To the Lord Mayor and
Members of Dublin City Council

Report No. 332/2020
Report of the Chief Executive

Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

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

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:

Application No: 3136/20

Proposal: LAW: Planning and Development Act 2000 (as amended)

Planning and Development Regulations 2001 (as amended) - Part VIII

Applicant: Dublin City Council, Culture, Recreation and Economic Services

Location: The site is bounded by Gardiner Street on the east, Sean McDermott Street on the south, Rutland Street School adjoins the western boundary and a residential development adjoins the northern boundary.

Proposal: Refurbishment of existing public park, consisting of hard and soft landscaped areas, tree planting, furniture and lighting

Provision of multi-functional active and passive recreational spaces including, play spaces, skate opportunities, multi-functional lawn area, sports kickabout area, art work, interpretation signage and other ancillary elements associated with the park refurbishment.

The measures taken will lead to a significant improvement in disability access to the project area and support the principle of universal access for all,

The project proposal was developed in collaboration with residents and stakeholders as part of an open particiative design process.

Site Notice:
Site notices in situ and legible on date of inspection 20/08/2020

Zoning/ Site Designations:
The site is located in an area subject to land use zoning objective ''Z9 – "To preserve, provide and improve recreational amenity and open space and green networks'. The development is therefore in accordance with the zoning objectives pertaining to the site.

Site Location:
The subject site comprises 'Diamond Park', a public park that is bounded by Gardiner Street on the east, Sean McDermott Street on the south, Rutland Street School adjoins the western boundary and a residential development adjoins the northern boundary.

Proposed Development:
This Part 8 proposal comprises the following works:

- Refurbishment of existing public park, consisting of hard and soft landscaped areas, tree planting, furniture and lighting

- Provision of multi-functional active and passive recreational spaces including, play spaces, skate opportunities, multi-functional lawn area, sports kick-a-bout area, art work, interpretation signage and other ancillary elements associated with the park refurbishment.

- The measures taken will lead to a significant improvement in disability access to the project area and support the principle of universal access for all,

The project proposal was developed in collaboration with residents and stakeholders as part of an open participative design process.

Site Planning History
There is no recent planning history pertaining to the subject site.

Submissions/ Observations
Prescribed Bodies: A submission was received from TII recommending the application of the Section 49 Contribution Scheme Levy in the event of a grant, and subsequently, if deemed applicable.

No submissions were received from the following Prescribed Bodies that the application was referred to:
- Irish Water
- Irish Rail
- NTA
- Minister for Arts, Heritage and the Gaeltacht

Third Parties: There were no third party submissions received.

Interdepartmental Reports:

- **Drainage Department:** No objection subject to recommended conditions. Condition attached.

- **City Archaeologist:** No objection subject to recommended conditions. Condition attached.

- **Transportation Planning Division:** No objection subject to recommended conditions. Condition attached.

Development Plan Policy/Ministerial Guidelines

Dublin City Public Realm Strategy (2016)

Dublin City Development Plan 2016-2022. The following sections apply:

Chapter 10: Green Infrastructure, Open Space and Recreation
Chapter 12: Sustainable Communities and Neighbourhoods

10.5.3 Parks and Open Spaces

GI10: To continue to manage and protect and/ or enhance public open spaces to meet the social, recreational, conservation and ecological needs of the city and to consider the development of appropriate complementary facilities which do not detract from the amenities of spaces.

GI12: To ensure equality of access for all citizens to the public parks and open spaces in Dublin City and to promote more open space with increased accessibility and passive surveillance where feasible. In this regard the 'Fields in Trust' benchmark for green/recreational space city wide shall be a policy goal and quality standards.

QH6:To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city.

QH20: To ensure apartment developments on City Council sites are models of international best practice and deliver the highest quality energy efficient apartments with all the necessary infrastructure where a need is identified, to include community hubs, sports and recreational green open spaces and public parks and suitable shops contributing to the creation of attractive, sustainable, mixed-use and mixed-income neighbourhoods.

SN25:To actively support urban regeneration in areas across the city in order to enhance social cohesion and potential for positive change in areas of social exclusion.

SN30:To promote sustainable neighbourhoods which cater to the needs of persons in all stages of their lifecycle i.e. children, people of working age, elderly, people with disabilities.

Planning Assessment

The site is located in an area subject to land use zoning objective ''Z9", the objective of which is "To preserve, provide and improve recreational amenity and open space and green networks'.

This Part 8 application is submitted by the Culture, Recreation and Economic Services Division for the refurbishment of the existing 'Diamond Park'. The development is therefore in accordance with the zoning objectives pertaining to the site.

A detailed Design Rationale prepared by Dermot Foley Landscape Architects was submitted. This report details the consultation process that took place over four workshops and the landscape design proposals for each of the following:

- Boundaries, access and lighting
- Play and activities
- Soft landscape
- Hard landscape

Diamond Park is proposed to be a major new public open space for the north-east inner city area and the city of Dublin. A series of public workshops were carried out over an extended

period of time which allowed constructive engagement with the public who expressed what they wanted from a new city park. The results from these workshops drove the design process as illustrated in the submitted documentation which includes increased integration, permeability, activities for all ages, accessibility and passive surveillance. A number of designated spaces requested by the public have been incorporated into the design including organised games, café space, terraced seating area, retention of existing mosaic elements, passive recreation and formal and informal play.

The proposal offers the following important landscape and public realm improvements:

- Universal access throughout all of the proposed spaces;
- Increased passive supervision;
- Safe and secure public park;
- New play spaces and seating throughout the park;
- Attractive, innovative and multi-functional landscape;
- New landscape buffer between Gardiner Street and Diamond Park;
- Improved biodiversity with a variety of new vegetation proposed throughout the park;
- Improved visual integration to the urban fabric of the existing urban realm.

The submitted material illustrates informal play areas that will be provided throughout the park with a flexible use open lawn space forming the central component of the park. There will be a concentration of facilities provided in the northern side of the park including a formal play area, five-a-side football pitch, basketball court and a skate area.

The park is intended to be gated so a key component of the new park's design is readapting how the site boundary is read so that it becomes part of the park's aesthetic. Therefore, the proposed boundary encloses the park from the north-west corner, along Gardiner Street to the west and Sean MacDermott Street to the south using a lightweight fence which varies in height. The lightweight boundary allows an increased degree in passive surveillance into the park as well as forming a strong aesthetic element to the parks façade. In certain locations such as the northwest corner along the new five-a-side football pitch and basketball court, the fence will transition into a stronger fence to contain the games within. Details and examples of the fencing are illustrated in the submitted documentation.

It is noted that the two gated entrances will control the flow of visitors and will prevent children from running directly out of the park. Within the park, careful consideration has been given to universal accessibility. A gently sloped route has been provided around the park which responds to the slope that exists from north to south in the park.

Directional light fittings are intended to light up certain spaces in the park which have been carefully designed to avoid interfering with the residence of the adjoining student accommodation. The proposal also includes new soft landscaping of trees and herbaceous planting, both in the park and along Gardiner Street and Sean MacDermott Street.

<u>Access & Cycle Parking</u>

The report prepared by the Transportation Planning Division includes the following assessment: -

"The subject park is located to the east of Gardiner Street Lower, with Sean McDermott Street immediately south. The city centre location of the park makes it highly accessible. There are signalised pedestrian crossings at the southwest corner of the site, at the Gardiner St Lower and Sean McDermott St junction. There is another controlled pedestrian crossing northwest of the site at the Gardiner Street/Summerhill junction.

The Transportation Planning Division recommends that provision is made for cycle parking within the development scheme. Cycle parking shall be secure, conveniently located and well lit, and the design shall allow both wheel and frame to be locked. Any works impacting upon the public lighting and public road network including public footpaths should be agreed prior to works with the relevant departments.

Owing to the proximity of a school and residential dwellings in the close vicinity of the site, a Construction Management Plan should be agreed with the Environment and Transportation Department prior to commencement of works, and should include construction related vehicular access routes, traffic and pedestrian management arrangements, site hoarding and working hours."

The comments and recommended conditions from the Transportation Planning Division are noted by the planning authority.

Archaeology

It is noted that the proposed development is in the Zone of Archaeological Constraint for the Recorded Monument DU018-020 (Dublin City) (Figure 1), which is listed on the Record of Monuments and Places (RMP) and 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 2016-22.

A report was prepared by the City Archaeologist which states:-

"A detailed desktop impact assessment, written by Níall Garaghy of Archaeology Plan, was submitted with the application. This collates all known archaeological information of the surrounding area and states that groundworks associated with the proposed development will potentially result in the removal of the of Georgian style houses constructed in the last quarter of the 18th century as part of the Gardiner Estate that survive at a subsurface level within the extant park. This assessment also notes the subject site is within the notorious 19th century red light district known as the 'Monto' and suggests archaeological evidence from the site may help shed light on living conditions for its inhabitants.

It is the recommendation of this office that a condition of archaeological monitoring, as described below, shall be attached to any grant of planning permission for this application."

The comments and recommended conditions from the City Archaeologist are noted by the planning authority.

Conclusion

The upgrading works to Diamond Park comprise hard and soft landscaped areas, tree planting, furniture and lighting, and include the provision of multi-functional active and passive recreational spaces including play spaces, skate opportunities, multi-functional lawn area, sports kick-a-bout area and other ancillary elements associated with the park refurbishment. The applicant states that the measures taken will lead to a significant improvement in disability access to the park supporting the principle of universal access for all. The works proposed will greatly improve Diamond Park resulting in a major new public space that will be utilised by local residents, other citizens and tourists.

It is considered that the proposed development in the form provided is acceptable and that the proposed development accords with the City Development Plan and the proper planning and sustainable development of the area.

Requirement of Appropriate Assessment (AA) and Environmental Impact Assessment (EIA)
The application is not accompanied by an Appropriate Assessment Screening. Given the nature of the proposal, and having regard to Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC), the planning authority considers that there is no requirement for Appropriate Assessment (AA). It was established prior to the lodgement of the application that an EIA is not required.

Recommendation:

1. There is no objection to this 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 shall submit a surface water management plan, including drawings and a report, directly to the Drainage Division of Dublin City Council for written approval. These plans shall be submitted not later than the submission of the commencement notice for the development, and drainage works shall not commence prior to the issuing of written approval.

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

Reason: In the interests of orderly development

1.The developer shall retain a suitably qualified licensed-archaeologist 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. The developer shall allow for the resolution of archaeology (both on site and necessary post excavation) in the project budget and timetable.

3.The developer's archaeologist shall 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. 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. 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.

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

1.Cycle parking shall be provided and shall be secure, conveniently located, sheltered and well lit. Cycle parking design shall allow both wheel and frame to be locked.

2. Prior to commencement of development, and on appointment of a contractor, a Construction Management Plan (CMP) shall be submitted to the planning authority for written agreement. This plan shall provide details of intended construction practice for the development, including a detailed traffic management plan, hours of working, noise management measures and off-site disposal of construction/demolition waste, and access arrangements for labour, plant and materials, including location of plant and machine compound. The CMP shall take cognisance of the presence of a school adjacent to the site and shall seek to minimise and prevent where possible construction traffic movements at school arrival and departure times.

3.Prior to commencement development the applicant/developer shall contact Public Lighting at Dublin City Council and liaise with them with regard any works including relocation or removal to the existing public lighting column adjacent to the site. All works will be at the applicant/developers expense. The public lighting on all roads and footpaths that will remain open to the public shall remain operational at all times throughout the works. All areas that remain open and accessible to the public during construction shall remain adequately lit.

4.Any alterations to the public road network including provision and widening of footpaths, raised tables, shared surface areas and public lighting, including details of all materials proposed in public areas shall be agreed in writing with Environment & Transportation Department. All works and materials shall be in accordance with the document Construction Standards for Roads and Street Works in Dublin City Council and shall be at the applicant's/developer's expense.

5.The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: In the interests of orderly development

The Central Area Committee as appropriate 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 18-11-2020.

The project is being funded by way of €750,000 from Urban Regeneration Levies & €750,000 Grant from the NEIC Task Force.

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 179 of the Planning and Development Act, 2000 (as amended).

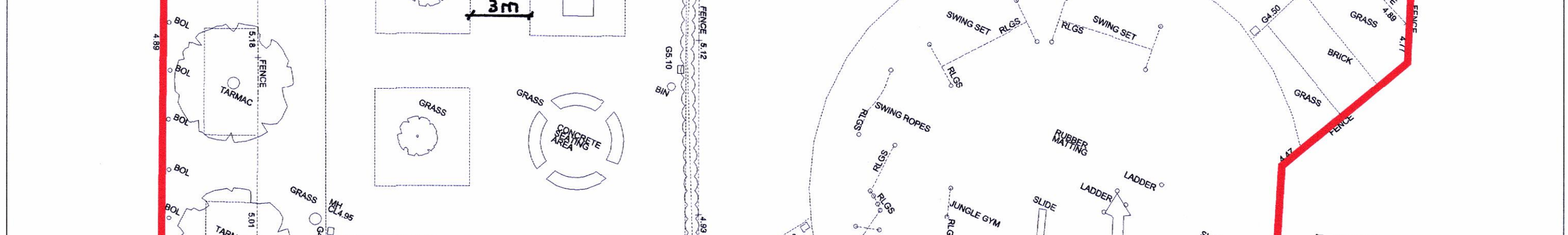
Resolution:
"That Dublin City Council Notes Report No. 332/2020 and hereby approves the contents therein."

Owen P. Keegan
Chief Executive **Date: 19th November 2020**

GARDINER ST LWR

SEAN MACDERMOTT ST LWR

DCC PLAN NO 3136/20
RECEIVED: 04 AUG 20



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NOTES:

DATE	REV.	DESCRIPTION	DRAWN BY:	CHECKED BY:
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CLIENT:	DUBLIN CITY COUNCIL
PROJECT:	DIAMOND PARK
DRAWING:	SITE SURVEY

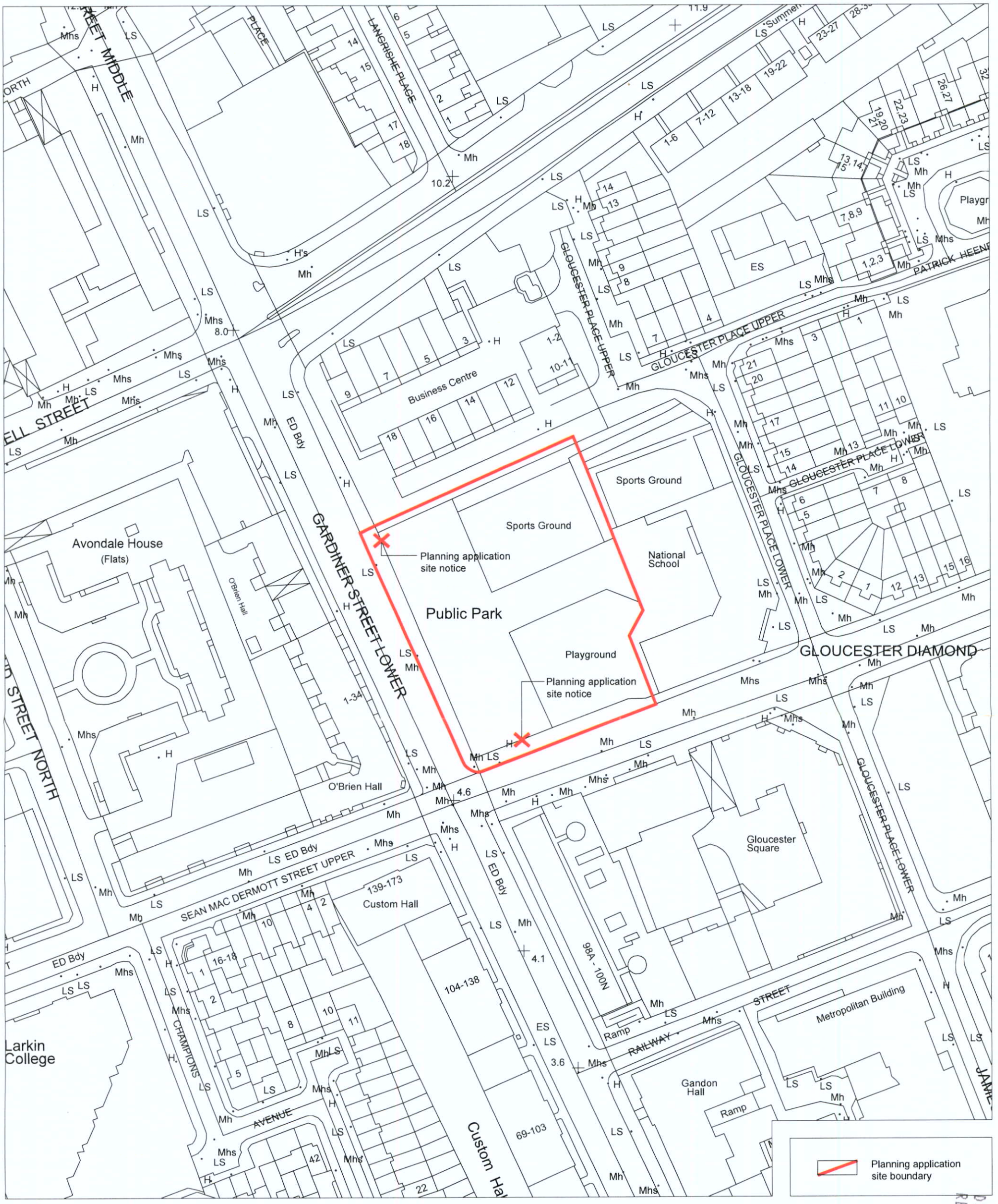
ISSUE STATUS: PLANNING

DRAWING NO. Dc.30-DR-201 REVISION -

PROJECT NO	SCALE	SHEET SIZE	DRAWN BY	CHECKED BY	1st ISSUE
Dc.30	1:200	A2	sc	ks	01.07.2020

NORTH

SFR 26/ISSUE-01/DF/08.09.2009



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DATE	REV.	DESCRIPTION	DRAWN BY:	CHECKED BY:
04.08.2020	A	Site notice locations included.	som	ks

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CLIENT:	DUBLIN CITY COUNCIL
PROJECT:	DIAMOND PARK
DRAWING:	SITE LOCATION MAP

ISSUE STATUS: PLANNING

DRAWING NO.	REVISION
Dc.30-DR-200	A

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DCC PLAN NO 3136/20 RECEIVED: 04 AUG 2020