

Planning Application No:
3210/19

Site Notice:

Site notices in situ and legible on date of inspection 09/07/2019, as per submitted plans.

Zoning/ Site Designations:

The site is located in an area subject to land use 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 prominent uses.”

The site is located in the SDRA 11 O’Devaney Gardens (Strategic Development and Regeneration Area) in Dublin City Councils Development Plan 2016-22, for the creation of a high quality residential quarter.

The overall site contains a number of standing protected structures including the former Married Quarters (red brick building), the Boundary Walls and gateways, RPS ref. 3994.

The lower part of the site lies within the Zone of Archaeological Interest.

Site Location:

The site of the former military stores is located on Infirmary Road, Dublin 7 and bounded by Montpelier Gardens to the north, Infirmary Road to the west and Montpelier Hill to the south and directly opposite the Criminal Courts of Justice building. The now vacant Infirmary Road site was previously owned by the Department of Defence and managed by the Office of Public Works before it was transferred to Dublin City Council on the understanding of its use for the Government’s Affordable Housing Initiative.

The overall site contains a number of Protected Structures including the Married Quarters, the Boundary Walls and gateways. Two other buildings on the upper part of the site are on the National Inventory of Architectural Heritage (NIAH) list including the former Isolation Hospital and the former Medical Mobilization Stores building. The upper part of the site does not form part of this Part 8 application.

The upper and lower sites are contained within the same overall surrounding boundary wall and Gateways, however, the upper and lower sites are separated by distinct level changes. The overall site enclosure has 3 distinct level changes, ranging from +14.5M at the southernmost lower portion, +17.5M and +18.5M at the upper part of the site.

This proposal is located at the southernmost lower portion end of the site only.

Proposed Development:

This Part 8 submission seeks permission to demolish the former Stores and Barracks building and the former Administrative building and to construct a housing development on the southern lower part of the former military stores site.

The site is enclosed by existing boundary walls and gateways, which are protected structures and also contains a number of historic buildings including the former Married Quarters building, which is a protected structure and on the upper part of the site, the former Isolation Hospital building and the Medical Mobilization Stores building. As stated above, the upper part of the site does not form part of this application.

The development will provide 38 no. dwelling units in 2 no. residential buildings on the southern lower part of the site as follows:

- Block A comprises of 12 no. units over three-storeys and includes: 6 no. 1-Bedroom apartments at ground floor level, 5 no. 3-Bedroom Duplex units and 1 no. 2-Bedroom Duplex unit above, with associated private gardens and balconies.
- Block B comprises of 26 no. units over four / five storeys in an L-shaped corner building, and includes; 4 no. 2-Bedroom Duplex units at ground floor level with own

door access and private rear garden onto Montpelier Hill, 22 no. apartments comprising of 6 no. 1-bedroom apartments and 16 no. 2-bedroom apartments all with their own associated private balconies.

- The residential buildings will enclose a private residential courtyard, complete with play area and provision for 58 no. cycle parking spaces and form a landscaped pedestrian avenue between the boundary wall on Infirmary Road and Block B leading to the former Married Quarters building.
- A stand-alone single storey ancillary building, comprising of refuse storage, plant-room and ESB substation is proposed at the eastern end of the site adjacent to the existing eastern gateway on Montpelier Hill.
- No works are proposed to the former Married Quarters building (Protected Structure) in this application.
- The proposal includes for remedial and repair works to the existing boundary wall and gateways (Protected Structure) abutting the subject site, reducing the height of the existing Montpelier Hill boundary wall to its original height as identified in the Archaeology report, reopening and reusing 2 no. existing gateways and 1 no. existing pedestrian gateway on Montpelier Hill boundary wall and constructing new gates at each gateway for pedestrian access.

Site Planning History

The subject site forms part of the overall former Department of Defence Premises site (northern and southern part of the overall site) that was subject to a planning application (Ref. 2363/06) detailed below. The final grant of permission was issued on the 20th April 2007. The development permitted was as follows:

- 2363/06 Permission was granted for development comprising the provision of 227 no. residential units in four blocks and the refurbishment and extension of the former Isolation Hospital, and Married Quarters building (Protected Structure) on a site measuring 1.18 hectares.
- Demolition of 6 no. buildings on the site; removal of associated out buildings and lean to structures.
 - Refurbishment of the former Isolation Hospital building and its conversion to provide local community uses (creche, offices, meeting rooms, doctor/community nurse). This will involve the removal of 3 no. outbuildings and the construction of a new 152 sq.m. glazed structure to link the existing buildings.
 - Refurbishment of the former Married Quarters Building (Protected Structure) and the construction of a 546 sq.m. four storey extension to facilitate its conversion to office accommodation.
 - Construction of Block A, a four/six storey (sixth storey set back penthouse floor) apartment block with terraces and balconies and consisting of 128 no. units (35 no. one bed; 74 no. two beds and 19 no. three beds).
 - Construction of block B, a five/seven storey (seventh storey as set back penthouse floor) apartment block with terraces and balconies and consisting of 67 no. units (18 no. one bed; 38 no. two beds and 11 no. three beds).
 - Construction of Block C, a seven storey (seventh storey as set back penthouse floor) apartment block with terraces and balconies and consisting of 20 no. units (7 no. one bed and 13 no. three beds).
 - Construction of Block D, a four storey (fourth storey set back) apartment block with terraces and balconies and consisting of 13 no. units (13 no. three beds).
 - The provision of 200 no. car parking spaces and 80 no. bicycle parking spaces in a single level basement accessed via ramps from a new

access point on Montpellier Gardens and the existing access on Montpellier Hill plus the provision of 20 no bicycle spaces in the courtyard.

- The removal of the existing boundary wall and railings (Protected Structure) to the northern boundary of the site (Montpellier Gardens) and the formation of a landscaped entrance area.
- Formation of openings in existing western and southern boundary walls (protected structure) and installation of railings.
- Landscape works within and along boundaries of site.
- All associated site development works above and below ground required to facilitate the development, including the construction of an ESB substation and switch room.

6372/05 Application declared invalid.

Submissions/ Observations

Prescribed Bodies: A submission was received from the Department of Culture, Heritage and the Gaeltacht stating the following:

- A Bat Survey must be carried out by a suitably qualified ecologist and if any bats roots are located a mitigation plan should be submitted along with applications for relevant licenses.

No submissions were received from the following Prescribed Bodies that the application was referred to:

- Irish Water
- Irish Rail
- Heritage Council
- An Taisce

Third Parties: A number of third party submissions were received within the prescribed period. Relevant issues within the observations/objections submitted include;

Frank O'Connor & Maureen Flannery:

- Supportive of the development of the site.
- Area lacks co-ordinated traffic plan and it is likely to worsen due to arrival of additional cars from this development, the O'Devaney site and the new student accommodation on Montpellier Hill. Existing residents will be unable to get in and out of their properties.
- Lead to inability of emergency services, deliveries, and refuse collectors among others to service these areas.
- Significant issue with Garda cars and cars from the legal staff attending the courts parking illegally on double yellow lines, cycle lanes and the footpaths on Infirmary Road. People with buggies have to resort to walking on the road to advance along the road.
- For site to be a success, there needs to be increased enforcement of the parking laws in this area including clamping and patrol area with vigour.
- Site is proposed to be gated which is likely to result in a new ghetto or enclave being created due to barrier effect of the high wall.
- The recreation facilities should be made available to the wider community, e.g. playground.
- Clarification as to what is proposed to northern end of the site.

Emily Hayden:

- Supportive of the housing land initiative building homes for families experience hardship during housing crisis.
- Concerns over no provision for parking for any units proposed on site.
- Existing traffic and parking problem in area. This issue hosts health and safety risks to residents, cyclists and pedestrians in the area.

- Gardai park cars in area with no consequences blocking footpaths, entrances for emergency services and basic disregard for traffic and parking laws.
- A Dublin Bike Station should be placed on Montpelier Hill at entrance to new site.
- Large boundary wall will attract anti-social behaviour. Although wall is a protected structure, it should be opened up to make new housing development accessible to all especially playground amenities.
- All measures to reduce noise, air pollution and pest infection risks during construction phase for existing residents must be taken.
- Structural survey of existing properties must take place prior to works taking place on site.

Joe Toomey:

- Montpelier Hill is already congested with traffic. No provision for parking for any units proposed on site. Unrealistic to think no one in new development will own a car and that visitor cars will also be a rarity.
- Additional population and visitors as a result of development coming into area with no parking will be detrimental to road network.
- Lack of parking results in transient population with high turnover of population as families cannot expand when car is needed.
- Development will be segregated as a result of being inaccessible to the public including the playground.
- Development should provide a mix of social and private dwellings.
- The proposal will negatively impact on Protected Structure that has been excluded from this development.
- The design, scale, form, height, proportions, siting and materials of new development should relate to and complement the special character of the protected structure.
- Any development should include the renovation of the protected structure.
- Structural survey of protected structure should be undertaken to ensure building works will not impact on the structural integrity of the listed building.
- Keeping and maintaining protected structure should be paramount in the design of the site.

Vikki Brennan:

- Montpelier Hill is already congested with traffic. No provision for parking for any units proposed on site. Unrealistic to think no one in new development will own a car and that visitor cars will also be a rarity.
- Understand there is a need to move on from car reliance, however, Montpelier Hill is not the IFSC and is an old residential neighbourhood where residents need cars to ferry children and the elderly to hospital appointments etc.
- Ground level of new development should provide parking.
- Disappointing no plans to integrate the boarded up house (protected structure) into new development has been considered. Potential for repeat of what happened in Smithfield where protected structure had to be demolished because of careless building work impacting on structural integrity.
- Protected structure could be used for crèche/ GP facilitates.
- Choice of materials are sympathetic to area such as brick and granite.
- Height has been considered from view from Montpelier Gardens and Infirmary Road. Development viewed from Montpelier Hill is very imposing.
- South facing side of building onto Montpelier Hill is tall, homogenous block which is not in keeping with other buildings on that side of the street.
- Security gates will result in a feeling of segregation.
- Not all units within development have airing rooms which results in substandard development for future tenants. There would be nowhere for clothes to dry.
- Playground should be accessible to all.
- Development requires traffic calming measures for both construction phase and beyond.

Clare Cotter:

- Montpelier Hill is already congested with traffic.

- Will new residents be refused parking permit on surrounding road network?
- Segregation as a result of gated community.
- Development should provide recycling facilities to prevent everything going to landfill.
- The Married Quarters are a visible part of the shrinking heritage in the area and should be refurbished as part of this development.
- The mural painted on the blocked up gateway is treasured by existing residents and has become a landmark. Preserving the mural in situ may not be feasible but it should be incorporated into curtilage or redone in another visible location.

Sean Fogarty:

- Supports additional residential accommodation in area.
- Careful consideration has gone into design of the proposed structures with regard to form, materials and design.
- Proposal allows for complete retention of existing walls (500m) which results in no visible street activity proposed along half a km.
- Is it necessary to retain entire wall creating a visually dead street instead of promoting an interesting urban environment? No passive policing or surveillance.
- Eliminate gated access to internal courtyard allowing a semi-public external environment. This will increase passive surveillance and help integrate new community into existing.
- Minor interventions if carried out in tandem with proposed works would ensure development is not an isolated piece of urbanity. Upgrade of surface material would help delineate a pedestrian right of way as well as frame new residential development.
- With regard to the walls, respectful placement of architectural interventions within the context of important structures should be considered.
- Curtilage of subject site should be carefully considered; public seating, public lighting and integrating non-residential uses to activate the street.

Ann Connolly:

- Concerns over privacy and impact on own dwelling.
- Construction, noise and privacy issues will cause upset to family.
- Security needs to be addressed.
- Rat invasion is expected due to construction works. Will financial assistance for Pest Control be provided?
- Potential structural damage to dwellings in area and boundary walls.
- Montpelier Hill is already congested with traffic. No provision for parking for any units proposed on site which is a concern.
- Child safety and paramedic access is paramount. However, lack of parking in area needs urgent attention.
- Community centre would greatly benefit the area, however, this is not part of proposal. All areas and playground should be accessible to all.

Belinda Small:

- Supports additional residential accommodation in area.
- Area is already congested with traffic. No provision for parking for any units proposed on site. Unrealistic to think no one in new development will own a car and that visitor cars will also be a rarity.
- There is already limited spaces being fought over between residents, courthouse, Gardai, commuters to city centre, the hotel and potential students as a result of new student accommodation scheme.
- Very mean to local families to not allow children access to a playground. Ormond Square is very popular with kids who live in the square and those who don't and is a great community asset.

Elizabeth Morgan:

- Major car parking and congestion issues in the area already as a result of the Courts. Gardai and legal professionals park illegally on the pavements and in front of entrances to dwellings already.

- Car parking review of area and traffic management review must be undertaken prior to this Part 8 application being decided upon.
- Former Married Quarters Building deserves to take centre stage as part of development. Disappointing it does not form part of this application. This building forms part of the significant Architectural Heritage of area.
- Unclear why DCC architects have felt under no obligation to incorporate refurbishment works of Married Quarters Building into new development.
- Segregation concerns. Development should not be gated. Playground should be accessible to all.
- Council to be commended in use of materials that are sympathetic to the area such as red and brick granite.
- Height and view from Montpelier Hill is very imposing. This should be reconsidered adjacent to the two storey houses.

Concerns raised are noted and have been considered by relevant internal departments. A list of those who made submissions is outlined in Appendix 1 of this report.

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.

Conservation: No objection subject to recommended conditions. Conditions attached.

Development Plan Policy/Ministerial Guidelines

Project Ireland 2040 – National Planning Framework

Action Plan for Housing and Homelessness, July 2016

Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities 2018

Dublin City Council's policy regarding such developments is set down in the Dublin City Development Plan 2016-2022. The following sections apply:

Chapter 5: Quality Housing

5.1.1.14 SDRA 11 Stoneybatter, Manor Street and O'Devaney Gardens

Chapter 12: Sustainable Communities and Neighbourhoods

Chapter 16: Development Standards

Residential

QH1 To have regard to the DoEHLG Guidelines on 'Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007); 'Delivering Homes Sustaining Communities – Statement on Housing Policy' (2007), 'Sustainable Urban Housing: Design Standards for New Apartments' (2018) and 'Sustainable Residential Development in Urban Areas' and the accompanying Urban Design Manual: A Best Practice Guide (2009).

QH5: To promote residential development addressing any shortfall in housing provision through active land management and a co-ordinated planned approach to developing appropriately zoned lands at key locations including regeneration areas, vacant sites and under-utilised sites.

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.

QH7: To promote residential development at sustainable urban densities throughout the city in accordance with the core strategy, having regard to the need for high standards of urban design and architecture and to successfully integrate with the character of the surrounding area.

QH18: To promote the provision of high-quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable social infrastructure and other support facilities are available in the neighbourhood, in accordance with the standards for residential accommodation.

QH19: To promote the optimum quality and supply of apartments for a range of needs and aspirations, including households with children, in attractive, sustainable mixed-income, mixed-use neighbourhoods supported by appropriate social and other infrastructure.

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.

Chp16.4 (Density Standards) states:

“Sustainable densities promoting the highest quality of urban design and open space will be sought by the City Council in all new developments. The density of a proposal should respect the existing character, context and urban form of an area and seek to protect existing and future residential amenity. Public transport capacity will also be used to determine the appropriate density allowable.”

“All proposals for higher densities must demonstrate how the proposal contributes to place making and the identity of an area, as well as the provision of community facilities and/or social infrastructure to facilitate the creation of sustainable neighbourhoods”

Infill Development *Having regard to policy on infill sites and to make the most sustainable use of land and existing urban infrastructure, the planning authority will allow for the development of infill housing on appropriate sites. In general, infill housing should comply with all relevant development plan standards for residential development; however, in certain limited circumstances, the planning authority may relax the normal planning standards in the interest of ensuring that vacant, derelict and under-utilised land in the inner and outer city is developed.*

Infill housing should;

- Have regard to the existing character of the street by paying attention to the established building line, proportion, heights, parapet levels and materials of surrounding buildings*
- Comply with the appropriate minimum habitable room sizes*
- Have a safe means of access to and egress from the site which does not result in the creation of a traffic hazard.*

Protected Structures

CHC1: To seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city.

CHC2: It is the policy of Dublin City Council to ensure that the special interest of protected structures is protected. Development will conserve and enhance Protected Structures and their curtilage and will:

- a) Protect or, where appropriate, restore form, features and fabric which contribute to the special interest*
- b) Incorporate high standards of craftsmanship and relate sensitively to the scale, proportions, design, period and architectural detail of the original building, using traditional materials in most circumstances*
- c) Be highly sensitive to the historic fabric and special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials*
- d) Not cause harm to the curtilage of the structure; therefore, the design, form, scale, height, proportions, siting and materials of new development should relate to and complement the special character of the protected structure*
- e) Protect architectural items of interest from damage or theft while buildings are empty or during course of works*
- f) Have regard to ecological considerations for example, protection of species such as bats.*

Monuments

CHC9: It is the policy of Dublin City Council To protect and preserve monuments.

Planning Assessment

This is a Part 8 application for the demolition of the former Stores and Barracks building and the former Administrative building and to construct a housing development on the southern lower part of the former military stores site, bounded by Montpelier Gardens to the north, Infirmary Road to the west and Montpelier Hill to the south, Dublin 7. This development comprises 38 no. dwelling units in 2 no. residential buildings on the southern lower part of the site.

Zoning:

The site is located in an area subject to land use 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 prominent uses." Residential use is listed as a permissible use under this zoning objective. The development is therefore in accordance with the zoning objectives pertaining to the site.

The site is located in the SDRA 11 O'Devaney Gardens (Strategic Development and Regeneration Area) in Dublin City Councils Development Plan 2016-22, for the creation of a high quality residential quarter.

Plot ratio and Site Coverage

Section 16.5 and 16.6 of the Development Plan sets out indicative Plot Ratio and Site Coverage standards. The total floor area of the proposed development is 3646 sq.m. The application indicates a plot ratio of 0.81 and site coverage of 27%.

The development plan states an Indicative Plot Ratio of 1.0-3.0 is acceptable for Z14 zonings and 50% for site coverage. Plot ratio and site coverage standards need to be used in conjunction with other development control measures including building height, provision of public and private open space and preventing the adverse effects of over development, thereby safeguarding sunlight and daylight within or adjoining buildings. Although the indicative plot ratio and site coverage falls below the Development Plan indicative standards, I am satisfied the proposed development complies with these requirements in this instance.

Residential Quality Standards

A Schedule of Accommodation was prepared and submitted as part of the application in Section 8.0 of the Planners Report which demonstrates how each of the 38 no. units proposed exceed the minimum standards required. The breakdown of the units are as follows:

- 12 no. 1B/ 2P apartments

- 5 no. 2B/ 4P Duplex
- 16 no. 2B/ 4P apartments
- 5 no. 3B/ 5P duplex

The table below provides the floor areas of each type of unit and the required minimum standards which are met and exceeded in all cases. An appropriate mix of units and typologies are also proposed including duplex family units and age friendly ground level apartment units.

		Proposed Unit Area (sq.m)	DHPLG Standards (sq.m)	Difference (sq.m)
Block B – Corner				
Duplex (A1-A4)	4 no. 2B/ 4P Duplex	83	80	+3
Apartment (B1-B5)	5 no. 2B/ 4P apartments	87.6	73	+14.6
Apartment (C1-C4)	4 no. 2B/ 4P apartments	74.4	73	+1.4
Apartment (D1-D4)	4 no. 2B/ 4P apartments	84.8	73	+11.8
Apartment (E1-E6)	6 no. 1B/ 2P apartments	49.2	45	+4.2
Apartment (F1-F3)	3 no. 2B/ 4P apartments	74	73	+1
Block A – Rear Block				
Apartment (G1-G6)	6 no. 1B/ 2P apartments	52	45	+7
Duplex (H1-H5)	5 no. 3B/ 5P duplex	101	92	+9
Duplex I	1 no. 2B/ 4P Duplex	88	80	+8
Total	38 no. units	2497	2248	+249

Aspect, Natural Light and Ventilation

Each unit is dual aspect and all living rooms and bedrooms have regular windows on wall elevations providing natural light and ventilation.

Private Open Space

The Sustainable Urban Housing: Design Standards for New Apartments (2018) Guidelines sets out the following requirements for private open space:

- 4m² per unit is required in the case of studio apartments,
- 5m² per unit for one-bedroomed apartments,
- 7m² for two-bedroomed apartments and
- 9m² for three-bedroomed apartments.

The area schedule attached as Appendix 8 of the Part 8 Planning report details the quantum of private open space provided for each unit.

Each unit is provided with private open space. Block A comprises a three storey block which is located at the rear of the site running from east to west with associated north facing gardens and south facing balconies.

Block B comprises a four and five storey L-shaped corner building, with duplex units at ground floor level with own door access and private south facing gardens onto Montpellier Hill, and upper level deck access apartments with their own associated private south or west facing balconies.

The level of private open space provided is in accordance with and in many instances exceeds the requirements set out within the DHPLG Guidelines.

Communal Open Space, Landscaping and Playground

The residential buildings will enclose a communal courtyard complete with a play area and the provision of cycle parking spaces. Mitchell & Associates prepared a detailed landscape report and accompanying drawings outlining the landscape design objectives and how the landscaping plan responds to the site context. For instance, the play area is located close to the western wall taking advantage of the sunny aspect whilst also receiving adequate passive supervision from the apartment blocks and the adjacent seating area.

To emphasize the historical context of the site the existing granite flags will be reclaimed and reused within the design of the new surfaces where they will be incorporated in front of the entrance to the Married Quarter House.

Public Open Space

The development will be gated for security reasons and therefore will not be accessible to the public. While it is noted that objection to the gated nature of the development is raised within a number of submissions on the application, it is felt in this instance given the close proximity to Phoenix Park, the need to provide public open space as part of the development is not required.

Access/ Car Parking/ Cycle Parking

The proposed development comprises 2 no. blocks of residential units centred around a landscaped courtyard. There are 2 no. pedestrian entrances proposed from Montpellier Hill. No vehicular access for future residents is proposed to serve the site and no car parking is proposed. With regard to cycle parking, the requirement as set out in Table 16.2 of the Development Plan is for 1 space per unit. The drawings illustrate 58 no. cycle parking spaces will be provided within the landscaped area.

Vehicular access for emergency vehicles is proposed to be provided at Montpellier Hill. A pedestrian entrance will be located to the side of this vehicular entrance. The emergency access gate on Montpellier Hill is also intended to be used by refuse vehicles with the proposed bin storage area located along the eastern boundary.

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

“A Traffic Impact Assessment and Mobility Strategy were submitted with the application. The subject site is located in Parking Area 2, immediately adjacent to Parking Area 1, of Map J of the City Development Plan where a maximum car parking provision is 1 per residential unit. It is noted in the City Development Plan that reduced car parking standards may be acceptable, in specific mainly inner city locations where it has been demonstrated that other modes of transport are sufficient for the needs of residents. The Mobility Management Plan outlines in detail the location of the subject site relative to the train, bus and Luas services, all which are within a 5-minute walk of the site. It is further noted in Mobility Strategy that a full plan will be developed as part of the overall development, once occupied. This will include the development of a Steering Group to oversee the implementation of the Plan. In the event of a grant of permission, the provision of a full Mobility Management Plan can be dealt with by way of condition.”

A Traffic Impact Assessment has been submitted which assesses the potential impact of the proposed development on the existing surrounding road network. In an assessment of the existing road network, using TRICS trip rate calculation, it is concluded that the proposed development, by reason of its scale, would have minimal impact on the surrounding network. It is further noted that during the construction phase of the development, which will be temporary over approximately a two-year period, truck movements are proposed to be restricted to avoid the AM and PM peak traffic periods. In the event of a grant of permission, the submission of a Construction Management Plan can be dealt with by way of condition.

There is concern noted in a number of submissions with regards to the existing car parking provision in the area. There is existing controlled Pay and Display parking along Montpellier Hill, with residential permits provided for occupants along this road. There are double yellow lines located along both sides of Infirmary Road, which is located on the eastern boundary of the site. While concern is noted regarding illegal parking in this area due to the proximity to the Criminal Court, this is an issue that can be dealt with by Parking Enforcement of DCC. Residential parking is controlled by the Transport Advisory Group (TAG) of DCC through the provision of permits and there is pay and display parking for short term parking for visitors to the area.

58 no. cycle parking spaces are proposed to be provided- 38 no. spaces for residents and 20 no. visitor spaces. These spaces are proposed to be provided around the central landscaped courtyard. Bicycle parking should be provided in a secure, well-lit shelter. In the event of a grant of permission, this can be dealt with by way of condition.

Given the scale of the proposed development, its proximity to the city centre and access to several modes of sustainable transport in tandem with the development of a proactive Mobility Management Strategy, it is considered that the proposed development is acceptable in this instance, subject to conditions.”

The comments and recommended conditions from the Transportation Planning Division are noted by the planning authority. Having regard to the location of the site and its proximity to good quality public transport and the city centre, the non-provision of car parking with the provision of 58 no. cycle parking spaces is considered acceptable to the planning authority.

Materials & Finishes

Within the report prepared by the City Architects, a comprehensive analysis of the materials of the existing structures on site is included which demonstrates how the proposed material palette is in keeping with and complements the architectural heritage that exists on the site.

The proposed material palette and selected red brick, light brick and glazed brick reflect the brick detailing and contrasting tones and colour within the Married Quarters Building. The proposed railings and metal cladding compliments the tones of the boundary walls and gateways and the stone base of detailed cut granite quoins on the Married Quarters Building.

Careful consideration has been given to the materials and finishes proposed as part of the overall development within this architecturally and historically sensitive site. The development will improve the quality of the local urban environment by providing new buildings finished with materials that respond to the historic significance of the location.

Height/ Overlooking/ Overshadowing

Block A comprises a three storey block which is located at the rear of the site running from east to west and Block B comprises a four and five storey L-shaped corner building at the junction of Infirmary Road and Montpellier Hill.

There are existing tall buildings in the environs including the Defence Force Headquarters and the Criminal Courts of Justice. The two new residential buildings reflect the prominent site location and the historic context.

Block B has a presence at the corner to reflect the varying scales in the vicinity. The 4/5 storey building acts as a landmark for the broader area. Block B responds to the site and integrates the protected structure wall whilst the building steps back from Infirmary Road to create an avenue and vista towards the former Married Quarters building.

Block A addresses the pre-eminence of the Married Quarters building and the lower scale residential developments adjacent to the site which are predominantly two storey in height along Montpellier Hill and Montpellier Drive. The domestic scale of Block A is appropriate for this portion of the site.

The development has been appropriately designed and set back from the shared boundaries with Montpellier Drive and Montpellier Hill to mitigate against overlooking. No windows are proposed on the eastern elevation of Block A and there is over c.28 metres from the northern elevation of Block B to the rear boundary walls of the dwellings along Montpellier Drive.

A Daylight, Sunlight & Overshadowing assessment was undertaken which assessed the potential impacts of the proposed development on the surrounding properties and associated areas of private open space. The results found that given the proposed layout, massing and orientation of the proposed development, the potential of the development to result in overshadowing of lands outside the application site is minimal and limited to a small number of adjoining properties. It was established that the existing impact of overshadowing from the wall is already present in the rear gardens of properties in Montpellier Hill and Montpellier Drive. The assessment satisfactorily demonstrated that the proposed development is unlikely to have a significant effect on the existing buildings and residential amenity afforded to the adjoining residents.

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:-

“An archaeological assessment, written by Antoine Giacometti of Archaeology Plan, was submitted with this application. This document highlights the intensive development associated with the military complex within the subject site during the 19th century, as well as identifying development in the same area in the 18th century. The proposed development will retain two Protected Structures (the boundary wall and the ‘Married Quarters’) and result in the demolition of all other structures and footprints. The site is one of significant military archaeological value. It is the recommendation of this office that a condition of archaeological monitoring 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.

Impact on Protected Structures:

An Architectural Heritage Impact Assessment is submitted in conjunction with the subject application. This assesses the impact of the proposal on existing Protected Structures on site including the boundary wall together with the Married Quarters Building. The report concludes the following in this regard:

“The proposed works are a response to the demands placed on a derelict site for a new use. The works will have an impact on the historic fabric and the character of the site. However, with careful planning and execution, the proposed works can be a successful intervention on the historic site and will retain the significance of the Protected Structure and the other remaining historic structures.

The original historic design intent of the site is no longer applicable and the conversion of this portion of the historic site for residential use should be seen as a sustainable reuse of a vacant historic site of importance. The interventions proposed by the Architects are justified by the quality of the design in the setting and use of high quality materials proposed.

Where it is deemed applicable, mitigation measures have been put in place in order to absorb the loss of (or cover up) of historic fabric.

In our opinion this is a successful reuse proposal of a now redundant site in a historic setting”.

The Conservation Officer’s report on the file recommends a grant of permission subject to condition. The report outlines the following in respect of the proposed use:

“The proposed development on this long-disused site for new housing is welcomed by and supported in principle by the Conservation Section. The shared courtyard garden enclosed by Blocks A & B will provide the residents with a pleasant amenity”.

The Conservation Officer’s report outlines that “it is important that this protected structure is maintained in a condition that will facilitate its adaptation, refurbishment and reuse in due course, in accordance with best conservation practice, and that none of the new works will affect its future rehabilitation”. This point is addressed in the recommended conditions attached to the Conservation Officer’s report.

The impact of the proposed development on the setting of the existing protected structures on site is addressed within the Conservation Officers report. In this regard it is noted that the proposed conservation works to the wall and re-opening of the two entrances onto Montpelier Hill and the proposed brick finish is welcomed by the Conservation Officer.

The Conservation Officers report refers to the height of Block A which is lower than and subservient to the protected structure and maintains a set back of c7m. In terms of Block B, the Conservation Officers report notes that it is c2m higher than the eaves height of the protected structure but outlines that this is “somewhat mitigated by the set back of the new block by c14m from the principal façade of the protected structure”. Concerns are furthermore raised within the Conservation Officers report in respect of the impact of the height of Block B on the character of Montpelier Hill.

The comments and recommended conditions from the Conservation Officer are noted by the planning authority. On balance, it is considered that the proposed height of Block B is mitigated by the proposed set back from the protected structure. It is considered that the proposal maintains the pre eminence of the Married Quarters and its setting by allowing space around the building. The height of Block B is also considered appropriate having regard to the existing character of Montpelier Hill.

Future development of the northern part of the former military stores site

The proposed development takes cognisance of any implications on the future development potential of the upper site. A future masterplan will be prepared to address and respond to the significance of the protected and NIAH listed structures within the overall site.

It is noted that Conservation Officers report outlines that:

“It is disappointing that the three-storey protected structure that housed the former married quarters has not been incorporated into the new residential scheme”

The incorporation of the former married quarters as part of the development is also reflected in a number of 3rd party submissions on the application. While these comments are noted, as detailed within the Planning Report submitted in conjunction with the Part 8 application the proposed works represent the first phase of the redevelopment of the site and the proposal have been designed to negate against impact on the protected structure.

The proposed development subject to this Part 8 application has been designed and set back from the main conservation Category 1 buildings, the Married Quarters and the Isolation Infirmary to safeguard the curtilage and future redevelopment of the overall military stores site.

Flood Risk Assessment

A Site-Specific Flood Risk Assessment prepared by Punch Consulting engineers was submitted as part of the Part 8 application material included as Appendix C. This assesses the potential impact of the development and states that the proposed development is not at risk of flooding in the future scenarios with climate change accounted for. Furthermore, it is noted that the report received from the drainage division has not raised any concerns regarding flood risk assessment. The development is therefore considered to be acceptable in this regard.

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 application material as Appendix A 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.

Having regard to the nature and scale of the proposed development and the proximity to the nearest European site, no Appropriate Assessment issues arise and 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. The development is therefore considered to be acceptable in this regard.

Requirement for Environmental Impact Assessment

The current proposal is accompanied by an EIA Screening Report prepared by Atkins as Appendix B which confirms the proposal has been screened for the requirement for the submission of an Environmental Impact Assessment Report. The submitted screening report assesses the development as a subthreshold EIA Development and the screening has determined that the characteristics of the proposed development are not considered significant due to the nature, size, scale, and location of the development. It has therefore been concluded that there is no requirement for an Environmental Impact Assessment to be carried out for the proposed development. The planning authority accepts and concurs with this conclusion.

Conclusion

In conclusion, the proposed development is welcomed and would result in the revitalisation of a disused and vacant site. The redevelopment of this portion of the site for residential use is a sustainable reuse of a vacant site in the city centre. There are a number of policies and objectives that support the provision of high quality housing which will be delivered by this project. The works will have an impact on the historic fabric and the character of the site, however, as demonstrated in this application, the proposed works will be a successful intervention and will retain the significance of the protected structures and the other remaining historic structures.

It is considered that the overall design and scale of the proposal is well reasoned and can be accommodated on site. Therefore, in light of stated policies and objectives in support of developments such as that now proposed, 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.

Recommendation:

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

Conservation Officer

1. A conservation expert with proven and appropriate expertise shall be employed to design, manage, monitor and implement the works to the protected structure 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 historic fabric.

Reason: To protect the fabric, character and integrity of this protected structure

2. All works to the protected structure shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) 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.

Reason: To ensure that the integrity of this protected structure is maintained and that the proposed repair works are carried out in accordance with best conservation practice with no unauthorised or unnecessary damage or loss of historic building fabric.

3. The applicant shall ensure that the former married quarters building, which is not part of the proposed works, shall be protected in an appropriate manner for the duration of the works so as to prevent any damage to the historic fabric. Similarly the applicant shall ensure that the cut stone gate piers are properly protected as these could be vulnerable to damage by construction traffic.

Reason: To protect the character and integrity of the protected structure

4. The conservation expert shall carry out regular inspections of the former married quarters throughout the works to ensure that no damage arises as a result of the works.

Reason: To protect the character and integrity of the protected structure

5. A custom designed information panel shall be provided in an appropriate location within the development to acknowledge and describe the significance of the site.

Reason: To ensure an understanding of the significance of the site for future generations.

Drainage Division

6. It has been recommended that the development is acceptable 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).
7. The proposal for the management of surface water as indicated on the drawings submitted is not acceptable. The developer shall submit a revised surface water management plan, including SuDS strategy, to the Drainage Division for written agreement. These plans shall be submitted not later than the submission of the commencement notice for the development. The main points to note in the revised submission are:
 - a. Revised surface water storage and discharge calculations must be submitted to the Drainage Division prior to commencement of construction. These calculations shall comply with Section 16 of the Greater Dublin

Regional Code of Practice for Drainage Works Version 6.0. The developer shall liaise with DCC Drainage Division to determine their requirements.

- b. The developer shall submit full details of the proposed rainwater harvesting system to the Drainage Division.
8. 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 surface water 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.
9. It is not permissible to locate surface water attenuation tanks under the pavement and/or carriageway of the proposed development. Please refer to section 16.6 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
10. 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.

Reason: In the interests of orderly development

City Archaeologist

11. 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.
12. The developer shall allow for the resolution of archaeology (both on site and necessary post excavation) in the project budget and timetable.
13. 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.
14. The archaeologist shall consult with and forward their Method Statement in advance of commencement to the Planning Authority.
15. 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.
16. 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.
17. 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.

Transportation Planning Division

18. 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.
19. Prior to occupation of the development, a Mobility Management Plan, shall be submitted for the written agreement of the Planning Authority. This plan shall address the mobility requirements of future residents and detail how it intends to promote the use of public transport, cycling and walking. The plan shall also, provide details of all public transport options and identify car club spaces, bike share and any other transport schemes outside of the development and in the vicinity of the site.

A review of the Mobility Management Plan, including travel habit surveys, shall be carried out within 12 months of the occupation of the proposed development and submitted to the Planning Authority for review. The mobility strategy shall be prepared and implemented by the management company for all units within the development.

20. Cycle parking, shall be secure, sheltered and well lit with key/fob access. Cycle parking shall be in situ prior to the occupation of the proposed development.
21. All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.
22. The developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: In the interests of orderly development

Department of Culture, Heritage and the Gaeltacht:

23. A Bat Survey must be carried out by a suitably qualified ecologist and if any bats roots are located a mitigation plan should be submitted along with applications for relevant licenses.

Reason: In the interests of amenity, ecology and sustainable development.

Klara Crowley
Executive Planner

Appendix 1

List of Observations/Comments/Objections

1. Frank O'Connor & Maureen Flannery, 31 Infirmary Road, Dublin 7
2. Emily Hayden, 19 Montpelier Drive, Dublin 7
3. Joe Toomey, 58 Montpelier Hill, Dublin 7
4. Vikki Brennan, 58 Montpelier Hill, Dublin 7
5. Clare Cotter, 7 De Burgh Road, Dublin 7
6. Sean Fogarty, 11 Montpelier Gardens, Dublin 7
7. Ann Connolly, 10 Montpelier Drive, Dublin 7
8. Belinda Small, 2 Deburgh Road, Dublin 7
9. Elizabeth Morgan, 22 Infirmary Road, Dublin 7