

To the Chairperson and
Members of the South East Area Committee

**Report on Proposed Part 8 for Public Realm Improvement Works at;
Duke Street, Anne Street South, Lemon Street, Duke Lane Upper, Duke Lane Lower and
Anne's Lane, Dublin 2.**

The South East Area Committee was informed by Jill McGovern of City Architects Division working on behalf of the Environment and Transportation Department at a special briefing meeting on 25th October 2022, and then at the South East Area Committee Meeting on 14th November 2022, that Dublin City Council intended to initiate the Part 8 Process for Duke Street, Anne Street South, Lemon Street, Duke Lane Upper, Duke Lane Lower and Anne's Lane, Dublin 2.

Proposals include the removal and replacement of the existing asphalt and concrete road surfaces with new granite and asphalt carriageways. Existing paved and asphalt footpaths are to be removed and replaced with new granite paving while retaining areas of historic kerbs and paving. The proposals will also involve landscaping works, including new trees and low level planting, as well as new public seating, feature lighting and play installations.

Some and part of the subject streets and the adjoining buildings are located in the 'South City Retail Quarter Architectural Conservation Area', 'The Grafton Street and Environs Architectural Conservation Area' and Scheme of Special Planning Control for Grafton Street and Environs. The proposed works are adjacent to Protected Structures on both Duke Street and Anne Street South.

A non-statutory online consultation was held in January/February 2022 to get feedback on what should be addressed in the public realm scheme. An information session was also held with local residents and businesses, along with accessibility workshops with Disabled Persons Organisations and the Public Participation Network to further inform the development of the design for this scheme.

The Part 8 was formally submitted on 6th December 2022 and registered under 5379/22. The planner has concluded that the scheme is broadly in compliance with the Dublin City Development Plan 2022 – 2028.

Consultees

1. Irish Water, Colvill House, 24 - 26, Talbot Street, Dublin 1
2. Minister for Arts, Heritage & Gaeltacht, Development Applications Unit, Newtown Road, Wexford
3. An Taisce, Tailors Hall, Back Lane, Dublin 8
4. The Heritage Council, Áras na hOidhreachta, Church Lane, Kilkenny City, Co. Kilkenny
5. An Chomhairle Ealaíon, 70, Merrion Square, Dublin 2
6. Fáilte Ireland, Manager of Environment & Planning, 88-95, Amiens Street, Dublin 1
7. National Transport Authority (NTA), Head of Planning and Data Analysis, Harcourt Lane, Dublin, D02 WT20
8. Transport Infrastructure Ireland (TII), Parkgate Business Centre, Parkgate Street, Dublin 8, DO8YFF1
9. Department of Housing Local Government & Heritage, Government Offices, Newtown Road, Wexford, Co. Wexford, Y35 AP90

Third Party Observations were received from the following:

Third Party Submissions

1. Samir Fakher Eldin
2. Shane Santry - *SSA Architects on behalf of Lemon and Duke Restaurant*
3. Sabrina Green
4. Ionita Homojdian - *McDonald's Restaurant (Persian Restaurants Ltd.)*
5. Dr. Robert Sinnott - *Voice of Vision Impairment (VVI)*
6. Hugh Raftery
7. Colm Ryder - *Cyclist.ie*
8. Colin McGill – *McGill Planning on behalf of Quantum Rock (unlimited company)*
9. Will Andrews - *Dublin Cycling Campaign*
10. Karl Purdy - *Coffee Angel*
11. David Barry - *Gotham Café*
12. Ciarán Cuffe MEP
13. Rebecca Wogan
14. Mary Caulfield
15. Gerard Farrell - *DublinTown*
16. Peter Hogan
17. Sean Parkes
18. Dermot Dempsey
19. Dagmar Fischer
20. Stephen O'Dwyer - *Tang Restaurants*
21. Tiernan Mulligan
22. Shane Roberts
23. Claire Woods
24. Rob Tobin – *The National Council for the Blind of Ireland (NCBI)*

Following consideration of the received observations, the Planning Officer recommended approval by the elected members subject to the following conditions:

1. Transportation Planning Division:
 - a) Final detailed design including layout, materials and public lighting shall be agreed with Environment & Transportation Department prior to commencement of development.

- b) Prior to commencement of development and upon appointment of a contractor, a detailed Construction Management Plan shall be submitted for the written agreement of E&T Department. This shall address the requirements of for working in proximity to the Luas line.
- c) The applicant/developer shall address the requirements of Transport Infrastructure Ireland (TII) as set out in their submission dated 25th January 2023 and in particular, shall agree the required information with TII and Environment and Transportation Department prior to commencement of development.

Reason: To ensure a satisfactory standard of development.

2. Drainage Planning Division:

- a) As no surface water management details have been submitted, the applicant 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 such written approval.
- b) 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.
- c) 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).

Reason: To ensure a satisfactory standard of development.

3. The City Archaeologist:

- a) 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.
- b) The developer shall allow for the resolution of archaeology (both on site and necessary post excavation) in the project budget and timetable.
- c) The developer's archaeologist shall undertake licensed archaeological monitoring of all demolition and sub-surface works associated with the development with including below-ground services and excavations for the installation of bollards, tree planting, and other street furniture. The archaeologist shall consult with and forward their Method Statement in advance of commencement to the Planning Authority.
- d) In the event of in situ archaeological features being located in the course of the monitoring, the developer shall facilitate the archaeologist in fully recording such features, including all post-1700 AD in situ features and layers. Full archaeological excavation of such features may be a requirement. At a minimum recording of all archaeological features shall include a written, photographic and drawn survey record.
- e) In the event of in situ archaeological features being discovered, 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 Housing, Local Government and Heritage) shall determine the further archaeological resolution of the site.

- f)** Two copies of a written report and a digital report containing the results of the archaeological monitoring shall be forwarded on completion to the Planning Authority and National Monuments Service, Department of Housing, Local Government and Heritage.
- g)** 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.

4. Transportation Infrastructure Ireland:

- a)** The scheme should avoid the creation of traffic queuing onto Dawson Street during both construction and operation phases. All deliveries made to the development site, including during the construction phase, shall be made to limit interference with Luas operations. Consultation with TII is recommended with regard to Luas, traffic and public safety in the implementation and operation of the scheme.
- b)** Prior to commencement of development, a Construction Traffic Management Plan including access to services, shall be submitted for the written agreement of the planning authority subject to the written agreement of TII. The Construction Traffic Management Plan shall identify mitigation measures to protect operational Luas infrastructure.
- c)** Prior to commencement of development, the developer shall be required to submit a Construction Method Statement for the written agreement of the planning authority subject to the written agreement of TII. The method statement shall resolve all Luas interface issues in the form of a Design Risk Assessment and shall;
 - i. identify all Luas alignment interfaces,
 - ii. contain a risk assessment for works associated with the interfaces, and (iii) contain mitigation measures for unacceptably high risks, including vibration and settlement monitoring regime if necessary.The method statement shall be in accordance with TII's "Code of engineering practice for works on, near, or adjacent the Luas light rail system".
- d)** Works are proposed to be carried out in close proximity to Luas infrastructure. The applicant, developer or contractor will be required to apply for a works permit from the Luas Operator by virtue of the Light Railway (Regulation of Works) Bye-laws 2004 (S.I. number 101 of 2004) which regulates works occurring close to the Luas infrastructure in accordance with TII's "Code of engineering practice for works on, near, or adjacent the Luas light rail system". The developer shall be liable for all of TII's costs associated with the removal and reinstatement of Luas fixings and infrastructure. The permit application will require prior consultation, facilitated by the Luas operator, Transdev

Reason: To ensure a satisfactory standard of development and in the interests of orderly development.

On foot of the above, the Planning Department has recommended approval for the proposed development.

The intention is to submit the Chief Executive's Report to the City Council for approval at its meeting on 3rd April 2023.

The approval of a Part 8 planning application is a reserved function of the City Council.

**Jill McGovern
Senior Executive Architect
City Architects Division**

**Liam Morrissey
Executive Architect
City Architects Division**



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Figure 1

B	05.12.2022	Part 8 Planning
A	16.09.2022	Pre-Part 8 Internal Circulation
VER	DATE	DESCRIPTION

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**Comhairle Cathrach
Bhaile Átha Cliath**

DUBLIN CITY COUNCIL
RANNOG AILTIRE NA CATHRACH
CITY ARCHITECTS DIVISION

PROJECT TITLE	
Duke St. Anne St South Public Realm Scheme	
PROJECT ARCHITECT	SITE
J. McGovern	

PROJECT TEAM	
L. Morrissey	
DATE	SCALE
April 2017	1:200
DRAWING TITLE	

Proposed Layout – Overall			
REFERENCE NO.	ISSUE STATUS	DRG. NO.	VER.

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