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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 (as amended)**
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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:

Proposal: Proposal: Pursuant to the requirements of the above, notice is hereby given of the intention to provide two lightweight steel bridges over the mouth of the Royal Canal into the Liffey, one bridge for pedestrians and the other for cyclists, both 12m long. The Bridge closest to the Liffey will cater for pedestrians, connecting the existing pathway on the Campshires across the mouth of the Canal. The cycle way bridge will be closer to the Scherzer Bridges, and will integrate with the current cycle arrangement through some ground work around the bridge. The works will require repaving and some works on both sides to address level changes, moving electrical control boxes associated with the Scherzer Bridges, enabling works to the quay wall (which is a Protected Structure) and removal of a number of trees to the west of the bridges to allow for a safe guided approach onto the bridges to segregate cyclists and pedestrians. This application relates to land within the North Lotts and Grand Canal Dock Strategic Development Zone.

Location: Location: The mouth of the Royal Canal in front of Spencer Dock, on the northern Campshires, adjacent to the Samuel Beckett Bridge, North Wall Quay, Dublin 1, on the river side of the existing historic Scherzer Bridges; which are protected structures, as are the quay walls.

Applicant: Environment & Transportation Department, Civic Offices, Wood Quay, Dublin 8

Site Notice:

Site notices in situ and legible on date of inspection 25/10/2018, as per submitted plans.

Site Location:

The subject site is located at the mouth of the Royal Canal in front of Spencer Dock, on the northern Campshires, adjacent to the Samuel Beckett Bridge, North Wall Quay, Dublin 1. The proposed development would be located on the river side of the existing historic Scherzer Bridges and it is noted that both the existing swing bridge and the quay walls are identified as Protected Structures within the City Development Plan 2016-2022.

Zoning:

The subject site is located within the North Lotts and Grand Canal Dock Strategic Development Zone (SDZ). Under the current Development Plan, where the bridges are to be situated is zoned Z9, the objective of which is 'To preserve, provide and improve recreational amenity and open space and green networks'. The North Wall Quay is also located within an identified Conservation Area.

Proposed Development:

The current application would involve the construction to two 12 meter long steel bridges over the mouth of the Royal Canal. The proposed structures would be located on the river side of the existing historic Scherzer Bridges and would provide separate crossings for both pedestrians and cyclists. The application would also seek to provide a revised tree planting scheme and the repositioning of ESB and signaling boxes.

Site Planning History

A search of the Planning Register has not identified any planning history that is relevant to the subject application

The Area Committee were informed of the initiation of the Part 8 planning process for the proposed development and the recommendation of the Planning Department at its meeting's on the 11/09/2018 & 11/12/2018,

Observations

A number of observations were received within the statutory time frame. These have been noted and are summarised as follows;

- The existing junction is a 'pinch point' which the proposed development will alleviate;
- The application would substantially improve safety for both pedestrians and cyclists as the existing arrangements are too narrow and dangerous;
- The guard railing for the proposed development would not match the existing quay wall guardrails and would result in a cluttered appearance within the street scene;
- There is a discrepancy between the submitted drawings and accompanying associated photomontages. In this regard the proposed granite steps are shown in different locations within both documents.

Interdepartmental Reports

• Drainage Division

There is no objection to this development and the following recommendations have been made;

- It has been recommended that the development subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads).
- The developer is advised that the records of public surface water sewers are indicative and must be verified on site.

• City Archaeologist's

There is no objection to this development and the following recommendations have been made;

- It has been recommended that a suitably qualified licensed-archaeologist be retained to advise regarding the archaeological implications of site clearance, demolition and/or construction methodology and to make appropriate recommendations for mitigation including detailed survey as necessary. The archaeologist shall provide an Archaeological Impact Assessment of the proposed development (including temporary and enabling works) to the Planning Authority prior to monitoring.
- It has been recommended that allowances be made for the resolution of archaeology (both on site and necessary post excavation) in the project budget and timetable.
- It has been recommended that an appointed archaeologist undertake licensed archaeological monitoring of all demolition and sub-surface works associated with the development including the breaking and removal of any floor slabs, levelling of ground etc.
- The archaeologist shall consult with and forward their Method Statement in advance of commencement to the Planning Authority.
- In the event of archaeological features being located in the course of the monitoring, the developer shall facilitate the archaeologist in fully recording such features, including if necessary the archaeological excavation of such features. In the event of significant archaeological features on site, the archaeologist retained by the developer shall immediately contact the Planning Authority. The Planning Authority (in consultation with the City Archaeologist and the National Monuments Service, Department of Culture, Heritage and the Gaeltacht) shall determine the further archaeological resolution of the site.
- It has been recommended that two copies of a written report and a digital report (on compact disc) containing the results of the archaeological monitoring shall be forwarded on completion to the Planning Authority and National Monuments Service, Department Arts Heritage and Gaeltacht.
- It has been recommended that following submission of the final report to the Planning Authority, 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, 138-44 Pearse Street, Dublin 2.

- **Environment and Transportation Department.**

The report from the Environment and Transportation Department details the history and context of the proposal and sets out the supporting planning policy as contained in the Dublin City Development Plan 2016-2022. The report concludes that there is no objection to the proposed development subject to the following recommendations:

- It has been recommended that prior to commencement of development, and on appointment of a contractor, a Construction Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including traffic management, hours of working, noise management measures and off-site disposal of construction/demolition waste.

- **North Lotts & Grand Canal Dock SDZ Implementation Team:**

No objection to the proposed development

- **Conservation Section**

A report from the Conservation Officer has been received who has not raised any objection to the proposed development from a conservation perspective. Commentary has also been provided in relation to the proposed mixture guardrail designs along the northern Campshires, which include the black curved rails to the west and tubular stainless steel rails to the east of the mouth of the Royal Canal, and the painted steel balustrade with regular vertical rods/balusters along the existing narrow pedestrian gangway to the south of the Scherzer Bridges.

In this regard the Conservation Officer has recommended that the final design of the guardrails as well as the transition between the new bridge guarding and the adjacent guarding's be agreed with the planning department prior to the commencement of development.

Prescribed Bodies

A submission was received from Transport Infrastructure Ireland which states they have no observations to make.

Policy Context

Dublin City Development Plan 2016-2022

Policy SCO2:

To implement the actions and projects contained in the Dublin City Public Realm Strategy 2012 and any successor public realm strategy'.

Policy SC3:

To develop a sustainable network of safe, clean, attractive pedestrian routes, lanes and cycleways in order to make the city more coherent and navigable.

Policy MT1:

To support the sustainability principles set out in the National Cycling Policy Framework and National Cycle Manual

Policy MT7:

To improve the city's environment for walking and cycling through the implementation of improvements to thoroughfares and junctions and also through the development of new and safe routes, including the provision of foot and cycle bridges. Routes within the network will be planned in conjunction with Green Infrastructure Objectives and on foot of (*inter alia*) the NTA's Cycle Network Plan for the Greater Dublin Area, and the National Cycle Manual, having regard to policy G15 and objective GIO18.

Objective MTO9:

To develop, within the lifetime of this plan, the Strategic Cycle Network for Dublin city - connecting key city centre destinations to the wider city and the national cycle network, and to implement the NTA's Greater Dublin Area Cycle Network Plan; to bring forward planning and design of the Santry River Greenway, incorporating strongly integrative social and community development initiatives.

Objective MTO10:

To improve existing cycleways and bicycle priority measures throughout the city, and to create guarded cycle lanes, where appropriate and feasible.

Objective GIO4: To improve pedestrian and cycle access routes to strategic level amenities while ensuring that ecosystem functions and existing amenity uses are not compromised and existing biodiversity and heritage is protected and enhanced

Section 11.1.5.3 Protected Structures – Policy Application

“Interventions to Protected Structures should be to the minimum necessary and all new works will be expected to relate sensitively to the architectural detail, scale, proportions and design of the original structure. This should take into account the evolution of the structure and later phases of work, which may also contribute to its special interest.”

Where possible, existing detailing, fabric and features of the structure should be preserved, repaired or, if missing or obscured, should be re-instated or revealed. In almost all cases, the materials used for alterations, extensions or repairs should match the original and the use of non-traditional materials will not normally be acceptable. Original and historic fabric should be retained and protected, wherever possible.

The curtilage of a Protected Structure is often an essential part of the structure’s special interest. In certain circumstances, the curtilage may comprise a clearly defined garden or grounds, which may have been laid out to complement the design or function. However, the curtilage of a structure can also be expansive and can be affected by development at some distance away. The protected structure impact assessment should also include an appraisal of the wider context of the site or structure and the visual impact. The design, form, scale, height, proportions, siting and materials of new development should relate to and complement the special character of the protected structure. The traditional proportionate relationship in scale between buildings, returns, gardens and mews structures should be retained, the retention of landscaping and trees (in good condition) which contribute to the special interest of the structure shall also be required. Any development which has an adverse impact on the setting of a protected structure will be refused planning permission. The removal of rear gardens to permit underground accommodation is permitted only in limited circumstances. An appropriate garden size to that of the structure should be retained. The total removal of historic boundary features or subdivision of rear gardens or original communal front gardens will generally not be permitted. Car parking will be permitted within the curtilage in accordance with standards as set out in the Development Plan.

Section 11.1.5.6 Conservation Area – Policy Application

New development should have a positive impact on local character. In seeking exemplary design standards, the planning authority will require development in Conservation Areas to take opportunities to enhance the area where they arise. Where a building has been identified as having a negative impact on an area, a pro-active approach to improvement will be sought. Where proposals involve demolition, policy for demolition of protected structures and buildings in conservation areas should be referred to.

North Lotts & Grand Canal Dock SDZ Planning Scheme

Objective MV1:

It is an objective of Dublin City Council to continue to promote the modal shift from private car use towards increased use of more sustainable forms of transport such as cycling, walking and public transport and to implement the initiatives contained in the Government’s ‘Smarter Travel, A Sustainable Transport Future 2009-2020’.

Objective MV3:

It is an objective of Dublin City Council to provide additional cycle and pedestrian bridges across the canals and rivers in the SDZ to form part of strategic cycling and walking routes.

This application, which proposes to provide a pedestrian and cycle bridge across the mouth of the Royal Canal, helps to achieve this objective.

Objective MV4:

It is an objective of Dublin City Council to create and support a well-designed network of pedestrian infrastructure to promote and facilitate walking and cycling; provide priority for pedestrians and cyclists along key desire line, developing routes within the Docklands and linking with the surrounding walking and cycling networks in Dublin City.

Planning Assessment

This Part 8 scheme is for the provision of two bridges over the mouth of the Royal Canal into the Liffey, one bridge for pedestrians and the other for cyclists, both 12m long. The bridge closest to the Liffey will cater for pedestrians connecting the existing pathway on the Campshires across the mouth of the Canal. The Cycleway Bridge will be closer to the Scherzer Bridges, and will integrate with the current cycle arrangement. The scheme would involve a number of associated site development works including repaving works, minor alterations on both sides of the proposed structures to accommodate level changes as well as enabling works to the quay wall.

The central purpose of the scheme is to significantly enhance the pedestrian and cycling experience for residents, workers and visitors in the area. Currently, the Scherzer Bridges carry a large volume of traffic and the existing small footbridge is not adequately serving the needs of cyclists and pedestrians on this busy route. The proposal will provide a new pair of bridges parallel to the existing Scherzer Bridges providing safe and efficient crossing for pedestrians and cyclists at this location.

As outlined above, it is the stated objection of the North Lotts and Grand Canal Dock Planning Scheme 2014 (Objective MV1) to continue to promote the modal shift towards cycling, walking and public transport while Objective MV3 seeks to provide additional cycle and pedestrian bridges across the canals and rivers in the SDZ. In this regard, the subject Part 8 scheme would provide a pedestrian and cycle bridge and will help to promote the modal shift from private car use towards the increased use of more sustainable forms of transport such as cycling and walking.

In relation to impact upon the Quay Walls and the adjoining Scherzer Bridges, the current Part 8 has been accompanied by a Conservation Report which details that the bridges have been designed to over span the capping stones of the Canal Walls which ensures retention of all historic material at this location. Additionally, the new bridges have been carefully designed in order to limit any impact on the historic fabric and presentation of the Scherzer bridges.

A report has also been received from the Conservation Officer, who has not raised any objection to the proposed development however the proposed mixture of guardrail designs along the northern Campshires has been noted; this concern has also been raised within a third party submission.

While it is considered that the proposed design would reflect the existing modern quayside railings, in terms of both height and materials and finishes, the Conservation Officer has recommended that the final design of the guardrails as well as the transition between the new guarding's and the existing railings should be agreed with the planning department, prior to the commencement of development. This is considered to be reasonable. Accordingly, it is considered that the proposed development, subject to agreement of these details, would successfully integrate with the existing wider public realm, including the existing street furniture.

It is noted that as part of this scheme, the removal of a number of existing trees primary on the western side of the proposed crossings and re provision of a number of trees on the eastern side of the bridges. Furthermore, the repositioning of a number of electrical control boxes are also proposed. No objections are raised to these works which are necessary to facilitate the implementation subject scheme. That being said the final positioning of the electrical control boxes has not been identified and it is recommend that this detail be agreed with the planning authority, prior to the commencement of development.

It is also noted that there is a discrepancy between the submitted drawings and the associated photomontages in relation to the proposed granite steps which are shown in different locations within both documents. In this regard it is considered that the proposed drawings (0001, 0002, and 0003) detail the actual layout and design of the proposed works and accompanying photomontages are indicative only and will not be used for construction purposes.

Requirement for Appropriate Assessment

Under Article 6 (3) of the EU Habitats Directive and Regulation 30 of SI NO.94/1997 "European Communities (Natural Habitats) Regulations (1997) any plan or project which has the potential to significantly impact on the integrity of a Natura 2000 site must be subject to an Appropriate Assessment. This requirement is also detailed under Section 177 (U) of the Planning and Development Act 2000 (as amended).

An Appropriate Assessment Screening Report accompanies the current application and concludes that there would be no significant negative effects on any Natura 2000 site as a result of the proposed development. As a result, a Stage 2 Appropriate Assessment would therefore not be required

In conclusion, the proposed new bridges will enhance the safety and experience of pedestrians and cyclists along the Liffey and will provide better connectivity along this much utilised route. It is felt the design of the two bridges using simple steel structures is appropriate at this location and will sit well beside the Scherzer Bridges. There are a number of policies and objective that support the provision of these bridges and also seek to provide a safe environment for cyclists and pedestrians throughout the city which will be supported by the delivery of this project.

Recommendation:

The following recommendations have been received from internal Departments;

Drainage Division

1. It has been recommended that the development subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads).
2. The developer is advised that the records of public surface water sewers are indicative and must be verified on site.

City Archaeologist's

1. It has been recommended that a suitably qualified licensed-archaeologist be retained to advise regarding the archaeological implications of site clearance, demolition and/or construction methodology and to make appropriate recommendations for mitigation including detailed survey as necessary. The archaeologist shall provide an

Archaeological Impact Assessment of the proposed development (including temporary and enabling works) to the Planning Authority prior to monitoring.

2. It has been recommended that allowances be made for the resolution of archaeology (both on site and necessary post excavation) in the project budget and timetable.
3. It has been recommended that an appointed archaeologist undertake licensed archaeological monitoring of all demolition and sub-surface works associated with the development including the breaking and removal of any floor slabs, levelling of ground etc.
4. The archaeologist shall consult with and forward their Method Statement in advance of commencement to the Planning Authority.
5. In the event of archaeological features being located in the course of the monitoring, the developer shall facilitate the archaeologist in fully recording such features, including if necessary the archaeological excavation of such features. In the event of significant archaeological features on site, the archaeologist retained by the developer shall immediately contact the Planning Authority. The Planning Authority (in consultation with the City Archaeologist and the National Monuments Service, Department of Culture, Heritage and the Gaeltacht) shall determine the further archaeological resolution of the site.
6. It has been recommended that two copies of a written report and a digital report (on compact disc) containing the results of the archaeological monitoring shall be forwarded on completion to the Planning Authority and National Monuments Service, Department Arts Heritage and Gaeltacht.
7. It has been recommended that following submission of the final report to the Planning Authority, 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, 138-44 Pearse Street, Dublin 2.

Environment and Transportation Department.

1. It has been recommended that prior to commencement of development, and on appointment of a contractor, a Construction Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including traffic management, hours of working, noise management measures and off-site disposal of construction/demolition waste.

Conservation Section

1. It has been recommended that prior to commencement of development the following be agreed with the planning department;
 - a) The proposed bridge guardrails
 - b) Details of the transition between the existing guardrails to the east and west of the subject site and the new bridge guardrails
 - c) Location of all electrical control boxes
2. A professional with appropriate conservation expertise shall be employed to design, manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all

permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.

3. All existing original features, including historic paving, quay walls and Scherzer Bridges shall be protected during the course of refurbishment.
4. Any works required to the adjacent protected structures arising from the proposed installation of new bridges shall be carried out in accordance with best conservation practice and the “Architectural Heritage Protection Guidelines for Planning Authorities” and Advice Series issued by the Department of the Environment, Heritage and Local Government. Any repair works shall retain the maximum amount of surviving historic fabric in situ, including historic masonry, ironwork and structural features. Items to be removed for repair off-site shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement. Any repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.

The project is being funded by the National Transport Authority.

Accordingly, it is recommended that a decision be made by Elected Members of the Council to proceed with the proposed development.

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

Resolution:

“That Dublin City Council notes Report No. 5/2019 and hereby approves the contents therein.”

Owen P. Keegan
Chief Executive
18th December 2018

