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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:

Application No: 3789/20

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

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

Applicant: Department of Housing and Community,

Location: 30, Sackville Avenue, Dublin 3

Proposal: proposed development at Number 30 Sackville Avenue, a site within the Strategic Development and Regeneration Area (SDRA) "Croke Villas and Environs" as defined in the Dublin City Development Plan 2016 - 2022. The works comprise the demolition of an existing derelict house and ancillary structures and the construction of three, two storey, three bedroomed terraced houses with private rear gardens and new connections to the existing drainage infrastructure. Car-parking will be provided via undesignated on street spaces to the front of the dwellings.

The site area 380m² and the area of the proposed development is 301m².

An Environment Impact Assessment Screening Report has been prepared and it has been determined that an Environmental Impact Assessment is not required.

1. Site Notice:

Site notice was in place on 8/1/21.

2. Zoning

In the 2011 – 2017 Dublin City Development Plan the site is zoned 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 area of the site with this zoning objective is situated in Strategic Development and Regeneration Area (SDRA) 14 - Croke Villas and Environs.

The land to the north of the site is zoned "Z1: To protect, provide and improve residential amenities."

3. Site Description

The site is situated on the north side of Sackville Avenue between Ballybough Road and Croke Park/Ardilaun Square. The site has a stated area of 380sq. metres and is currently occupied by an existing two storey house and ancillary structures. The site backs onto Foster Terrace to the north which consists of single and two-storey houses. To the southeast of the site is an existing dwelling no. 31 Sackville Avenue. To the northwest of the site is a site which has an approved scheme under 3435/17 for seven units.

4. Proposed Development

The proposed works comprise of the demolition of an existing derelict house and ancillary structures and the construction of three, two storey, three bedroomed terraced houses with private rear gardens and new connections to the existing drainage infrastructure. Car-parking will be provided via undesignated on street spaces to the front of the dwellings. The site area 380m2 and the area of the proposed development is 301m2.

5. Site Planning History

There is no recent planning history.

3435/17 / LAW: The approved scheme was for development at two sites - Site C and Site D, consisting of existing houses on Sackville Avenue. The proposal comprises demolition of six houses, described as derelict, clearance of two vacant sites including walls and perimeter fencing at 20-28 Sackville Avenue, and construction of eleven houses as follows: seven no. two-storey, three bedroomed terraced houses, (784m2 in area) at Site C on the north side of Sackville Avenue, clearance of walls and perimeter fencing on a vacant site at 33-34 Sackville Avenue and the construction of three no. two storey, three-bedroomed terraced houses and adjoining one no. three storey house at Site D, also on the northside of Sackville Avenue, with an area of c. 441m2, including undesignated on-street car parking.

6. Observations

Prescribed Bodies: No observations have been received within the prescribed period.

Third Parties: No observations have been received within the prescribed period.

7. Interdepartmental Report

Drainage Division:

The Drainage Division had no objection to the proposed development subject to the following condition:

- a) The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (see www.dublincity.ie Forms and Downloads).
- a) The proposal for the management of surface water as indicated on the drawings submitted is not acceptable. The developer shall submit two revised copies of a detailed site plan to the Drainage Division for written approval. These plans shall be submitted not later than the submission of the commencement notice for the development.
- b) Records of public sewers are indicative and must be verified on site.

- c) The drainage for the proposed development shall be designed on a completely separate foul and surface water system.
- d) The Developer shall ensure that an appropriate Flood Risk Assessment, in accordance with the OPW Guidelines and the Dublin City Development Plan 2016-2022 Strategic Flood Risk Assessment, is carried out for the proposed development.
- e) The outfall surface water manhole from this development must be constructed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
- f) All private drainage 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.

Reason: To ensure a satisfactory standard of development.

Environmental Health Division:

The Environmental Health Division has no objection to the proposed development subject to the following condition:

- a) A Construction Management Plan shall be prepared on behalf of the developer and contractor. This Construction Management Plan shall be submitted to, and agreed in writing, by the Planning Authority, prior to commencement of development. This plan shall be developed with reference to the Code of Practice for Construction and Demolition produced by the Air Quality Monitoring and Noise Control Unit of Dublin City Council. (attached with this correspondence)
- a) The hours of operation during the demolition and construction phase shall be restricted to 7.00am to 6pm, Monday to Friday, and 8.00am to 2.00pm on Saturdays. Permission to work outside of these hours must be subject to the approval of Dublin City Council.

Transportation Division:

The Roads Division has no objection to the proposed development subject to the following recommendations:

- a) Prior to commencement of development, and on appointment of a main 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 a detailed traffic management plan, hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.
- a) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of development, shall be at the expense of the developer.
- b) The developer shall be obliged to comply with the requirements set out in the Code of Practice.

9. Planning Context:

Zoning & Policy – Dublin City Development Plan 2016 - 2022

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 area of the site with this zoning objective is situated in Strategic Development and Regeneration Area (SDRA) 14 - Croke Villas and Environs.

The land to the north of the site is zoned “Z1: To protect, provide and improve residential amenities.”

Relevant Plan Sections include the following:

In relation to zoning objective Z14, Section 14.8.13 of the plan states that areas with this zoning objective are 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 proposal must therefore include proposals for additional supporting physical and social infrastructure.

Section 15.1.1.17 of the plan sets out guiding principles in relation to development in the Croke Villas and Environs SDRA. This notes that Croke Villas consists of four five-storey local authority flat blocks which are earmarked for redevelopment; although modest in size, the estate is strategically located just west of Ballybough Road and adjacent to Croke Park which is one of the largest event spaces in the city. It is stated that the redevelopment of the site provides the opportunity to provide a city connection to Croke Park while simultaneously improving living standards for the city's residents. Mixed use development is shown in the areas which are the subject of this application.

The guiding principles for the redevelopment of the site are set out as follows:

- Promote provision of new high quality residential development in conjunction with exploiting the tourism, commercial and recreational uses associated with Croke Park;
- Enhance access to Sackville Avenue from Ballybough Road and redevelop Sackville Avenue as a high quality public domain space, overlooked and flanked by new residential development units and/or recreational and office use;
- Refurbish and upgrade buildings onto Ballybough Road (allowing for the demolition of No. 16 Ballybough Road to allow for improved access) and provide for improved landscaping to front;
- Explore potential to extend Sackville Gardens, providing improved passive surveillance of the canal and the proposed new green cycle/pedestrian route;
- Explore potential to improve connections with canal.

Other relevant sections are:

Chapter 1: Strategic Context for the City Development Plan 2016 – 2022

Chapter 2 of the City Development Plan – Vision and Core Strategy:

Section 4.5.3.1 'Urban Density', Section 4.5.9 'Urban Form and Architecture', Section 5.5.2 'Sustainable Residential Areas', Section 5.5.4 'Quality Housing for All' Section 10.5.7 'Trees', 16.2.1 'Design Principles', Section 16.5 'Plot Ratio' and Section 16.6 'Site Coverage', together with Standard 16.10.3 'Residential Quality Standards – Apartments and Houses', Standard 16.38 'Car Parking Standards' and Standard 16.39 'Cycle Parking'. Appendix 14 'Safety and Security Design Guidelines' and Appendix 15 'Access for All' are also of relevance.

Relevant Ministerial Guidelines and Frameworks

The National Development Plan, National Spatial Strategy (2002–2020) (NSS), Regional Planning Guidelines for the Greater Dublin Area (2010–2022) (RPG's) have been superseded by the Project Ireland 2040 including the National Planning Framework 2040 (NPF), and also the Regional Spatial and Economic Strategy 2019 -2031.

- Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (2018).

9. Planning Assessment

In November 2017 Dublin City Council approved the development of lands at Sackville Avenue under Reg. Ref. 3435/17 for ten two storey terraced dwellings and one three storey end of terrace dwelling.

In November 2019 Dublin City Council finalised the acquisition of lands at no. 30 Sackville Avenue (the application site). It is proposed to demolish the existing dwelling on site and to construct 3 no. three storey dwellings on this site.

Principle

Residential development is permissible under the Z14 zoning which applies to the site.

The existing dwelling on site comprises of a two storey house and ancillary structure. The house is vacant and derelict. The house is considered to be of little architectural merit and is in disrepair. The principle of demolition is considered acceptable.

Scale and Design and Height:

Unit Sizes/Residential Amenity/Unit Mix

The proposed development comprises of three no. two-storey, three bedroomed terraced houses. The proposed development represents an extension of the adjacent seven terraced dwellings granted permission under 3435/17.

The dwellings at ground floor comprise of an entrance hall, wc, living room and kitchen dining room. At first floor level two of the dwellings comprise of 2 double bedrooms and a single bedroom along with a family bathroom. For the end of terrace unit the first floor comprises of a double bedroom, two single bedrooms and a family bathroom.

It is considered that the proposed dwellings would meet the principles and standards outlined in section 5.3 'Internal Layout and Space provision' contained in the then DEHLG 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007).

Private amenity space is provided by means of rear gardens accessed off the kitchen/dining room. The rear garden areas range in size from 45sqm to 50sqm which is considered acceptable.

The development plan states that where dwellings have little or no front gardens in urban settings, it is important that "defensible space" is created behind the public footpath, for example, by means of a planting strip, and the design of ground floor windows will need to be carefully considered. It is proposed that each dwelling has a planter bed approximately 700mm deep and an area for bin storage of approximately 660mm to the front of the dwellings which would create a buffer to the street.

The height of the proposed dwellings accords with the height of the permitted dwellings under 3435/17.

In order to reduce the impact of overlooking of the rear of properties along Foster Terrace it is stated in the report that the windows at first floor level have been orientated on the side of the return to avoid direct overlooking. Furthermore, these windows are fitted with vertical louvers to further reduce the impact of overlooking. The separation distance between the rear of the first floor return of the proposed terrace and the rear of the returns of the properties on Foster Terrace ranges from approximately 10m to 13m.

The rear boundary treatment is indicated on the drawings as wall type 3, which comprises of a post and panel fence. The boundary treatments dividing the rear gardens comprises of a block wall to a height of 1.93 metres adjacent to the dwellings and then a post and panel fence.

In terms of floor area, height, form, volume and materiality the proposed dwellings are identical to the typology set out in the approved scheme 3435/17.

Materiality

The elevations of all the dwellings are to be clad in brick with timber windows and natural slate roofs. In principle it is considered that the use of brick as the principal material would be appropriate having regard to the pattern of development in the vicinity.

Roads and Traffic Issues:

Car parking will be provided via undesignated on street spaces to the front of the dwellings. Provision for refuse bin storage is made to the front of each dwelling, off the public footpath. Each dwelling incorporates a private amenity space to the rear at ground level to facilitate bicycle parking. Undesignated on street spaces to the front of the each of the dwellings on Sackville Avenue.

The site is located within Area 2 as identified within Map J of the Dublin City Development Plan 2016-2022 and a maximum number of car parking spaces of 1 per dwelling is stated, as outlined in Table 16.1 of the City Development Plan. The site is located and within walking distance of city centre facilities and amenities, including public transport. There are multiple Dublin Bus stops within close proximity of the site and Connolly rail and Luas stations are located 1km south of the site. Dublin Bikes North Circular Road station is 500m walking distance of the site.

Having regard to the location, nature and scale of the proposed development, the Roads Division has no objections subject to the conditions.

EIA

Having regard to the nature, size and location of the proposed development and the context of the criteria set out in Schedule 7 of the Planning and Development Regulations 2001-2019, it is concluded that there is no real likelihood of significant effects on the environment and as such an EIAR is not required.

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).

A screening report for Appropriate Assessment has been submitted. The report concludes that no significant effects will arise from this project to Natura 2000 sites in Dublin Bay: the North Dublin Bay SAC, South Dublin Bay SAC, the North Bull Island SPA or the South Dublin Bay and River Tolka Estuary SPA.

On the basis of the screening exercise carried out, it can be concluded that the possibility of any significant impacts on any European sites, whether arising from the project itself or in combination with other plans and projects, can be excluded beyond a reasonable scientific doubt on the basis of the best scientific knowledge available.

The Planning Department, as the competent authority, has considered the screening report and has determined that progression to Stage 2 of the Appropriate Assessment process (i.e. preparation of a Natura Impact Statement) is not considered necessary. It is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

Conclusion:

The proposed development will provide a high quality residential development, will enhance the streetscape and is considered to be in accordance with the proper planning and sustainable development of the area. It is therefore considered that the proposal would be acceptable, subject to compliance with the requirements of Drainage Division, Environmental Health Division and Roads Division.

Recommendation

Accordingly, it is recommended that a decision be made by Elected Members of the Council to proceed with the proposed development, subject to compliance with the requirements of the Drainage division, Environmental Health Division and Roads Division.

Drainage Division:

The Developer shall comply with the following drainage requirements:

- a) The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (see www.dublincity.ie Forms and Downloads).
- b) The proposal for the management of surface water as indicated on the drawings submitted is not acceptable. The developer shall submit two revised copies of a detailed site plan to the Drainage Division for written approval. These plans shall be submitted not later than the submission of the commencement notice for the development.
- c) Records of public sewers are indicative and must be verified on site.
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- f) The outfall surface water manhole from this development must be constructed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
- g) All private drainage 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.

Reason: To ensure a satisfactory standard of development.

Environmental Health Division:

The Developer shall comply with the following environmental health requirements:

- a) A Construction Management Plan shall be prepared on behalf of the developer and

contractor. This Construction Management Plan shall be submitted to, and agreed in writing, by the Planning Authority, prior to commencement of development. This plan shall be developed with reference to the Code of Practice for Construction and Demolition produced by the Air Quality Monitoring and Noise Control Unit of Dublin City Council. (attached with this correspondence)

b) The hours of operation during the demolition and construction phase shall be restricted to 7.00am to 6pm, Monday to Friday, and 8.00am to 2.00pm on Saturdays. Permission to work outside of these hours must be subject to the approval of Dublin City Council.

Transportation Division:

The Developer shall comply with the following roads requirements:

a) Prior to commencement of development, and on appointment of a main 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 a detailed traffic management plan, hours of working, noise and dust management measures and off-site disposal of construction/demolition waste.

b) All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of development, shall be at the expense of the developer.

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

The Area Committee as appropriate were informed of the initiation of the Part 8 planning process for the proposed development on the 8th September 2020 and the recommendation of the Planning Department at its meeting's on the 9th of February

The project is being funded by the Department of Housing, Local Government & Heritage.

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. 93/2021 and hereby approves the contents therein."

Owen P. Keegan

Chief Executive

23rd March 2021

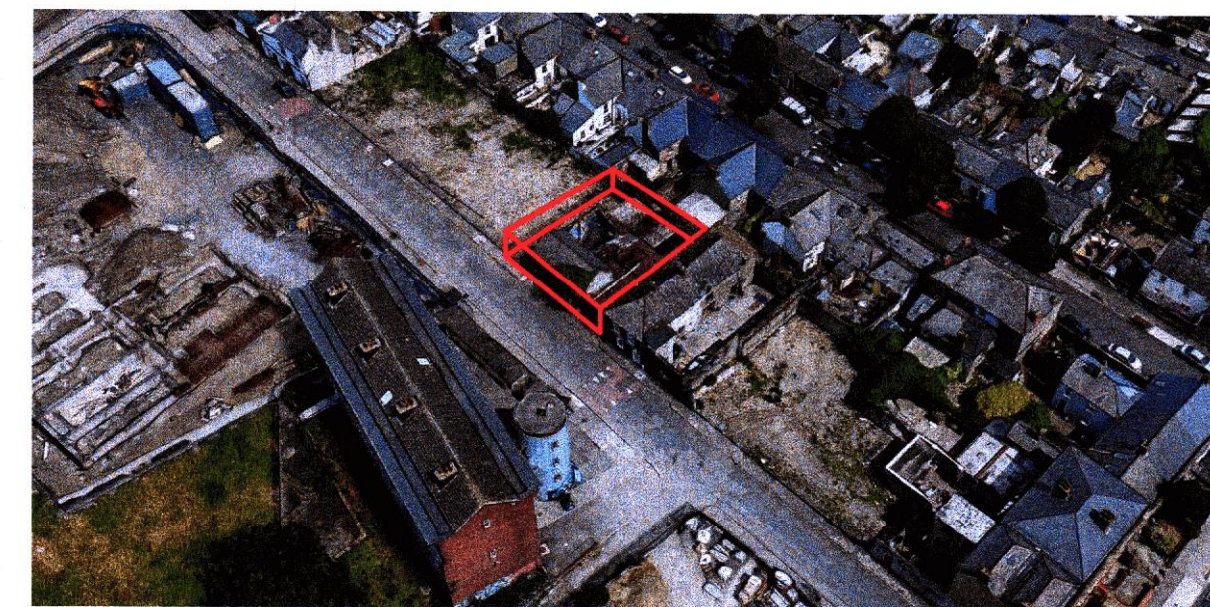
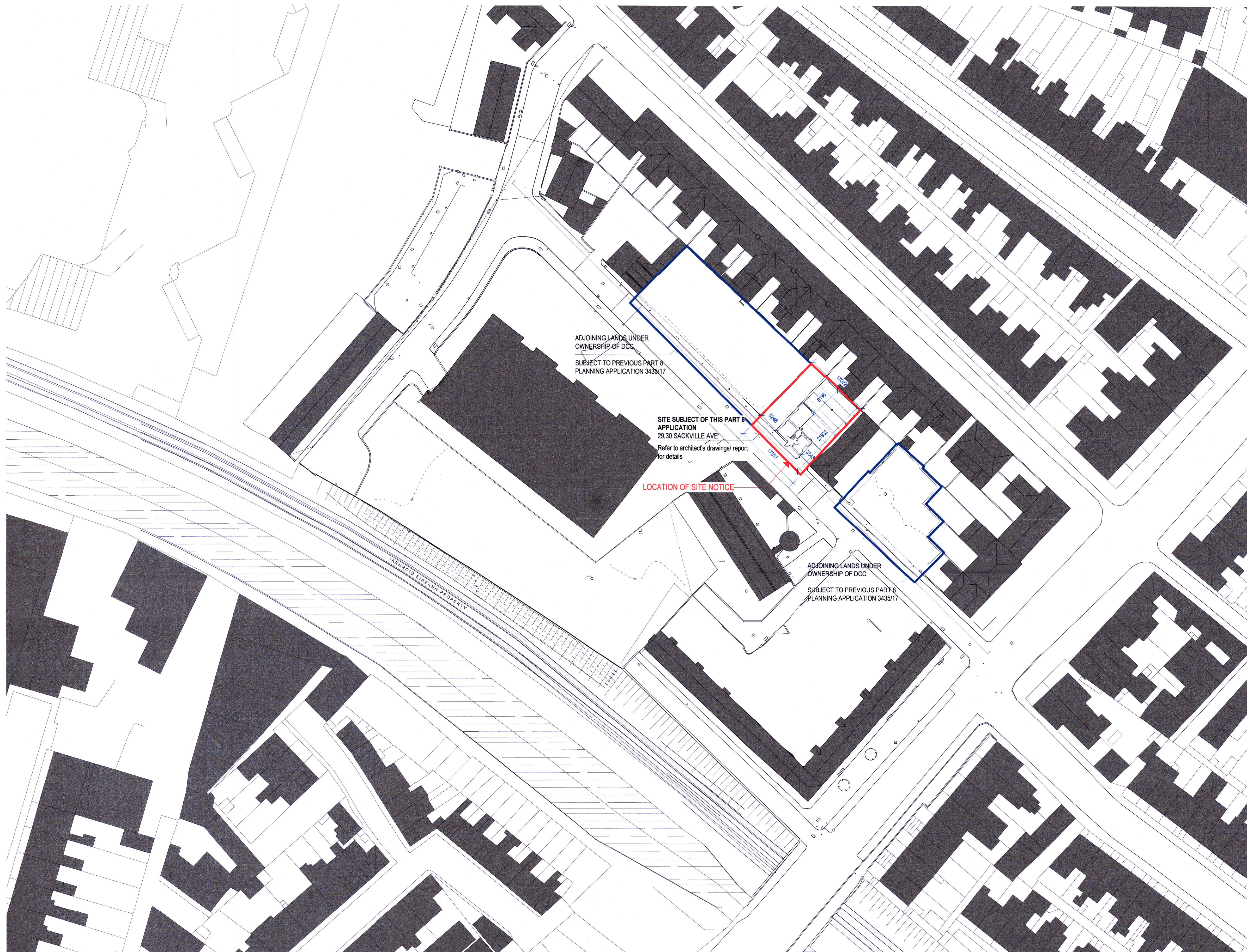
Appendix A

List of Consultees

Irish Water
Colvill House,
24 - 26, Talbot Street,
Dublin 1

Irish Rail
Pearse Street Station,
Westland Row,
Dublin 2

Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs
Development Applications Unit
Newtown Road,
Wexford



Aerial Photo of the existing site: 29-30, Sackville Ave, Dublin. Site boundary.



Street photo of the existing site: 29-30 Sackville Ave, Dublin.

DCC PLAN NO 3789/20
RECEIVED: 24/11/2020



01 SACKVILLE AVENUE: SITE LAYOUT PLAN (EXISTING)
P-003 SCALE - 1:500 @ A1

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PLANNING

REV	DATE	BY	DESCRIPTION
P1	19.10.2020	KC	Issued for Part 8 Planning submission

DRAWN	PROJECT	SCALE
IB	29 Sackville Avenue	1:1000 @ A3 1:500 @ A1
CHECKED	CLIENT	DATE
VM	DUBLIN CITY COUNCIL	19.08.2016
DRAWING	TITLE	
	SACKVILLE AVENUE: SITE LAYOUT PLAN (EXISTING)	

DRAWING NUMBER	REVISION
CV3-P-003	P1