

To the Chairman and Members of
the Central Area Committee

For Noting Only:
Report under Part 8 Planning and Development Regulations 2001
Proposed redevelopment of Constitution Hill flats and associated external works
situated at Constitution Hill, Dublin 7



Planning Ref 5387/22

Following initiation of the Part 8 process at the Central Area Committee meeting on the 8th November 2022, the Housing and Community Services Department lodged a Part 8 application on the 7th December 2022 for the redevelopment of the 0.76 hectare site to provide 124 new homes. The proposal is for the deep retrofit and extension of the three existing housing blocks and the construction of two new housing blocks and 10 duplex mews apartments. The height of the proposed buildings range from two to seven storeys. The community provision consists of a multi-use childcare space.

The period for submission of observations ended on the 26th January 2023.

There were 3 no. third party observations made to the planning authority regarding this Local Authority Works application, 2 no. from neighbouring residents and one from the Land Development Agency. The main issues raised being:

- I. Disruption to neighbouring dwellings due to construction working hours;

- II. Potential issues with rodents due to the construction of proposed development;
- III. Impact to daylighting on the neighbouring dwellings to the south due to building height proposed;
- IV. The proposed housing block to the south will create overlooking and privacy issues into neighbouring properties;
- V. Access points to new building, increased footfall and issues with traffic and parking to Catherine's Lane with associated traffic and noise pollution;
- VI. Devaluation of properties on Catherine's Lane;
- VII. Damage to houses on Catherine's Lane due to the construction of foundations for the southern block;
- VIII. Noise pollution from wind turbines;
- IX. Reference to revisions to the existing entrance on Catherine's Lane to include gated pedestrian and vehicular entry – concern in relation to proposal for gated pedestrian access at Catherine's Lane;
- X. LDA submission is supportive of the redevelopment of the Constitution Hill flats, with particular concern in relation to the development on the north-western corner of the subject; the need to offset from the boundary should be shared with adjoining sites.
- XI. A Masterplan led approach to ensure that all state lands in the area are optimised to their full potential and ensure delivery of a high quality neighbourhood.

These issues have been noted and responded to in the Planner's Report

Internal DCC Departments made no objections to the proposed development subject to conditions, which are noted.

The conclusion and recommendation of the Planner's report is:

Overall the proposal to provide new and refurbished residential units on the site is welcome and in keeping with both national policy and development plan objectives. The proposal provides for a high quality new residential development incorporating refurbishment and extension of the existing 1960s blocks and construction of two new north and south blocks and a two-storey block of own-door units, resulting in a high standard of residential amenity with a sustainable mix of unit types catering for a range of household sizes. The proposal would reverse the existing configuration of the blocks which turn their backs on the public street at Constitution Hill, and would provide frontages to new streets and spaces, including new spaces within the site boundary and the recently developed Broadstone Plaza. It is considered that the proposal is of an acceptable scale and would integrate well into the existing built environment and provide for an acceptable transition in scale between the existing blocks and the scale of new development proposed in the Grangegorm/Broadstone SDZ area and possible future developments on the Phibsborough and Broadstone garage sites. The proposal will also provide new private and communal open spaces and a childcare facility.

The submitted sunlight and daylight assessment shows that some adverse impacts would occur to existing daylight levels on nearby dwellings, including apartments at the New Hardwicke, windows at existing dwellings on St. Catherine's Lane and existing windows at Morning Star Avenue. Having regard to the urban context, it is inevitable that the redevelopment of the site would result in some impacts of this type; however, the proposed design has attempted to minimise such impacts and in the majority of cases the impacts identified are minor or negligible. It is also considered that, subject to mitigation measures, the proposed development would not prejudice the possible future redevelopment for housing of the adjoining Phibsborough garage site.

Having regard to the above, it is considered that the proposal is in keeping with development plan provisions, and with the proper planning and sustainable development of the area.

Accordingly, it is recommended that a decision be made by Elected Members of the Council to proceed with the proposed development, subject to compliance with the requirements of Planning and Property Development Department (Archaeology Unit), the Air Quality Monitoring and Noise Control Unit, Engineering Department (Drainage Division).

As approval of a Part 8 application is a reserved function of the Elected Members of the Council, it is our intention to bring the proposal to the April 2023 Council Meeting for formal approval.

A handwritten signature in cursive script, reading "David Dinnigan", is written over a horizontal line.

David Dinnigan
Executive Manager,
Director of Housing Delivery, Housing & Community Services