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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 and pursuant to the requirements of the above, notice is hereby given of Dublin City Council's intention to carry out the following works:**

**Mixed use development comprising social housing, commercial and community uses basement car-parking and ancillary uses for Dublin city Council on lands at Dominick Street Lower.**

**(A) The Site**

The site consists of an existing 5,585m<sup>2</sup> area (0.5585ha) situated on the east side of Dominick Street and extending south to the junction with Parnell Street. The site is a cleared site formerly occupied by Dublin City Council flat blocks, referred to as Dominick Street Flats. The site has a limited frontage to Parnell Street on the corner, and otherwise extends behind existing four-storey buildings on Parnell Street (Nos. 181-185) and an existing laneway which provides access to sites to the rear of Nos. 181-183. The site is bounded to the east by an existing mixed use development at the Ivy Exchange, which fronts onto Parnell Street and backs onto Granby Place, by existing buildings fronting onto Dominick Place and by Dominick Place itself. A new street has been constructed linking Dominick Place with Dominick Street within the site boundary. To the north/northwest of this the site is bounded by an area formerly occupied by flat blocks fronting onto Dominick Place. The site is bounded to the west/southwest by Lower Dominick Street. An extension to the Luas is under construction along this section of Dominick Street. The area on the opposite side of Dominick Street is occupied by five-storey residential blocks in the ownership of Dublin City Council. A right of way is shown over part of the site leading from Dominick Place.

The site has zoning objective Z14 – 'to seek the social, economic and physical development and/or rejuvenation of an area with mixed use of which residential and Z6 would be the predominant uses'. The site is situated in Strategic Development and Regeneration Area (SDRA) 10 - Dominick Street, which also includes the residential blocks on the opposite side of the street and the area to the northeast of the site.

**(B) The Proposal**

This is a Part 8 application for a mixed use development on the site, comprising 72 dwellings with commercial space and community centre. The proposed development comprises five

no. three-bedroomed townhouses, accessed directly from Dominick Place, with private rear gardens, a five- to six-storey corner building at the junction of Parnell Street and Lower Dominick Street containing four no. two-bedroomed and four no. one-bedroomed apartments with associated balconies and roof terraces and commercial use on the ground floor, and a six-storey block containing five no. three-bedroomed, 46 no. two-bedroomed and eight no. one-bedroomed apartments, with associated private balconies and terraces overlooking Lower Dominick Street and a residential courtyard with landscaped gardens at first floor level and community centre and commercial space on the ground floor. The proposal also includes a basement car park with 48 car parking spaces, cycle parking and ancillary accommodation accessed from Dominick Place to the east of the site, paving works on the Lower Dominick Street frontage and completion and surfacing of the new road at Dominick Place.

### **(C) Site Planning History**

The following history files exist in respect of this site:

PL29N.JA0025: Strategic Infrastructure Development – S. 175 Approval granted by An Bord Pleanála for Phase 1 of an urban regeneration scheme comprising mixed-use commercial, residential and community development on site of former social housing scheme at Dominick Street. The application was accompanied by an Environmental Impact Statement.

3594/10(LAW): Approval granted in respect of demolition by Dublin City Council of the two remaining flat blocks to the east side of Dominick Street Lower, being Nos. 61-108 inclusive, Dominick Street Lower; demolition of the two remaining five-storey flat blocks to the east side of Dominick Street, with pedestrian and vehicular access from Dominick Place comprising overall of 16 bedsits and 32 two bedroom duplex units (once the remaining tenants have been moved to alternative accommodation); demolitions to facilitate estate management and mitigate the possibility of anti-social behaviour associated with derelict/empty buildings awaiting regeneration, and thus prepare a vacant site for the commencement of construction of Phase 1 element of the regeneration project on Dominick Street Lower and Dominick Place; 3240m<sup>2</sup> (0.324ha) vacant site to be secured with a 3m high timber hoarding to match existing hoarding on adjoining site, until completion of the proposed Phase 1 element of the regeneration project (the buildings are not protected structures).

1853/06(LAW): Approval granted in respect of demolition by Dublin City Council of three existing flat blocks at Lower Dominick Street and one shop at 185 Parnell Street, to include demolition of three linked five-storey apartment blocks – units 1 to 60 Dominick Street, comprising 20 ground floor bedsit apartments, 20 first/second floor two-bedroomed maisonettes and 20 third/fourth floor two-bedroomed maisonettes and one shop (No. 185 Parnell Street); erection of a 3m high security fence and gate around the site until the completion of the proposed redevelopment which envisages a mix of uses including community facilities, commercial units and social and private residential accommodation with retention of existing single-storey water pumping station on the site.

1290/01(LAW): Observations in respect of proposal by Dublin Corporation to re-roof flats at Dominick Street Lower, nos. 1-108, in five blocks (A, B, C, D & E); to include replacing existing flat roofs with 30-degree pitched roofs, and to extend existing chimneys with clayware pots and to renew the asphalt surface of the flat roofs to staircase enclosures.

#### **(D) Area Committee**

The Central Area Committee was informed of the initiation of the Part 8 planning process for the proposed development at its meeting on the 13<sup>th</sup> September 2016.

#### **(E) Submissions/Observations**

2 submissions/observations were received one on behalf of AGB Developments Ltd and one on behalf of Maurice Ahern.

Main points:

##### Nos. 182-184 Parnell Street:

- Development of site will have a direct impact on lands at Nos. 182-184 Parnell Street which immediately adjoin the site;
- No objection in principle but concern that ground floor commercial space on Parnell Street portion of corner building extends over basement of Nos. 182-184 Parnell Street; need to demonstrate that applicant has sufficient legal interest in this area and to provide details of ownership of the area and that proposal would have no current or future impact on ownership of the basement of No. 184;
- Potential for overlooking from windows at rear of corner building at junction with Parnell Street onto rear of Nos. 182-184 Parnell Street (i.e. from apartments 17, 31 and 45, all of which are type H and have two windows each facing east, and apartments 59 and 72 which have balconies facing east); the windows in question are to bedrooms or to kitchen/living rooms; also noted that no clear east elevation of the corner building has been submitted apart from the schematic drawing – a more detailed east elevation drawing would be required and design and layout of apartments should be reviewed to ensure that windows in these elevations can be obscure glazed; design measures should also provide for obscuring of views from the balconies at fourth and fifth floor levels;
- Further details required regarding function of rear garden to corner building including arrangements for security, boundary treatments etc.
- Need to clarify issues including service access for two ground floor commercial units on proposed corner building, access through Granby Place and Dominick Place to car park, refuse area and service corridor for cars and HGVs, purpose of door at south eastern end of service corridor, number of proposed commercial units on Dominick Street block with potential for subdivision, and potential uses particularly of two spaces in proposed corner building including possible restaurant/café use;
- Servicing of two ground floor commercial units to front could cause potential adverse traffic impacts;
- Concerns regarding traffic capacity of Granby Place which would serve as an access route to the proposed development;
- Need for autotrack drawings to prove that safe traffic movements can occur at this location without impacting on the safety of other road users;
- Need for further details of traffic management;
- Critical photomontage views not considered or assessed (e.g. view from Parnell Street looking east towards Parnell Square, view from south of junction of Parnell Street and Dominick Street looking north, view from Parnell Street looking west towards Capel Street, all with surrounding context);

##### Nos. 181-183 Parnell Street:

- Development potential of site to rear of Nos. 181-183 has been impeded by removal by Dublin City Council of corrugated sheeting from roof and requirement to remove walls above 2.4m over ground level, as An Bord Pleanála in their assessment of the

previous application deemed the building to be in a derelict condition and unlikely to be developed; this site had a live permission for a four-storey office block at the time and it is now proposed to develop it for student accommodation;

- Structure at Nos. 181-183 originally had windows on the boundary which it is now proposed to build against;
- Concern regarding proposed refuse chute adjacent to boundary with Nos. 181-183;
- A minimum separation of 2m (ideally 5m) should be provided between the proposed development and the north western boundary of the site at Nos. 181-183.

These submission/observations are noted and the issues raised will be assessed below.

## **(F) Evaluation**

The proposal is for a mixed use development by Dublin City Council on the site, comprising 72 dwellings with commercial space and community centre. The proposed development includes five three-bedroomed townhouses, accessed directly from Dominick Place, with private rear gardens, a five- to six-storey corner building at the junction of Parnell Street and Lower Dominick Street containing four two-bedroomed and four one-bedroomed apartments with associated balconies and roof terraces and commercial use on the ground floor, and a six-storey block containing five three-bedroomed, 46 two-bedroomed and eight one-bedroomed apartments, with associated private balconies and terraces overlooking Lower Dominick Street and a residential courtyard with landscaped gardens at first floor level and community centre and commercial space on the ground floor. The proposal also includes a basement car park with 48 car parking spaces, cycle parking and ancillary accommodation accessed from Dominick Place to the east of the site, paving works on the Lower Dominick Street frontage and completion and surfacing of the new road at Dominick Place

### *Policy Context*

Under the current Dublin City Development Plan (2016-22) the site has zoning objective Z14 – ‘to seek the social, economic and physical development and/or rejuvenation of an area with mixed use of which residential and Z6 would be the predominant uses’. The site is situated in Strategic Development and Regeneration Area (SDRA) 10 - Dominick Street. Residential, neighbourhood shop, restaurant and community use are permissible within the zoning.

Areas with zoning objective Z14 are described in Section 14.8.13 of the plan as areas, including large scale public housing areas, where proposals for comprehensive development or redevelopment have been, or are in the process of being, prepared. The zoning includes developing areas in the inner and outer city which have the capacity for a substantial amount of development. A number of Z14 areas are important public housing regeneration areas and, in the case of each, a number of development principles to guide the development of each area have been identified. Z14 areas are capable of accommodating significant mixed use development; development proposals must therefore include proposals for additional supporting physical and social infrastructure.

Section 15.1.1.13 of the plan sets out the guiding principles in respect of the Dominick Street SDRA. It is noted that, in the 1960s, a number of Georgian houses in use as tenements were demolished by Dublin Corporation and replaced with eight five-storey flat blocks. A renewed commitment to regeneration and the creation of sustainable communities has now led to a decision to demolish these blocks and replace them with a mixed use, mixed tenure development within the larger (1.26-hectare) site. This has resulted in demolition of the flat blocks on the east side of Lower Dominick Street, creation of a new east-west link to Dominick Place and disposal of a site to the Department of Education and Skills for a new primary school. Planning consent for Phase 1 of the development was granted by An Bord Pleanála in May 2012 and this was accompanied by a masterplan for the wider site.

Guiding principles for the redevelopment of the SDRA include:

- Development of a high quality mixed use scheme to be promoted to strengthen the functions and urban character of the north city centre, with active street frontages accommodating a range of high quality mixed uses and services to be promoted at street level with quality residential units above to create a vibrant city centre streetscape;
- Design to respect and integrate positively with the Georgian streetscapes of Dominick Street Lower, and to respect, in terms of its design and scale, the special architectural quality of the local area including Parnell Square; new development to promote high quality contemporary architecture to add to the rich legacy of the built heritage in this part of the north city centre;
- Dominick Street to be reinvented as a civic space with a high quality public realm for its entire length, with widened paving and planting where feasible; redevelopment to the west of the street to allow for a public space/plaza to Dominick Lane;
- Rejuvenation of side streets in local area connecting Capel Street with Parnell Square, passing through the new development; layout to encourage these connections by providing pedestrian through routes and clear lines of visual permeability to encourage east-west movement;
- High quality public realm for Dominick Street Lower, with new side streets and areas of civic space to encourage pedestrian movement through the development; quality of new streetscapes to reflect civic importance of location within city centre;
- New development to integrate positively with proposed new Luas cross city line to take advantage of this strategic public transport network.

The proposal is for a development of 72 dwellings with commercial space and community centre. The proposal is part of a larger development in the SDRA, which includes the site of the existing flat blocks on the opposite side of Dominick Street and the area on the opposite side of Dominick Place the latter of which is to accommodate a new primary school. The covering submission notes that the new street at Dominick Place was permitted as part of the previous permission by An Bord Pleanala and constructed on foot of this. It is noted that although the development was sub EIS threshold, an EIS was prepared for the masterplan and Phase 1 of the development. An Bord Pleanala accepted the submission with the EIS and assessed it as a Strategic Infrastructural Development.

The indicative plot ratio for areas with Z14 zoning objective is between 1.0 and 3.0 while indicative site coverage is 50%. The covering submission notes that the proposed development has a plot ratio of 2.63 and site coverage of 73%. The covering submission notes that, if the first floor courtyard space is included as open space in the calculations, the proposed site coverage would be 45%. The proposal provides for 72 dwelling units with a density of c.129 dwellings per hectare, which is considered sustainable in this inner city location, subject to good design and residential amenity considerations, including the amenities provided by the units themselves and the impact on any adjoining residents.

In relation to new residential developments, Section 16.10.2 of the plan notes that the floor area standards for new apartments are currently set out in the DOECLG document – ‘Sustainable Urban Housing: Design Standards for New Apartments’ (December 2015). The minimum floor area for a one-bedroomed apartment is 45m<sup>2</sup>, for a two-bedroomed apartment is 73m<sup>2</sup> and for a three-bedroomed apartment is 90m<sup>2</sup>. In developments of 100 units or more, the majority of all units must exceed the minimum floor area by 10%. A minimum of 50% of units must be dual aspect (in certain circumstances such as in inner urban areas, this may be reduced to 33%). While south facing units are preferred, east or west facing units are also considered acceptable; however, it is stated that particular care

must be applied where windows are on lower floors which may be overshadowed by adjoining buildings. The floor to ceiling height in ground floor apartments is required to be a minimum of 2.7m. In cases where a ground floor unit may potentially be adapted for commercial use, a floor-to-ceiling height of 3.5-4.0m may be required.

Section 16.10.1 states that a maximum of 25-30% of units in a development should be one-bedroomed and a minimum of 15% should have three or more bedrooms. This ratio only applies to proposals for 15 units or more and 'may not apply to certain social housing developments or where there is a need for a particular type of housing (e.g. for the elderly or for students).

Private open space of 5m<sup>2</sup> per unit is required in the case of one-bedroomed apartments, 7m<sup>2</sup> in the case of two-bedroomed apartments and 9m<sup>2</sup> for three-bedroomed apartments. A further 5m<sup>2</sup> per unit of communal open space is required in the case of one-bedroomed apartments, 7m<sup>2</sup> for two-bedroomed apartments and 9m<sup>2</sup> for three-bedroomed apartments. Internal storage of 3m<sup>2</sup> is required for one-bedroomed apartments, 6m<sup>2</sup> for two-bedroomed apartments and 9m<sup>2</sup> for three-bedroomed apartments with individual storage rooms not to exceed 3.5m<sup>2</sup>.

#### *Dwelling Sizes/Layout/Residential Amenity*

The proposal provides for 67 apartments in two adjoining blocks at Dominick Street and Dominick Street/Parnell Street. Twelve of the proposed apartments (16.7% of the total number of residential units) would be one-bedroomed, 69.4% would be two-bedroomed and a total of ten dwelling units (13.8%) including the five proposed houses would be three-bedroomed. The proposal is for a social housing development in accordance with the requirements for housing in the area.

The proposed apartments would all be situated at first floor level or above, in the main block and the adjoining corner block. Access to the apartments in the main block would be via six entrance/stair cores situated at first floor level along the central courtyard which, in turn, is accessed via two entrances with lift/stair cores, situated at either end of the main block. To the east the courtyard would be screened by a row of trees in a planter. The corner block would have a separate entrance and stair core leading from Dominick Street.

A schedule of floor areas has been submitted and this shows that all of the apartments exceed the minimum floor area requirements. The majority of the apartments are type A two-bedroomed units which have floor areas of 79.7m<sup>2</sup> (i.e. 6.7m<sup>2</sup> in excess of the minimum 73m<sup>2</sup> required). It would also appear from the calculations submitted that the majority of the apartments exceed the minimum floor area by 10%, as required by the guidelines. The submission also notes that all five three-bedroomed townhouses, which have been excluded from the calculations, exceed the minimum floor area requirement by more than 10%. Most of the proposed apartments are dual aspect, in most cases with two apartments per lift/stair core on each floor. The proposed one-bedroomed Type D apartment is single aspect, facing west onto Dominick Street, with just one of this unit type, while two Type E apartments are also one-bedroomed, single aspect and west facing. In the corner block the proposed type H apartments are dual aspect while the one-bedroomed Type J apartments are corner units facing south and west. All apartments provide for floor-to-ceiling heights of 2.7m.

Internal storage is provided to all of the proposed apartments, although in a number of cases this is below the minimum required and is also shown as including bedroom wardrobes. Storage should be for the purpose of storing bulky household items, and should therefore be additional to bedroom wardrobes. It is noted that floor areas in most cases exceed the minimum required and additional freestanding or built-in storage units could therefore be provided if required without unduly compromising the overall floor area. The covering

submission also notes that two basement storage units have been provided for the use of residents and these will provide additional storage allocated to individual apartments.

Private open space is provided to the apartments by way of balconies. In the main block these are located off livingrooms to the front of the units facing Dominick Street, with smaller balconies to the rear facing the proposed first floor courtyard in some cases. The predominant Type A two-bedroomed apartments provide for 15.9m<sup>2</sup> of balcony space (i.e. in excess of the 7m<sup>2</sup> recommended) while the one-bedroomed Type B apartments provide for 9.6m<sup>2</sup> (in excess of the 5m<sup>2</sup> requirement) and the single aspect Type D apartment provides for a 22m<sup>2</sup> balcony along the Dominick Street façade. The proposed dual aspect Type C and C1 (three-bedroomed) apartments are stated as providing for 22m<sup>2</sup> of balcony space with the plans showing these as having 35.9m<sup>2</sup> when the front and rear balconies are included. The proposed one-bedroomed Type E apartments has 15.9m<sup>2</sup> of balcony space at the Dominick Street elevation. The proposed Type H apartments are dual aspect, but have balconies at the Dominick Street elevation only, with a total area of 8.1m<sup>2</sup>, while the corner Type J units have south facing 7.7m<sup>2</sup> balconies. The proposed two-bedroomed Type K (fourth floor) apartment in the corner block which is dual has a 40.5m<sup>2</sup> area of open space in the area separating the two blocks at this level, while the one-bedroomed Type L apartment has a 7.4m<sup>2</sup> south facing balcony.

The proposal also provides for shared semi-private open space by way of the proposed first floor courtyard. This has an area of 1,196m<sup>2</sup> which is significantly in excess of the minimum 455m<sup>2</sup> required for communal open space. The covering submission states that the proposed courtyard would consist of semi-private garden spaces overlooked by the apartments, laid out to provide for vegetable patches, lawns and play areas.

Overall, the proposed apartments are considered to provide for an acceptable standard of residential amenity and private open space. The proposed development also includes five three-bedroomed townhouses (Type G) fronting onto Dominick Place and facing the proposed new school site. The floor areas for houses are set out in the DEHLG document 'Quality Housing for Sustainable Communities' (2007). The development plan requires a minimum standard of 5-8m<sup>2</sup> per bedspace for houses in the inner city. Where dwellings have little or no front gardens it is important to provide defensible space, such as a planted strip, between the front of the house and the public footpath. Rear gardens and other private open space areas should be screened from public view, be overlooked from the living area or kitchen of the house and not back onto roads or the public footpath.

The proposed new houses are three-storey, three-bedroomed dwellings with a gross internal floor area of 117.6m<sup>2</sup> each. The minimum floor area for a dwelling of this type as set out in the departmental guidelines is 102m<sup>2</sup>. The proposed floor area and aggregate living and bedroom areas are acceptable. A small balcony is also shown to the front of each house at first floor level. Private open space of 14.7m<sup>2</sup> is provided to the rear of the dwellings. In this regard it is noted that the private open space requirement for a house in the inner city with five bedspaces is 25m<sup>2</sup>. The proposal provides for a c.2m setback at ground floor level between the public footpath and the entrances to the houses, which would accommodate refuse storage. Brick pillars to the front would provide separation between the houses and the street while still allowing for views through to the facades of the houses. There is concern that the proposed walls and gates could result in a blank frontage to the street, which would not provide for adequate interface with the street or for passive surveillance; it is recommended that walls and entrance gates to the townhouses be no more than 1.2m high at the boundary with the street. A ground floor wc would be situated directly off the entrance area and would face onto the forecourt area. Storage areas are provided in the rear garden. While the proposed new houses are considered to be acceptable in respect of floor area and layout, there is concern regarding the lack of interface with the new street at Dominick Place at ground floor level.

Section 16.10.4 of the plan states that new neighbourhoods should harmonise with the local character and further develop the unique character of areas. New developments should also make a contribution to social infrastructure to enable the creation of sustainable neighbourhoods. Proposals should also have regard to the provisions of the DEHLG's Guidelines on Sustainable Residential Development in Urban Areas and the accompanying Urban Design Manual (2009), the Guidelines on Local Area Plans and related manual (2013) and the joint DTTS and DECLG Design Manual for Urban Streets and Roads (2013). All proposals for new developments of 15 or more units or 1,500m<sup>2</sup> must demonstrate that they contribute to a positive urban design response in the local context and how they contribute to place making and the identity of an area, in addition to the provision of social infrastructure to facilitate the creation of sustainable neighbourhoods.

#### *Scale/Height/Design*

The proposal consists of three blocks – i.e. the main block fronting onto Dominick Street, which has commercial and community uses at ground floor level and residential uses above, the corner block between Dominick Street and Parnell Street, containing eight apartments at the upper levels and commercial use at ground floor level and the block of five townhouses fronting Dominick Place.

A detailed covering report has been submitted with the application. This states that it is intended that Dominick Street will become an exemplary inner city regeneration project, underpinned by responsible social engagement and by the six themes of cultural vision, social vision, urban character, city spaces, movement vision and sustainable vision. The proposal would replace the previous development permitted by An Bord Pleanála with an updated design. It is considered that the location along the Luas line and the reinstatement of a building line along Dominick Street will add to the civic spatial quality of the north inner city, while active uses at street level would contribute to daytime activity in the vicinity. The proposal builds on the typology of the Georgian townhouse and streetscape and would reinstate the historic character of Dominick Street.

The proposed corner block would range in height from four-storey onto Parnell Street to align with the existing four-storey streetscape, to an adjoining pop-up six-storey element and a four-storey element in the area adjoining the main six-storey block along Dominick Street. The proposal provides for commercial units with a floor-to-ceiling height of 3.6m along Dominick Street and Parnell Street, which could accommodate a range of uses including retail, retail services or café/restaurant. The proposed community centre would be situated at ground floor level on the corner of Dominick Street and Dominick Place, and is intended for use by residents of the proposed development and of the wider area.

The vehicular access to the basement car parking area would be situated off Dominick Place and would extend behind the proposed new houses. To the rear of this would be an at-grade service entrance leading to the refuse area and to a service corridor extending behind the commercial units. The refuse area would be situated between the houses and the main mixed use block, bounded by Dominick Place on one side and by the service corridor on the other.

The proposed commercial space in the main block has the potential to be subdivided into a number of units with two additional smaller units in the corner block. Full details of the uses of the units would need to be agreed with the planning authority prior to occupation of the units and details of extraction and ventilation for any restaurant/café units would need to be agreed. The proposed community centre is also situated at ground floor level and consists of an entrance area, ancillary storage and toilets, with multi-purpose room and activity room surrounding a small courtyard.



Drawings showing the proposed development, including axiometric drawings and contextual elevation drawings, have been submitted. The proposed retail/commercial units extend to the street edge with brick pillars separating the units and extending upwards. The upper floor apartments are set back behind balconies which extend to the street elevation and are partly screened from the street by brick pillars. The corner block has a four-storey elevation to Parnell Street, rising to equate with the proposed six-storey height along Dominick Street, and has a stone clad finish and presents a partly blank elevation to Dominick Street with glazed shopfronts to Parnell Street. This appears to portray a Georgian typology where side elevations are left blank and the focus is on the main elevation. A similar treatment occurs in the case of the corner of Dominick Street and Dominick Place where the proposed community centre is situated at ground floor level.

The proposed external finishes consist of red brick with naturally coloured lime mortar to the main block and a Dublin granite cladding finish to the corner block. The finishes include clear glazed stainless steel framed balconies and composite timber windows and doors externally clad in powder coated aluminium. The proposed shopfronts would consist of glazing, which would be frameless or with concealed frame details. Entrance canopies would consist of clear glass in stainless steel structures and stairwells would consist of coloured glass with rain screen cladding. The proposed new houses fronting Dominick Place would have a red brick finish with clear glass to first floor balconies, composite timber windows and hardwood framed entrance doors. The proposal provides for durable external finishes in keeping with the existing character of Dominick Street and Parnell Street.

#### *Third Party Observations*

Concerns have been raised regarding the impact of the proposal on lands adjoining the site at 182-184 Parnell Street just south of the site, and the site to the rear of No. 181-183 which is also to the south of the site. The issue of legal interest in the area above the basement of Nos. 182-184 and the future of this basement area has been raised. In this regard a request has been made for formal confirmation from Dublin City Council's Planning and Property Division and Law Department that the Council holds title to the areas in question, and that the application site is wholly on lands owned by Dublin City Council. The Housing and Community Department will forward relevant confirmations on receipt.

The issue of overlooking from windows in the rear of the corner building onto Nos. 182-184 Parnell Street has also been raised. The Type H apartments each have a kitchen and bedroom window facing east, which would not directly overlook the site of No. 182-184. There would not appear to be any direct overlooking between the corner block and Nos. 182-184. Similarly, the balconies to Nos. 59 and 72 would not directly overlook Nos. 182-184.

City Architects division have confirmed that windows in units 17, 31 and 45 (type H) looking East do not directly overlook Nos. 182-184 Parnell Street. Similarly the terrace to the north of apartment 59 and window in apartment 59 looking east do not directly overlook Nos. 182-184. The terrace to the south of unit 59 (i.e. the roof of unit 32) adjoins the eastern boundary of Nos. 182-184 Parnell Street; however, this terrace is above the roof level of the adjacent property and would overlook the roofscape of the adjacent site as currently laid out. Similarly the balcony to unit 72 does not have a direct view of Nos. 182-184 while the view eastwards is of the roofscape of the adjacent buildings. This is evident from the elevational drawing (Ref 15 DOM\_ PP 24) of Parnell Street; however, the consultant architects have agreed to prepare further sketch drawings if required to indicate this relationship and these can include the roofscape of the adjacent buildings on their drawings.

It has been confirmed that the space to the rear of the corner building would be a yard space, with access to the refuse store in the main building. Boundary treatments and finishes are to be confirmed by the consultant architects.

City Architects have confirmed that service access to the small commercial units in the proposed corner building would be from Dominick Street. The commercial space in the main block has been designed with some flexibility in mind, in order to respond to market demands both in relation to optimum size and type of commercial use. The space has been designed to accommodate one unit or several smaller units. The purpose of the door in the southeast end of the service corridor is for fire escape purposes. The door opens onto an area in Dublin City Council's ownership and onto a lane, which is in charge.

Four photomontage views of the proposed development have been submitted and it is considered that these adequately demonstrate the visual impact of the proposal. This is also demonstrated in contiguous elevational drawings of the Parnell Street, Dominick Street and Dominick Place elevations which form part of this submission.

The proposed corner block is set back from the boundary with Nos. 181-183 Parnell Street. At ground floor level the proposal provides for a separation of c.5.5m between the corner block and the site boundary. The main block extends to the southern boundary of the site at ground floor level but the proposed first floor courtyard is situated directly above this. The courtyard can be screened to avoid overlooking while overshadowing would not be an issue due to the location directly north of Nos. 181-183. No windows are proposed in the ground floor elevation, which would accommodate the refuse store for the proposed development. In inner city developments, it is not unusual for little or no separation to be provided between commercial units at ground floor level and this is not an issue provided windows are not situated on the boundary. The refuse area would need to be adequately ventilated and regularly cleaned to avoid odours, while sufficient screening can be provided to the first floor open space area to avoid any overlooking.

City Architects have confirmed that the upper level courtyard garden would be screened on its southern boundary by a storey-height wall which would prevent overlooking. This is shown on drawing 15 DOM-PP017. The main access stair from street level to the courtyard runs along this wall and there is a pergola feature proposed over the stair. There are no windows in this wall. There is a door at ground level from the rear yard of the corner building to the refuse store. The refuse store will be properly ventilated (technical details to be resolved at detail design stage) and maintained.

### *TII Considerations*

A submission has been received from Transport Infrastructure Ireland which raises a number of issues in relation to the Luas Cross City on Dominick Street. Issues raised include relocation of the LCC technical cubicle to a location adjoining the proposed relocated Dominick Place under an existing agreement with Dublin City Council, with full plans and details of the technical cubicle relocation and agreement to be resolved prior to a decision on the application being made and the agreed details to be legally recorded and included as part of the final Part 8 drawings for future reference. It is likely that Luas Cross City will be live and operational on commencement of construction of the proposed development and road relocation; measures to protect any Luas infrastructure in the vicinity need to be agreed in order to avoid damage during construction. A construction methodology needs to be submitted and agreed prior to commencement with issues to be addressed including staging and operation of mechanical plant and equipment, pedestrian and vehicular traffic management, basement excavation and retaining wall type, vibration and settlement monitoring, construction of the southwest façade adjoining the Luas alignment, *in situ* protection of the proposed relocated Dominick stop technical cubicle, interface works to the footpath adjoining the southwest façade and protection of OCS building fixing on Parnell Street with all works to be carried out in accordance with TII's code of engineering practice.

A report has been received from Roads and Traffic Planning Division and this recommends attaching conditions in relation to compliance with code of practice for working on or near the Luas system, submission of a construction management plan, to include traffic and pedestrian management issues and details of the materials proposed in the public areas. Roads and Traffic Planning Division note the proximity to the city centre and to public transport and state that there is no objection to the proposal subject to conditions.

#### *Conclusion*

It is considered that the proposal provides for an acceptable scale and density of development on this inner city SDRA site, which would be in keeping with development plan policies including the objectives for the SDRA. The proposal would provide for an acceptable mix of uses and dwelling types and would provide for active ground floor uses facing the new Luas extension, which would assist in the regeneration of the area. The proposal would provide for an acceptable standard of residential amenity while the proposed community centre would contribute to the social infrastructure in the area. Having regard to the scale, massing and layout of the proposal, it is not considered that it would have an adverse impact on the amenities or development potential of adjoining sites, or on the streetscape.

Having regard to the above, it is considered that the proposal would be in keeping with development plan provisions, and with the proper planning and sustainable development of the area. There is therefore no objection to the proposal.

#### **Recommendation:**

The proposal has been assessed having regard to the nature and scale of the proposed development, the established pattern of development in the area and the zoning provisions and it is considered consistent with the provisions of the Dublin City Development Plan, including the objectives for the Dominick Street SDRA, and 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 without modification, subject to the requirements of the respective divisions of the City Council provided below, which are to ensure orderly development on the site.

1. Full details of uses of ground floor commercial units to be agreed with the planning department. In the case of any restaurant/café uses details of a scheme for extraction and ventilation to be submitted and agreed.
2. All external signage to the ground floor units to consist of individual lettering, mounted directly onto the fascia of the unit, in a material such as stainless steel. Signage for the community centre to be in a high quality material with lettering of an appropriate scale.
3. Full details of the materials to be used, including samples, to be submitted to the planning department for approval prior to commencement of development.
4. The Housing Department shall consult with Transport Infrastructure Ireland in relation to meeting their requirements and to reach agreement in relation to the relocation of the Luas Cross City technical cubicle.
5. The following archaeological requirements 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.

6. The following requirements of the Engineering Department (Drainage Division) shall be complied with,

a) The developer shall comply 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) A connection from this development to the public surface water sewer network will only be granted when the developer has obtained the written permission of the Drainage Division and fulfilled all the planning requirements including the payment of any financial levies. All expense associated with carrying out the connection work are the responsibility of the developer. Developers are not permitted to connect to the public drainage network system without written permission from the Drainage Division. Any unauthorised connections shall be removed by the Drainage Division at the developer's expense. A licence will be required from the Drainage Division to allow the connection work to be carried out. Permission of the Roads Dept must also be obtained for any work in the public roadway.

c) The development is to be drained on a completely separate system with separate connections to the public foul and surface water systems.

d) The development shall incorporate Sustainable Drainage Systems in the management of stormwater. Full details of these shall be agreed in writing with Drainage Division prior to commencement of construction.

e) All surface water discharge from this development must be attenuated to two litres per second.

f) An appropriate petrol interceptor shall be installed on the internal drain from the car park. Please refer to section 20 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

g) Dublin City Council's drainage records are indicative and must be verified on site. The developer must carry out a comprehensive site survey to establish all drainage services that may be on the site. If drainage infrastructure is found that is not on Dublin City Council's records the developer must immediately contact Dublin City Council's Drainage Division to ascertain their requirements. Detailed "as-constructed" drainage layouts for all diversions, extensions and abandonment of the public drainage network; in both hard and soft copy in an approved format; are to be submitted by the developer to the Drainage Division for written approval. See section 5 of the above-mentioned Code of Practice for more details.

h) All private drain fittings such as, downpipes, gullies, manholes, Armstrong Junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve.

i) To minimise the risk of basement flooding, all internal basement drainage must be lifted, via pumping, to a maximum depth of 1.5 metres below ground level before being discharged by gravity from the site to the public sewer.

7. The following requirements of the Roads and Traffic Planning Division are noted:

a) The development shall comply with the Code of Practice for Working On, Near or Adjacent to the Luas Tram System.

b) A Construction Management Plan for the proposed works shall be submitted prior to commencement of development for the agreement of Environment and Transportation Department and TII. The plan shall include;

i. Hoarding and scaffolding arrangements;

ii. Traffic management, including pedestrian management;

iii. Staging of mechanical plant and equipment;

iv. Construction access and egress arrangements; and

v. Utilities and services co-ordination.

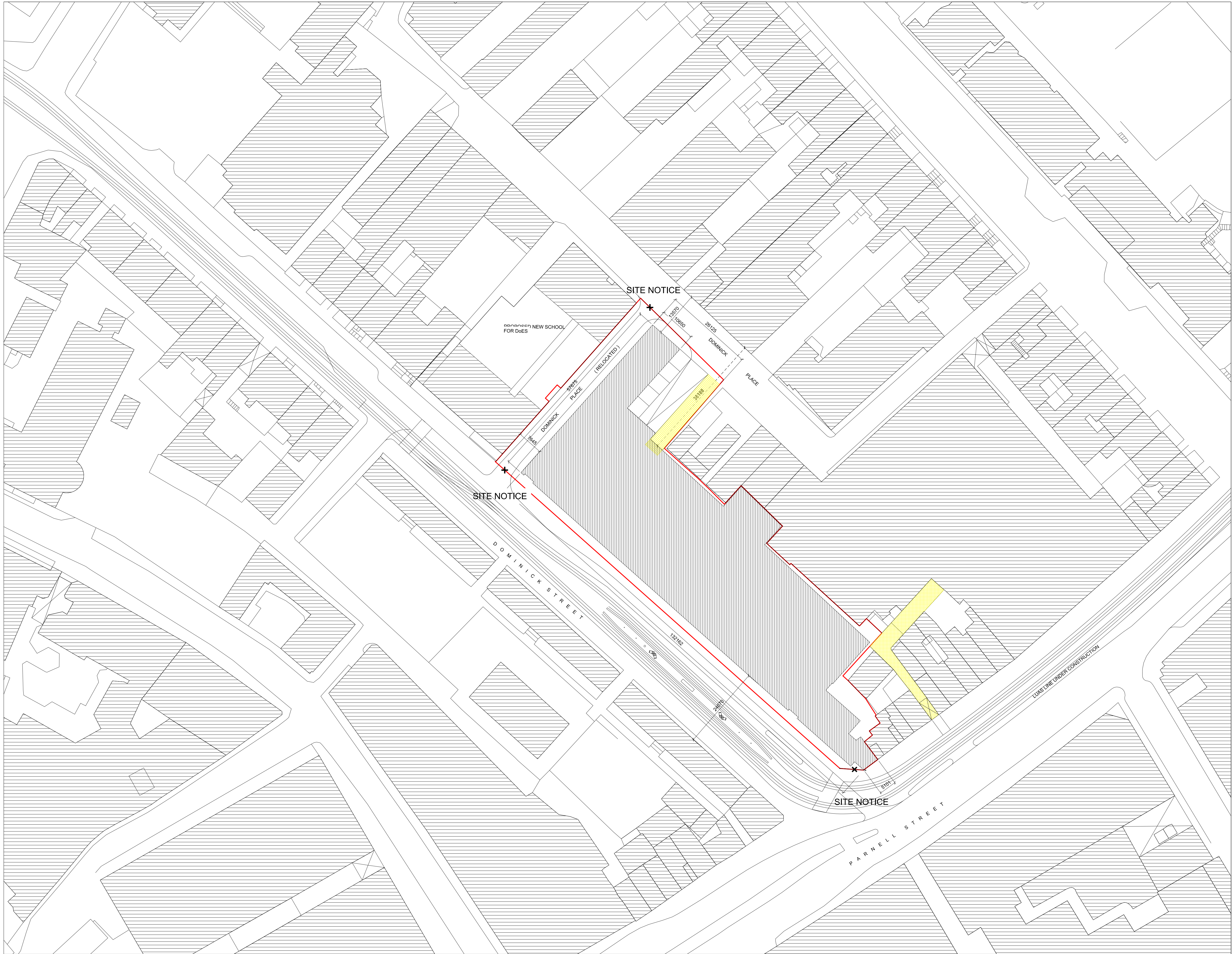
c) Details of the materials proposed in public areas is required and should be in accordance with the document Construction Standards for Roads and Street Works in Dublin City Council and agreed in detail with the Road Maintenance Division.

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 Keegan**  
**Chief Executive**

**25<sup>th</sup> January 2017**





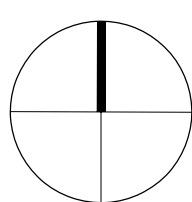
SITE LOCATION BASED ON  
ORDNANCE SURVEY OF IRELAND MAP

ORDNANCE SURVEY OF IRELAND  
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OS MAP REFERENCES :  
3197 - 25  
3263 - 5

LEGEND

- SITE BOUNDARY
- LOCATION OF SITE NOTICE
- ▨ RIGHT OF WAY



REV	REVISION TITLE	DATE

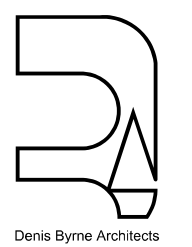
**DOMINICK STREET HOUSING  
DUBLIN 1**

**SITE PLAN**

**CARR  
COTTER  
&  
NAESSENS  
ARCHITECTS**

Project No. 15\_DOM  
Drawing No. 15\_DOM\_PP\_03  
Scale 1:500  
Sheet size A1  
Date 10.10.2016

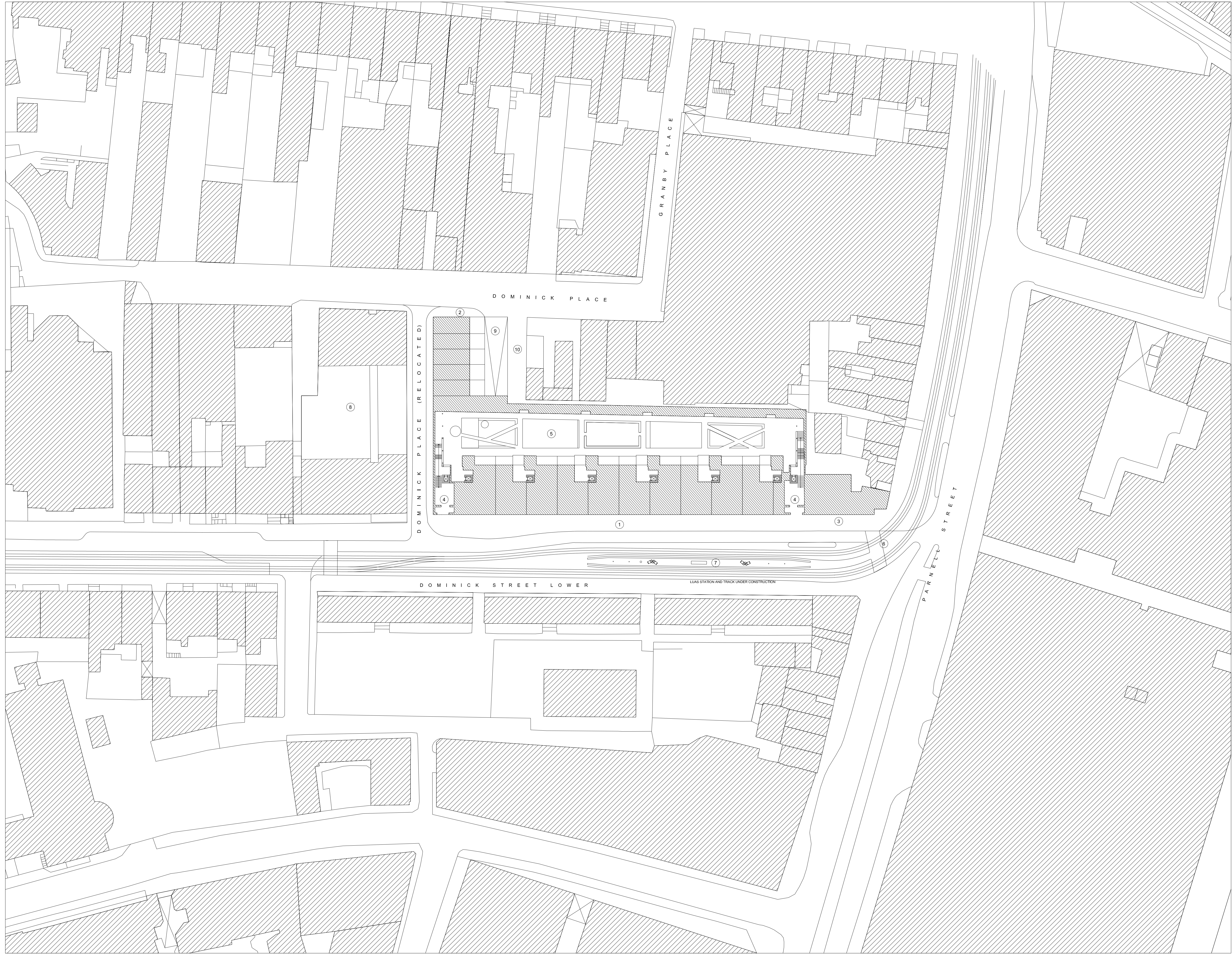
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SITE PLAN BASED ON  
ORDNANCE SURVEY OF IRELAND MAP

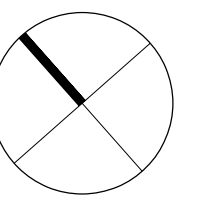
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OS MAP REFERENCES :

3197 - 25  
3263 - 5

LEGEND

- 1 DOMINICK STREET BUILDING
- 2 DOMINICK PLACE TOWN HOUSES
- 3 CORNER BUILDING
- 4 STAIRS & LIFT TO UPPER GARDEN
- 5 SEMI-PRIVATE GARDEN ABOVE RETAIL
- 6 LUAS LINE
- 7 LUAS STOP
- 8 SITE OF PROPOSED NEW SCHOOL FOR DoES
- 9 ENTRANCE TO CAR PARK
- 10 GOODS/SERVICE ENTRANCE



REV	REVISION TITLE	DATE

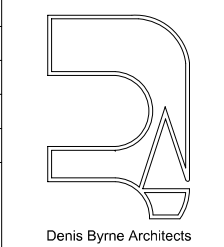
**DOMINICK STREET HOUSING DUBLIN 1**

LAYOUT OF BUILDINGS AND GARDEN ON SITE

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&  
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Project No. 15\_DOM  
Drawing No. 15\_DOM\_PP\_04  
Scale 1:500  
Sheet size A1  
Date 10.10.2016

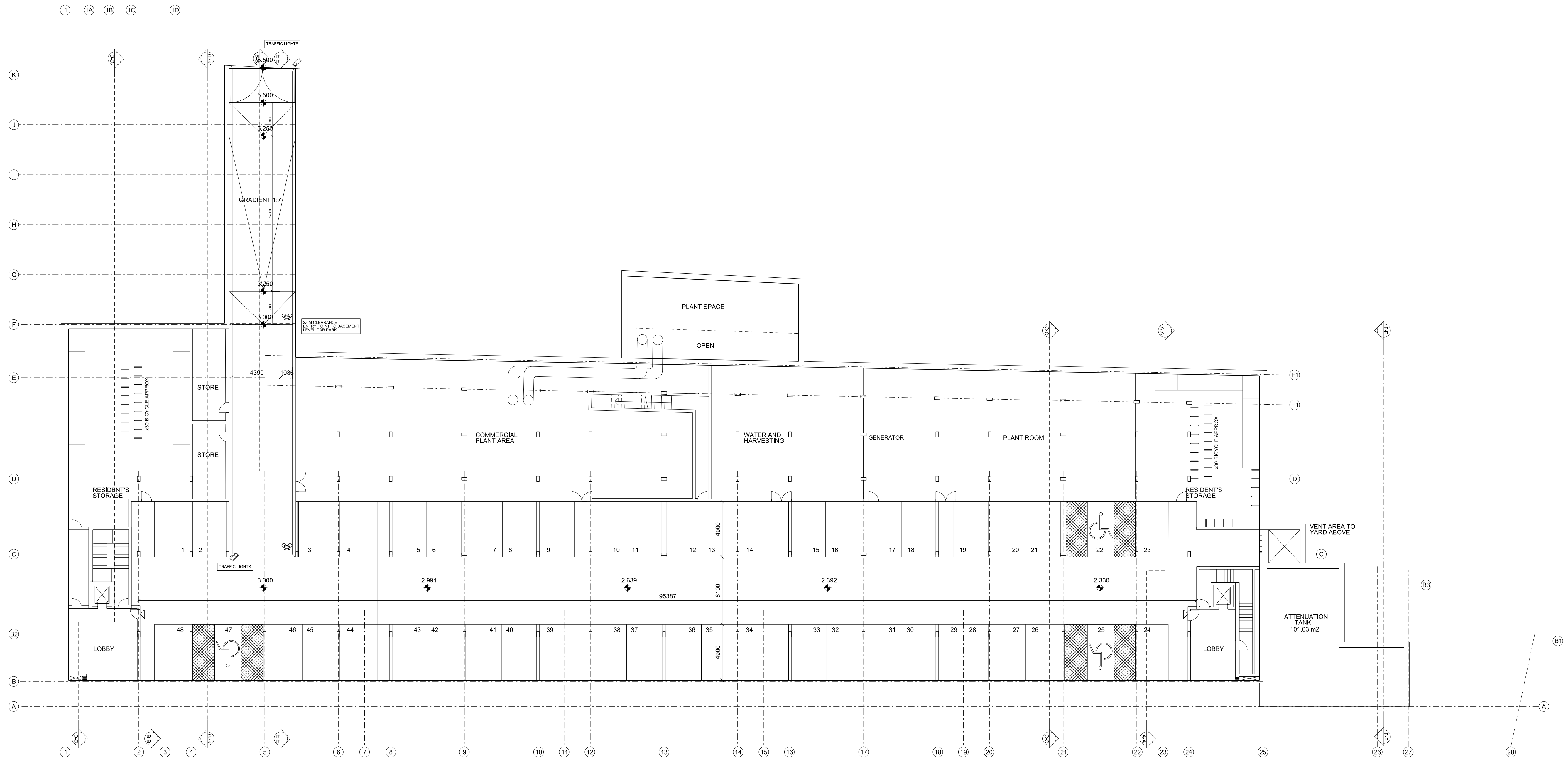
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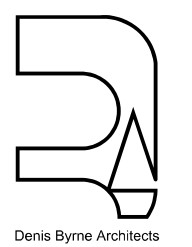
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**DOMINICK STREET HOUSING  
DUBLIN 1**

**BASEMENT  
PLAN**

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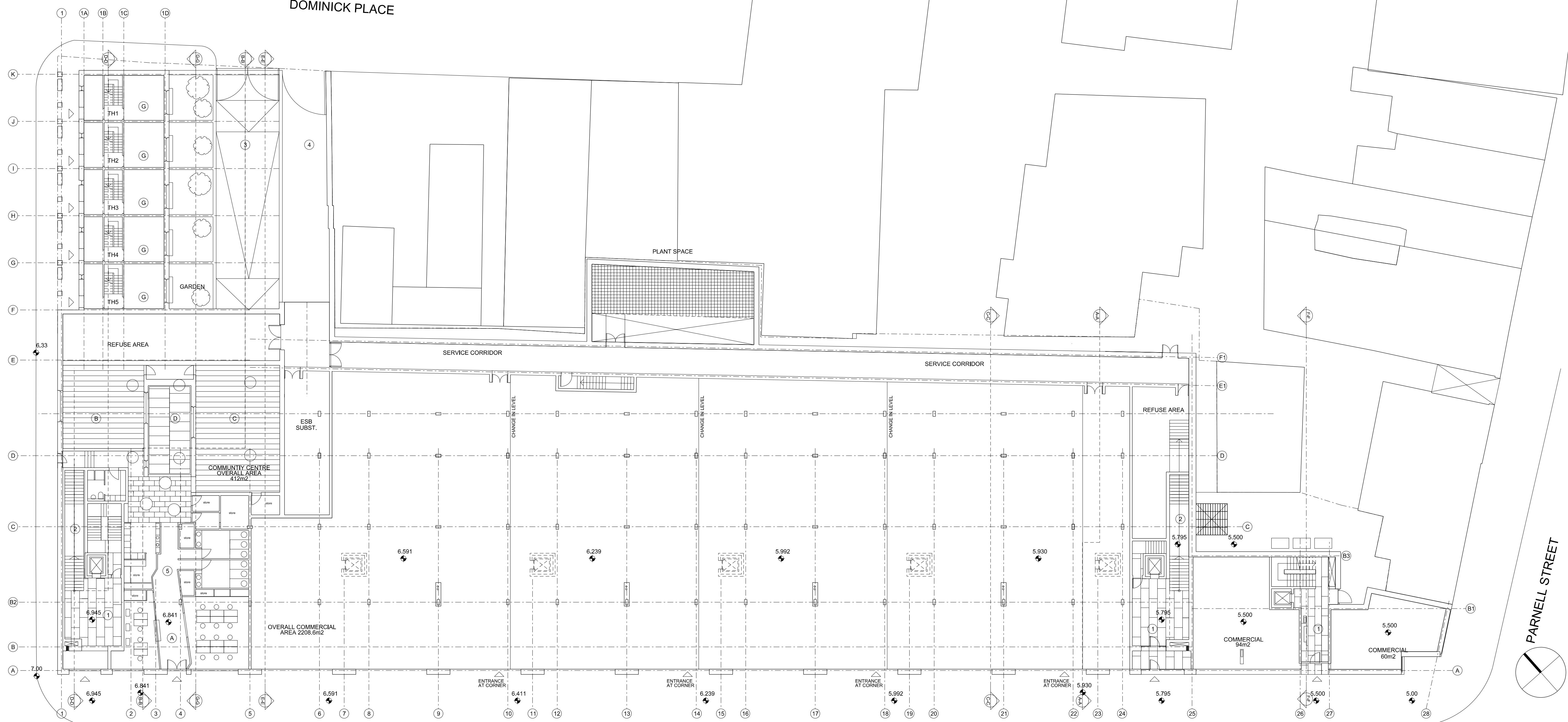
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DOMINICK PLACE (RELOCATED)

DOMINICK PLACE



DOMINICK STREET

© DENOTES APARTMENT TYPE  
SEE PP\_37

REV	REVISION TITLE	DATE

**LEGEND**

- 1 RESIDENTIAL LOBBY
- 2 STAIRS TO UPPER GARDEN
- 3 CAR PARK ENTRANCE
- 4 GOODS/SERVICES ENTRANCE
- 5 COMMUNITY CENTRE
- A ENTRANCE
- B MULTIPURPOSE ROOM
- C ACTIVITY ROOM
- D COURTYARD

**DOMINICK STREET HOUSING  
DUBLIN 1**

GROUND FLOOR PLAN

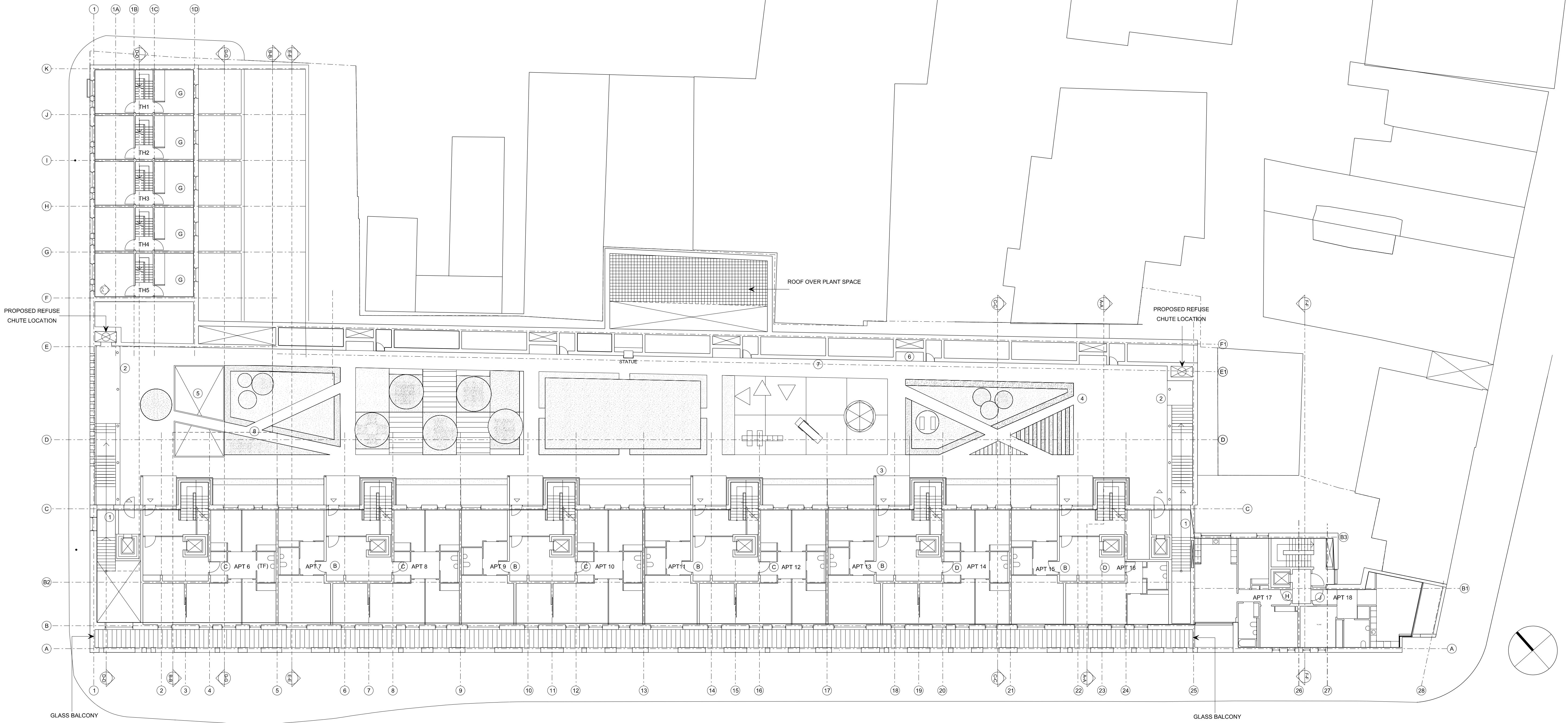
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Drawing No.	15DOM_PP_06
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⊗ ⊗ L DENOTES APARTMENT TYPE SEE PP31-40

REV	REVISION TITLE	DATE

**DOMINICK STREET HOUSING  
DUBLIN 1**

FIRST FLOOR PLAN	<b>CARR COTTER &amp; NAESSENS ARCHITECTS</b>

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Drawing No.	15DOM_PP_07
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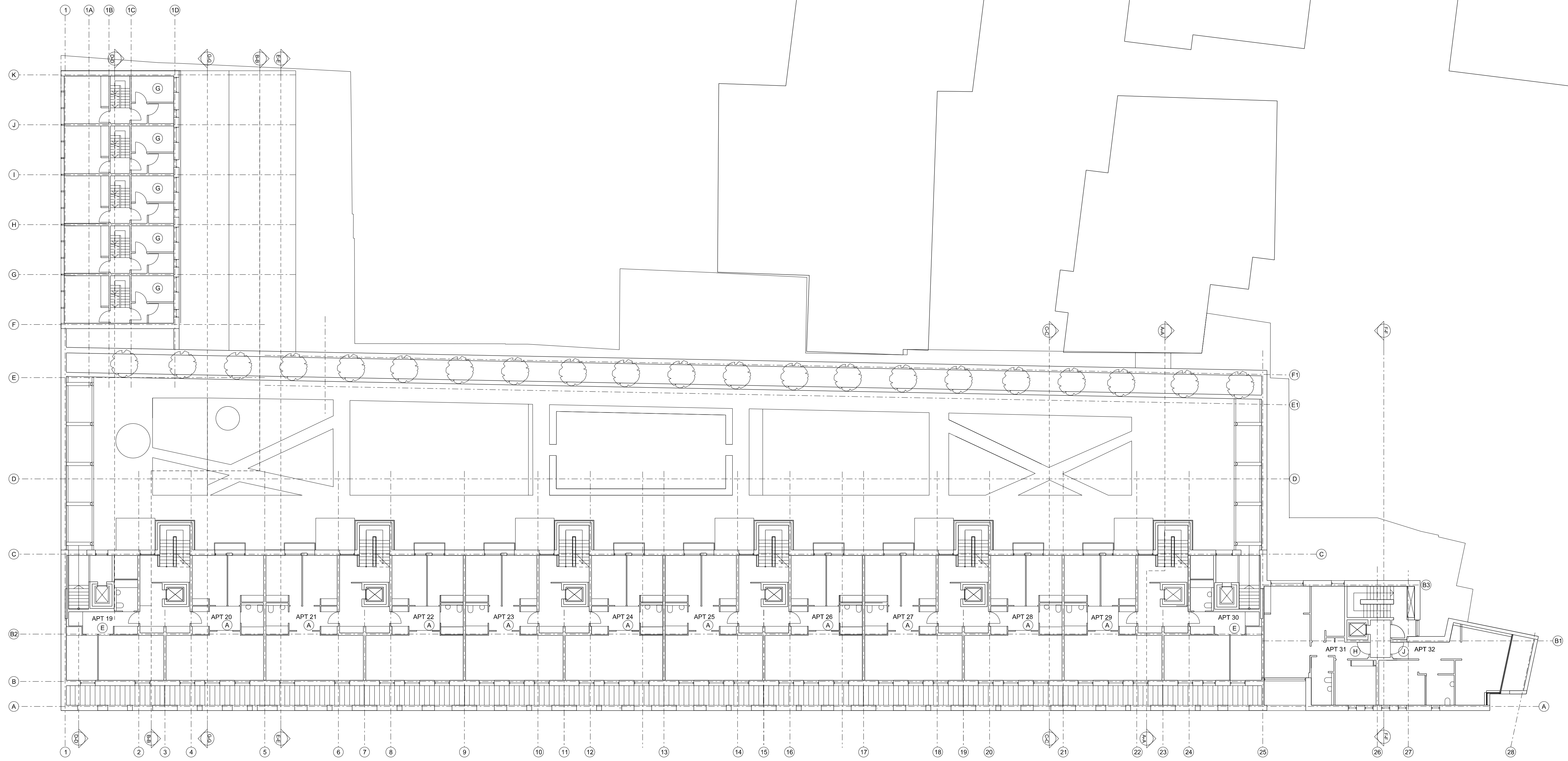
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**LEGEND**

- 1 STAIRS TO DOMINICK STREET
- 2 GLAZED CANOPY OVER STAIRS
- 3 GLAZED CANOPY TO RESIDENTIAL LOBBY
- 4 UPPER GARDEN
- 5 VOID TO COMMUNITY CENTRE
- 6 SEAT RECESS
- 7 REAR PLANTED WALL
- 8 BRIDGE



(A) DENOTES APARTMENT TYPE  
SEE PP 31-40

REV	REVISION TITLE	DATE

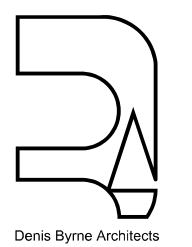
<b>DOMINICK STREET HOUSING DUBLIN 1</b>	
<b>SECOND FLOOR PLAN</b>	<b>CARR COTTER &amp; NAESSENS ARCHITECTS</b>

Project No.	15DOM
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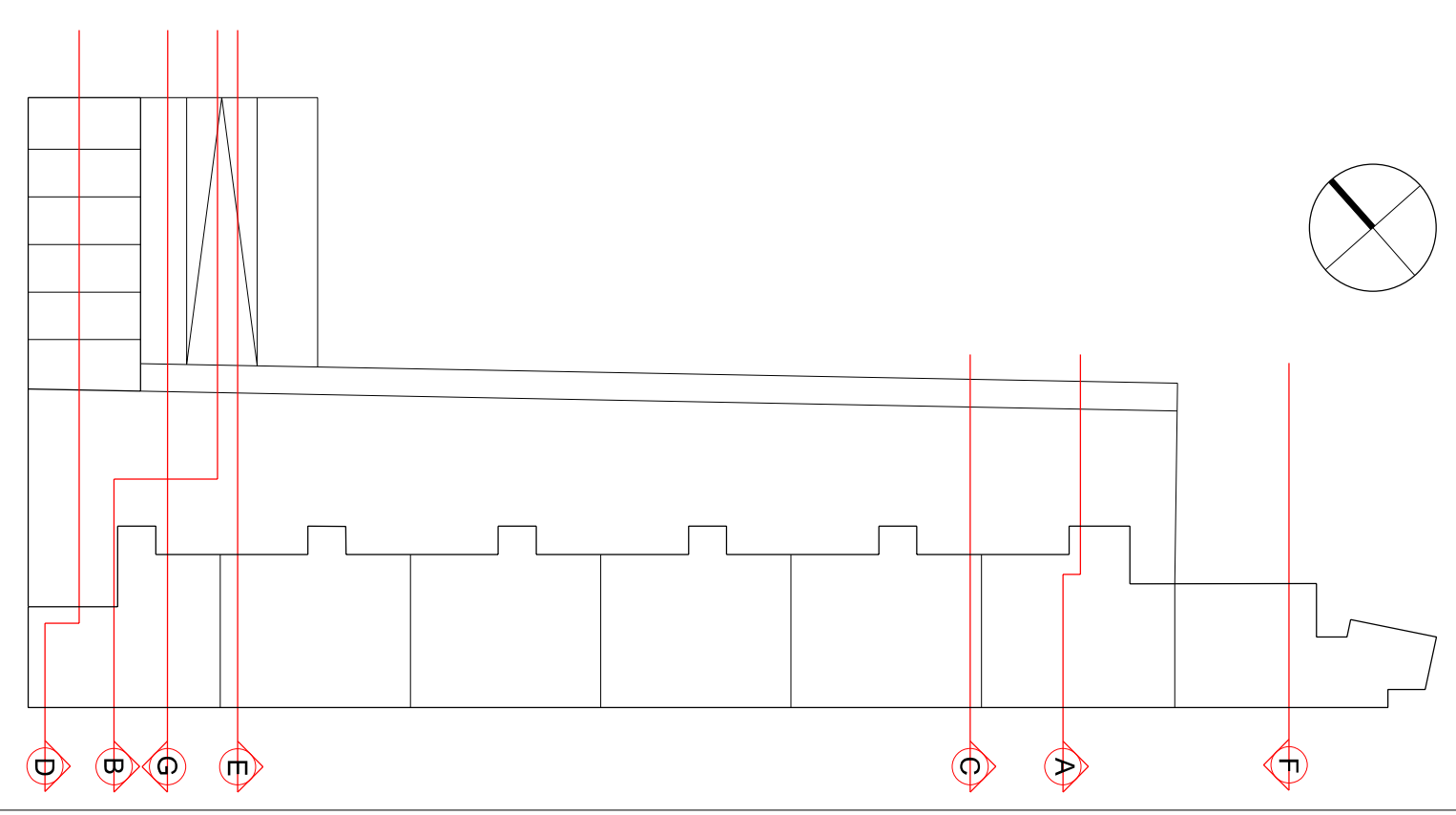
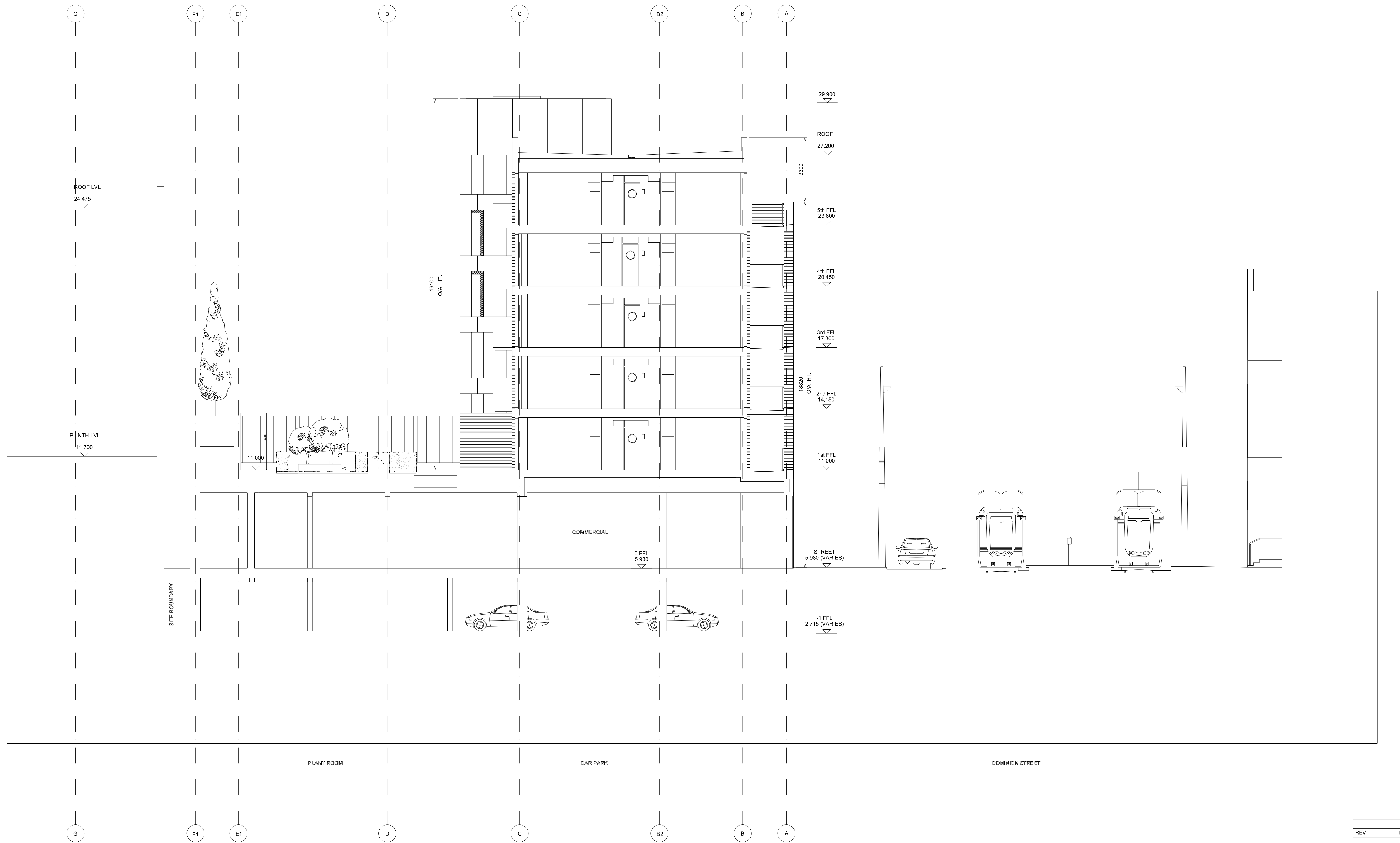
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**Dominick Street Housing, Dublin 1**

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Proposed New School for DoES shown on right

DOMINICK STREET HOUSING  
DUBLIN 1  
DOMINICK PLACE VIEW

CARR  
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DOMINICK STREET HOUSING  
DUBLIN 1  
DOMINICK STREET VIEW

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DOMINICK STREET HOUSING  
DUBLIN 1  
GARDEN VIEW

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DOMINICK STREET HOUSING  
DUBLIN 1  
PARNELL STREET VIEW

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