. It is identified in that plan as one of the significant redevelopment sites. To this end a series of objectives are set out for the area. In relation to the public realm the plan includes the following objectives:

Improve the public realm as set out in the public realm strategy.

Improve permeability throughout the area.

The public realm to be designed to encourage walking and cycling, providing shared surfaces and easy street crossing. Pedestrian priority should be particularly enhanced on the central market square.

The plan has a series of general objectives for the Newmarket area and includes a requirement to deliver a high quality multi-functional market square and city wide destination at Newmarket edged with active frontages.

Objectives of the public realm improvement plan:

- Deliver a high quality multi-functional market square and city wide destination at Newmarket Square edged with active frontage.
- Create a public realm that prioritises walking and cycling and easy street crossing. Pedestrian priority should be particularly enhanced on the central market square.
- Improve the public lighting to avoid blind spots and unsafe areas.
- Create convenient cycle parking with Newmarket Square.
- Retain if practicable and improve the appearance of the substation in Newmarket Square.
- Improve the public realm and permeability throughout the area including enhanced links to Cork Street to the north and Mill Street to the south.
- Encourage and facilitate day and night time activities such as cafes, bars, restaurants and shops around Newmarket Square and along adjacent streets.
- To improve and encourage the tourist off of Newmarket Square and Environs.
- Develop a coherent, user centred, high quality streetscape and amenity and environmental resource in this part of the city.
- The area subject to the Part VIII incorporates the public spaces of Newmarket Square and the various streets in its immediate vicinity.

### Evaluation:

Details of the proposed development.

The proposed public realm works focus on the Newmarket space. The area would be divided into three zones, defined as The Cultural Square, the Universal Square and the Parking area. Issues raised by third parties regarding the materials and design have been addressed by the proposing department. The surface materials have been agreed with Road Construction and the SUDS has been incorporated into the overall scheme.

The Cultural Square would be located at the eastern end of the Newmarket space. It is defined by the junction with Newmarket Street to the west. It is proposed to restore the existing redbrick substation and convert it into a café with indoor seating, a new glass roof extending beyond the footprint of the building to provide cover over an external seating area. A significant area of the square would be surfaced with granite to define a pedestrian area. A vehicular traffic route would circumvent the space to connect Ward's Hill with Newmarket Street. The existing setts on Ward's Hill would be retained. Cycle parking would be provided on the eastern boundary of the space. The proposal would provide for an animated entrance from the eastern approach. The provision of a café would provide a welcome amenity for visitors. The provision of some new additional tree planting would contribute to the existing trees.

The Universal Square would constitute the central area of Newmarket Square. It would be bounded by Newmarket Street to the east and Mill Lane/ Brabazon Street junction to the west. It would be a pedestrianised and multi-functional market square. The surface would be finished in granite paving with changes in levels. Electrical and water points for market stall and this space would accommodate a market function. The points raised in the submission received have been noted in this regard. Additional tree planting would be introduced. It is considered that the removal of traffic and the upgrading of the public domain would serve to provide a receptive environment to encourage an active street market utilising the facility. Third party submission received includes design suggestions which can be considered at detailed design stage.

The Barabzon Square area would comprise the western segment of Newmarket Square. It would be defined by Mill Lane/Brabazon Street to the east and the junction with Ardee Street to the west. The primary function of this section would be to provide surface carparking supporting the uses contained within the overall Newmarket Square. The car parking would be organised to achieve a total of 37spaces. Raised planting are proposed which would help to relieve the impact of the parking and the pedestrian pathways would be completed in granite. The provision of the car parking in this segment of the square would allow for a vibrant use to be provided over the remainder of the square.

### Connectivity

The upgrading of the adjoining streets and provision of improved street lighting throughout would improve the connectivity of the square, and improve the urban legibility. In particular the connection from Mill Lane, a street currently in a poor state of repair, would be enhanced with reinstatement of existing cobblestones under the existing asphalt finish, would connect the student accommodation and hotel currently under construction.

A Third party submission addresses issues of traffic and movement. A detailed response to the issues raised has been submitted by the proposing department and their response is summarised above. The layout, parking and servicing arrangement proposed have been carefully designed to have regard to all parameters for consideration and resources available. Details regarding circulation and HGV movements will be determined at detailed design stage, as would service arrangements during construction stage. Other factors, such as the pedestrianisation of Mill Lane proposed by third parties will be considered at a later stage.

The issue regarding the modification of the Ardee Street junction is noted; however the site bounding the junction is outside the remit of the part 8 and is the subject of a current planning application.

### Phasing

The proposed upgrading of the overall Newmarket space would be completed on a phased basis. In view of the potential redevelopment of a substantial number of sites bounding the square in the short to medium term, the intention would be to carry out the public realm improvements at the Cultural Square as part of phase 1. This would set a clear marker of the intention for the overall space, and provide a level of confidence for the future. In addition the traffic management of the square would be altered to preclude vehicular access to the central part with the exception of deliveries, markets and events. The parking would be reorganised to the western end of the square, thereby establishing the long term pattern of movement around the space.

Phase 2 of the development would see the completion of the proposal with the Universal Square paved and landscaped and the resurfacing of the remaining streets completed.

The phasing would ensure an upgrading of the space would proceed in a timely fashion. Third party comments are noted, seeking full implementation of the entire scheme at an early stage. The phasing has been included to facilitate the anticipated developments in the Square. It is considered that the improvements would provide an enhanced setting for the ongoing developments in the area and would respond to the potential demand resulting from the completion of the developments currently under construction in the vicinity.

## **Conclusion**

The proposed public realm improvement works would be in keeping with the objectives of the Liberties LAP. It would contribute to the ongoing regeneration of the area. The works would be phased to facilitate the regeneration of the sites bounding the square. The surrounding roads would be upgraded improving the urban legibility and connectivity. On street parking would be consolidated within the Newmarket Square area, ensuring a usable market area would be available while facilitating car bound visitors to the area. The materials proposed would be of a high standard and appropriate to the space and the ongoing use of the square for market purposes would be incorporated in the design at the outset.

## **RECOMMENDATION**

I am satisfied that the proposed development would be consistent with the provisions of the Dublin City Development Plan 2011-2017 and would be in accordance with the proper planning and sustainable development of the area. Accordingly it is recommended that a decision be made by the elected members of the Council to proceed with the proposed development, subject to the requirements of the respective Divisions and Sections of the City Council provided below.

1. The following requirements of the drainage Division shall be incorporated in the proposed development.
  - a. The developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from [www.dublincity.ie](http://www.dublincity.ie) Forms and Downloads).
  - b. The development shall incorporate Sustainable Drainage Systems in the management of stormwater.

Reason: In the interests of orderly development.

2. The following requirements of the Roads and Traffic Planning Division shall be incorporated into the proposed development:

- a. Details of the materials proposed in public areas should be in accordance with the document Construction Standards for Roads and Street Works in Dublin City Council and agreed in detail with the Road Maintenance Division.
- b. Prior to commencement of development the applicant shall contact the Environment and Transportation Department to ascertain their requirements regarding the relocation / provision of bus stops and loading bays.
- c. Prior to commencement of development a servicing strategy for Newmarket Square shall be submitted for written agreement to the Environment and Transportation Department.
- d. The timeframe for the delivery of public realm improvements on Newmarket Square shall take cognisance of the delivery of development proposals on the adjoining sites.

Reason: In the interests of orderly development.

3. The following requirements of the city Archaeologists shall be complied with:

A. No construction or site preparation work may be carried out on the site until all archaeological requirements of the City Archaeologist are complied with.

B. The project shall have an archaeological assessment (and impact assessment) of the proposed development, including all temporary and enabling works, geotechnical investigations, e.g. boreholes, engineering test pits, etc., carried out for this site as soon as possible and before any site clearance/construction work commences. The assessment shall be prepared by a suitably qualified archaeologist and shall address the following issues.

i. The archaeological and historical background of the site, to include industrial heritage.

ii. A paper record (written, drawn, and photographic, as appropriate) of any historic buildings and boundary treatments, etc.

iii. The nature, extent and location of archaeological material on site by way of archaeological testing &/or monitoring of the removal of overburden.

iv. The impact of the proposed development on such archaeological material.

C. The archaeologist shall forward their Method Statement in advance of commencement to the City Archaeologist.

D. Where archaeological material is shown to be present, a detailed Impact Statement shall be prepared by the archaeologist which will include specific information on the location, form, size and level (corrected to Ordnance Datum) of all foundation structures, ground beams, floor slabs, trenches for services, drains etc. The assessment shall be prepared on the basis of a comprehensive desktop study and, where appropriate/feasible, trial trenches excavated on the site by the archaeologist and/or remote sensing. The trial trenches shall be excavated to the top of the archaeological deposits only. The report containing the assessment shall include adequate ground-plan and cross-sectional drawings of the site, and of the proposed development, with the location and levels (corrected to Ordnance Datum)



of all trial trenches and/or bore holes clearly indicated. A comprehensive mitigation strategy shall be prepared by the consultant archaeologist and included in the archaeological assessment report.

E. No subsurface work shall be undertaken in the absence of the archaeologist without his/her express consent. The archaeologist retained by the project to carry out the assessment shall consult with the City Archaeologist in advance regarding the procedure to be adopted in the assessment.

F. A written and digital report (on compact disc) containing the results of the archaeological assessment shall be forwarded on completion to the City Archaeologist. The City Archaeologist (in consultation with The National Monuments Service, Department Arts Heritage and Gaeltacht, shall determine the further archaeological resolution of the site.

G. The developer shall comply in full with any further archaeological requirement, including archaeological monitoring, and if necessary archaeological excavation and/or the preservation in situ of archaeological remains, which may negate the facilitation of all, or part of any basement.

H. The developer shall make provision for archaeological excavation in the project budget and timetable.

I. Before any site works commence the developer shall agree the foundation layout with the City Archaeologist.

J. Following submission of the final report to the City Archaeologist, where archaeological material is shown to be present the archaeological paper archive shall be compiled in accordance with the procedures detailed in the Dublin City Archaeological Archive Guidelines (2008 Dublin City Council), and lodged with the Dublin City Library and Archive, 138-144 Pearse Street, Dublin 2.

Reason: In the interest of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.

This report is submitted to the City Council pursuant to Section 138 of the Local Government Act, 2001 and Section 179 of the Planning and Development Act, 2000, subject to the provisions of Section 139 of the Local Government Act, 2001.

**Owen P Keegan**  
Chief Executive

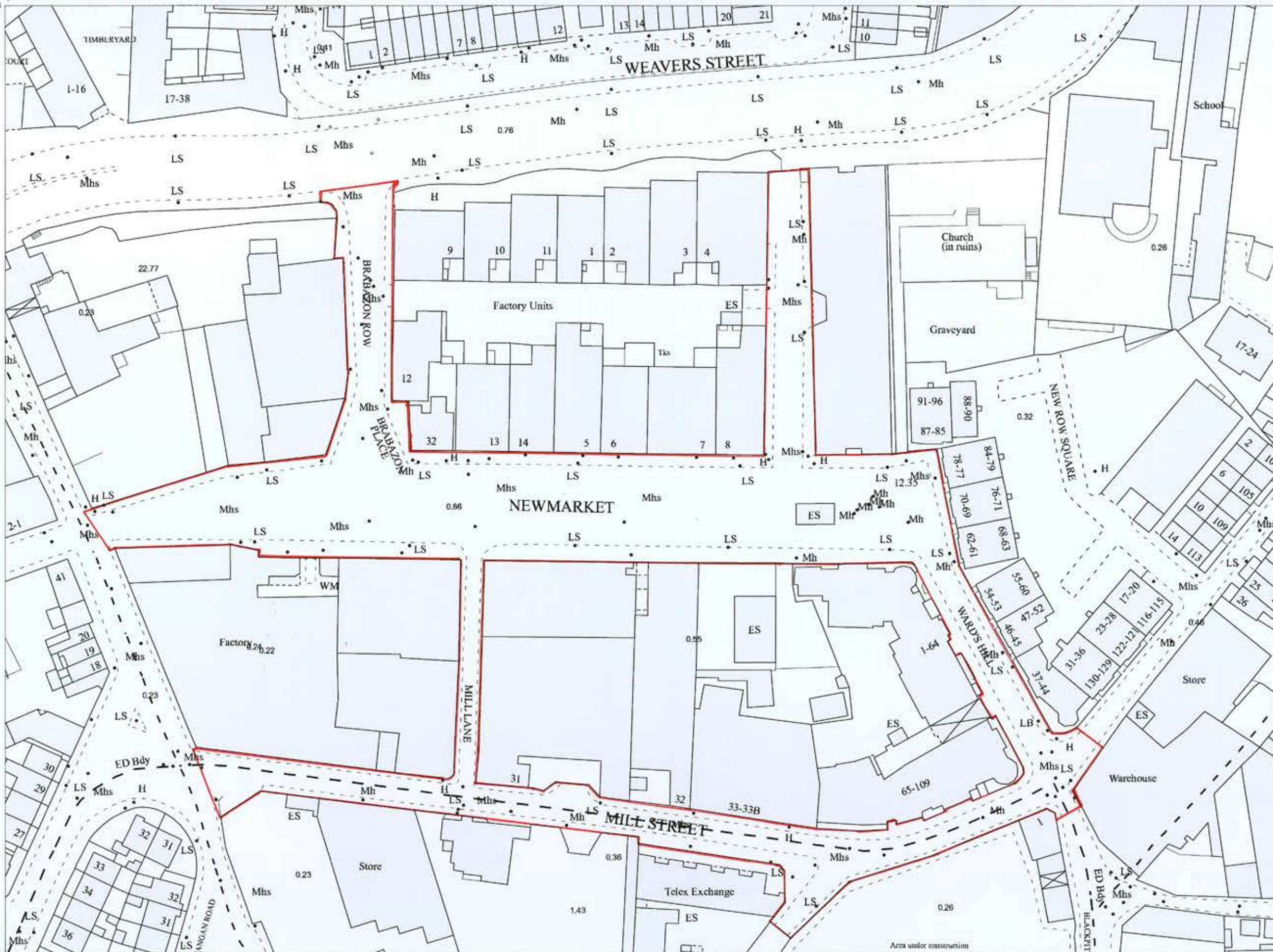
**21<sup>st</sup> June 2017**





Surveyed 1968  
Revised 2015  
Levelled 1983

# Urban PLACE Map



**ITM CENTRE PT. COORDS**

714763,733363

**DESCRIPTION**

**MAP SHEETS**

1:1000  
3263-14



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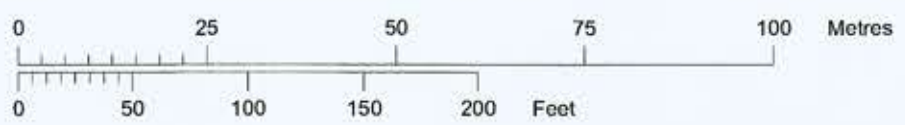
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