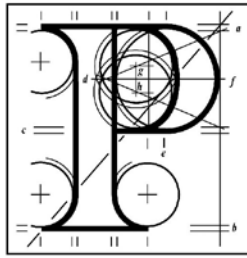


An Bord Pleanála



Inspector's Report

An Bord Pleanála Ref.: PL29S.246347

Development: Demolish Oisín House and construct 7 storey building for student accommodation, retail and other services. Temporary removal of Pease Street Gates

Location: Oisín House, Pease Street, Printing House (Protected Structure) T.C.D. Dublin 2.

Planning Application

Planning Authority: Dublin City Council

Planning Authority Reg. Ref.: 3970/15

Applicant: The Provist, Fellows, Foundation Scholars and other members of the Holy and Undivided Trinity of Queen Elizabeth near Dublin, College Green, Dublin 2.

Type of Application: Permission

Planning Authority Decision: Permission

Planning Appeal

Appellant(s): An Taisce

Type of Appeal: Third Party

Observers: 1) Brian Hogan Architects
2) Valerin O'Shea

Date of Site Inspection: 21st of June 2016

Inspector: Angela Brereton

1.0 SITE LOCATION AND DESCRIPTION

The subject site is located adjoining Trinity College campus with road frontage to Pearse Street, in close proximity to its junction with Tara Street on the opposite side of the road. The site contains the existing 5no. storey Oisín House former office block building no. 212-213 Pearse Street, which lies immediately north of the historic Printing House building also contained within the site. The Printing House Building P.S. dates from C.1733/34 and was home to the Dublin University Press up to 1976. This building has extensions dating from the 1840's and 1970's. The site adjoins the Áras an Pharsaigh building to the east, Botany Bay to the west and New Square in Trinity campus to the south. The site is bounded by Pearse Street to the north and on all other sides by Trinity College Campus or lands owned by Trinity College.

2.0 PROPOSED DEVELOPMENT

The proposed development comprises the following:

- (i) The demolition of the existing Oisín House (6,396 sq.m g.f.a) in 5 no. storeys plus roof plant level over basement), 2 no. later 3no. storey ancillary extensions (totalling 887.4sq.m g.f.a) to the Printing House (Protected Structure), existing single storey stores adjacent to the Pearse Street gate of Trinity College (108sq.mg.f.a) and sundry walls/gates within the site;
- (ii) The temporary removal of the Pearse Street gates at T.C.D (P.S Ref.No.2001), including the two piers of the perimeter wall to the east as far as the boundary of Oisín House during the development period. The piers and the gate will be reinstated as existing on completion of the works on the site;
- (iii) The construction of a stone and granite building with a g.f.a of 13,825.4sq.m comprising 7no. storeys above ground level with additional plant service enclosed in the roof structure (27.5sq.m max in height above ground level or 31.62 O.D) and 2 no. basement levels. The building will include: 278no. student accommodation bedspaces; ancillary services including laundry, security/porters office, seminar rooms, common rooms, comms room, refuse facilities; a medical facility/wellness centre (975sq.m g.f.a); 3 no. ancillary retail service units at ground floor level (totalling 149sq.m g.f.a); student support services including disability offices, technology assistant offices and an estate management facility including a workshop, delivery bay and a goods lift; sports and recreational facilities(1074sq.m g.f.a) located at 2no. basement levels; 140no. bicycle parking spaces and; 2no. courtyards one at ground floor level off the street and another at first floor level;
- (iv) Sundry repairs to the Printing House related to the removal of the Printing House extensions, including works to the roof, repair of timber cornices, the removal of modern render and cleaning the building, the removal of plaster residue, stone repairs, the reinstatement of glazing to original and altered window opes revealed by the removal of the Printing House extension as well as the external redecoration of the existing window opes. The works to the Printing House will also include the excavation of the original basement at the eastern elevation, the construction of a retaining wall and the provision of railings; the provision of a new door to the north elevation and the reduction of the ground level in front of the southern entrance to uncover/reinstatate the original steps at this location;
- (v) The change of use of 3no. existing parking spaces to provide 3no. disabled parking spaces to the South of the Printing House;
- (vi) Landscaping including public and private open spaces, foul and surface water sewers, works to the public road subject to agreement with the roads authority and all other associated site services, site infrastructure and site development works.

The application form provides the following:

- (i) Total site area – 3,528.14sq.m
- (ii) Floor area of buildings proposed to be retained within the site – 379.7sq.m.
- (iii) Floor area of new buildings proposed within the development – 13.825.4sq.m
- (iv) Total floor area of proposed development (i.e. new and retained) – 14,205.1sq.m.
- (v) Floor area of buildings to be demolished 7,391.4sq.m
- (vi) Total non-residential floor area – 14,205.1 sq.m
- (vii) Proposed plot ratio – 2.97
- (viii) Proposed site coverage – 39%

Note all floor areas given relate to g.f.a.

The application form also provides that it has been agreed with the Housing Section of the Council that this application is not subject to Part V.

Drawings showing the existing and proposed have been submitted. These include floor plans, sections and elevations, photomontages and visualisations.

A letter has been provided on behalf of Trinity College confirming that the proposed development will comply with the requirements of Appendix 23 Student Accommodation Guidelines – Dublin City Development Plan 2011-2017.

The Following Documents have been submitted with the application:

- Planning Report prepared by Bilfinger GVA.
- AA Screening report prepared by Scott Crawley Ltd.
- Bat and Bird Guidance Note prepared by Scott Crawley Ltd.
- Engineering Services Report prepared by O'Connor Sutton Cronin Consulting Engineers.
- External Lighting Design Intent Statement prepared by JV Tierney & Co. Consulting Engineers and Project Managers.
- Building Services Engineering Report/Sustainability Statement prepared by JV Tierney & Co. Consulting Engineers and Project Managers.
- Sustainable Energy Solutions - Planning Report prepared by Sustainable Engineering Solutions Ltd.
- Structural Impact Assessment Report – Livia Hurley, Historic Building Consultant.
- Archaeological Impact Statement prepared by Judith Carroll and Company.
- Landscaping Report and Drawings prepared by Stephen Diamond Associates to accompany the Landscaping Drawings.
- Architect's Report and Drawings prepared by McCullough Mulvin Architects.
- Photographic Surveys prepared by McCullough Mulvin Architects.
- Visualisations prepared by Pederson Focus Ltd on behalf of McCullough Mulvin Architects.

3.0 PLANNING HISTORY

There is an extensive planning history relative to T.C.D and its surrounds. The Planner's Report notes that there is no planning history found relative to Oisín House. They noted recent history on the wider campus which includes the following permission granted subject to conditions by Dublin City Council:

- Reg.Ref.3012/15 – Permission granted for the demolition of the sports hall known as Luce Hall as well as other buildings and the construction of a business school, innovation and entrepreneurship hub, auditorium, café and student accommodation with ancillary administration, staff and student uses. The development consists of six floors of lecture/office accommodation over

two basement levels linked to nos. 183-188 Pearse Street. This includes some student accommodation at first and second floors of the Protected Structures. The overall height of the building is c.25m with a maximum of 6 storeys. The description of development includes that it will consist of a business school; innovation and entrepreneurship hub; auditorium; cafe and student accommodation with ancillary administration, staff and student uses. The proposed new building comprises six floors of lecture/office accommodation (25.15 m above ground level) over two basement levels (11,714 sqm Gross Floor Area) linked to Nos. 183-188 Pearse Street. The development will also include the refurbishment, including internal revisions, of Nos. 183-188 Pearse Street, which will be extended at the rear ground floor level to provide cafe use with student accommodation at first (including rear terraces) and second floor levels (2,441 sqm Gross Floor Area including basement). The development will include the refurbishment of shopfronts to Nos. 183-188 Pearse Street and related elevational works etc.

This proposal was not subject to an appeal to ABP and the site is now under construction.

- Reg.Ref.4269/09 – Permission granted for the re-development of Luce Hall and its extension onto Pearse Street to provide for c.4400sq.m student facilities. (The description refers to facilities rather than student accommodation).
- Reg.Ref.1781/05 – Permission granted for refurbishment of the terrace of houses along Pearse Street to ground floor retail and student facilities and upper floor student residences and new departmental buildings to the north of the campus sports ground concourse and associated landscaping. In response to a subsequent appeal the Board retained condition no.2 relative to the retention of the terrace of houses 183-187 Pearse Street, which are Protected Structures – Ref. PL29S.217882 refers.
- Reg.Ref.4783/03 An Bord Pleanála granted permission for a six storey student residence building adjoining to the north side of Luce Hall – PL29S.205480 refers. This permission has not been implemented.

Copies of these decisions are included in the History Appendix to this Report.

4.0 PLANNING AUTHORITY APPLICATION

Internal

City Archaeologist

They note that the site is within a Zone of Archaeological Constraint and do not object to the proposed development subject to conditions relative to archaeological monitoring.

Drainage Division, Engineering Department

They have no object subject to recommended conditions.

Roads Streets & Traffic Department – Road Planning Division

They noted that no car parking is proposed to serve the development due to the central location of the site. They considered that additional information was needed on the cycle parking proposed. They recommended that in the interests of pedestrian safety that the proposed bus layby be omitted from the development. They have no objection subject to a number of conditions.

Conservation Officer's Report

They provide a detailed Report relative to an overview of the historic T.C.D campus. The C.O is in general support of the proposed development, does not object to the removal of Oisín House and notes the thorough provision of supporting documentation in respect of the conservation issues, the evaluation of the buildings/structures proposed for demolition and the high quality and unique design/contextural response provided. To avoid undermining the historic campus they recommended that several mitigation measures be implemented.

They provide a review in response to the F.I submission and they note that there are still concerns about the substantial and over imposing scale of the proposed development and that the mitigation measures previously recommended by the CO are still relevant and are guided. They recommend a number of detailed conditions.

External

Transport Infrastructure Ireland

They note that the site falls within the area set out in Metro North Section 49 Levy Scheme and ask if permission is granted that a condition be included for a Section 49 Metro North Levy.

An Taisce

They are concerned about the scale of the proposed development relative to the highly sensitive location approaching College Green and close to the Old Squares of the college. They consider that this proposal provides for floorspace maximisation at the expense of an area of great historic, architectural and civic design sensitivity and would not be in accordance with the Z8 Zoning Objective or Conservation Policy.

Submissions

A number of submissions have been received and these include the following:

- The design, height and mass of the buildings are totally unacceptable in such close proximity to the Trinity College main campus.
- The proposal will impact negatively on the T.C.D campus.

The Planner's Report

This had regard to the documentation submitted, locational context, planning history policy, the interdepartmental reports and the external submissions made. They provide an assessment of the proposed development. This includes regard to Student Accommodation relative to policy including Appendix 23 of the DCDP, Height, Plot Ratio, Site Coverage, Views and Prospects and AA Screening. They noted that the new development will provide accommodation for 278 students and a new public entrance to the College, and active frontage to Pearse Street which is to be welcomed. However they had concerns about the height scale and massing of the proposed development. In particular concerns regarding the impact on Pearse Street and the sensitive setting within Trinity College. They provided that given the concerns and complexity of the proposed development it is considered that Further Information be requested to include the following:

- They noted that the sculpted detail of the roof profile is not clearly evident from the CGI images and requested that a small-scale working model of the development be submitted to assist in the evaluation of the proposal.
- They had concerns regarding the elevation to Pearse Street in terms of scale, massing and height and suggested changes to the sculpted 'folding planes' of the roof profile to allow for a more satisfactory alignment with the adjoining building to the east.
- There is concern regarding the south facing elevation and the unrelieved sculpted form to the Printing House and suggested exploring design changes to relieve the blankness of this.

- To submit a schedule of compliance with Appendix 23 of the DCDP relating to all the standards for Student Accommodation. They also noted that the essential laundry facility is not marked out on the plans and sought clarification.
- They sought to clarify the conservation plan/strategy and future use of the Printing House to ensure its long term re-use within the University campus.

Further Information response

GVA Bilfinger has submitted a response on behalf of the applicant to include the following:

- A working model is submitted and the relevant CGI views 1,11,5, 6, and 12 are also resubmitted to show the detailed adjustment of these views.
- A revised elevation to Pearse Street is submitted that shows adjustments to address the concerns regarding height, bulk and massing when viewed from Pearse Street and details are given of the modifications made. They submit that these changes sufficiently address the concerns with regard to this aspect of the proposed development and provide an appropriate transition between Áras an Phiarsaigh and the proposed student accommodation.
- They provide details relative to the concept of the proposed development and consider that the old building i.e. the Printing House ties in with the new and that the proposed folded plains behind will offer a significant architectural character in its own right.
- A Schedule of accommodation is provided and a table of compliance with Appendix 23 of the DCDP is set out in Appendix B of the F.I submission. They consider that a high quality scheme is provided for student accommodation.
- They provide details of the usage of the Printing House building. The conservation strategy is solely focused on keeping the building in active use as it is at present and no works are proposed outside of the scope of this application.

Planner's response

The Planner had regard to the F.I submitted and had regard to the Conservation Officer's Report. They considered that the alterations made on foot of the F.I request are appropriate and have reduced the visual impact of the development on adjoining properties and on the streetscape. They are satisfied with the high quality design and innovation of the scheme and recognise that the Design Team are responsible for designing other statement buildings within the college campus. In addition, they note there is a demand for student high quality accommodation in this area of the city and for the University Campus. They do not consider that the proposed scheme will have a negative visual impact on the setting of the P.S or on the Conservation Area and they recommend that permission be granted subject to conditions.

5.0 PLANNING AUTHORITY DECISION

On the 23rd of February 2016 Dublin County Council granted planning permission for the proposed development subject to 14no. conditions. These include the following:

- Condition no.2 – Development Contributions – Section 48
- Condition no.3 – Supplementary Development Contribution for Metro North.
- Condition no.4 – use of the apartment units for student accommodation only.
- Condition no.5 – restriction on use of the ground floor service units including new signage.
- Condition no.6 – Compliance with Conservation Section conditions
- Condition no.7 – Restriction on hours of construction
- Condition nos.8 and 9 – Construction and Demolition works
- Condition no.10 – External finishes
- Condition no.11 - Restriction on advertisements

- Condition no.12 – Compliance with Archaeological conditions
- Condition no.13 – Compliance with Drainage Conditions
- Condition no.14 – Compliance with the requirements of the Roads and Traffic Planning Division.

6.0 GROUNDS OF APPEAL

A Third Party Appeal has been submitted by An Taisce. Their grounds of appeal are that the proposed building, in view of its excessive scale in relation to the important streetscape approaching College Green and within the historic Trinity College campus and adjacent numerous protected structures, would constitute gross overdevelopment and would be contrary to the provisions of the DCDP 2011-2017 on Protected Structures, Conservation Areas, plot ratio and the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities. Their concerns include the following:

- They provide a description of the historic context of the site and are concerned that this proposal on this prominent site will impact adversely on the setting of adjacent Protected Structures.
- They provide details of adjacent Protected Structures, noting their contribution to the character of this part of the Pearse Street area.
- They note that the Trinity College campus is a designated Conservation Area and while the footprint of Oisín House is excluded from the C.A it is covered by the Z8 zoning.
- The proposal is within and is incompatible with the Z8 zoning objective.
- They also note the proposed development is proximate to an ACA (O'Connell Street and Environs ACA) and provide that the proposal should be considered have regard to planning policy outlining standards for development in Conservation Areas and ACAs.
- They also provide that regard should be had to the Architectural Heritage Protection Guidelines for Planning Authorities and refer to Government Policy on Architecture as referenced in the DCDP.
- They provide that the scale of the proposal is grossly excessive and note that the Plot Ratio proposed is almost twice as high as that normally permitted in the Z8 zoning.
- The applicant's photomontages show a substantial jump in scale in the Pearse Street streetscape in a sensitive location approaching College Green and backing onto other important parts of the historic Trinity College campus.
- They concur with the comments of the Conservation Officer regarding the substantial and over imposing scale of the proposed development in the context of the site.
- To permit this building would set an undesirable precedent for such a transition in scale to the historic Dublin streets.
- It is not necessary or desirable to densify Oisín House to the extent proposed and it amounts to an exercise in floorspace maximisation at the expense of an area of great historic, architectural and civic design sensitivity.
- The scheme as proposed would constitute a disorderly, incoherent form of development with an overscaled building disrupting the scale and balance of the street and adversely affecting the adjacent historic college campus in this important Conservation Area.
- The proposed building is not designed to integrate or to be environmentally friendly in the context of the buildings in the area.
- They consider that the proposal would be contrary to the proper planning and sustainable development of the area and would not compliment or enhance the Conservation Area as required and would be contrary to the Architectural Heritage Protection Guidelines.

7.0 OBSERVATIONS

Two separate Observations from Third Parties have been made and these include the following:

7.1 Brian Hogan

Brian Hogan Architects, the original designer of Oisín House in c.1973 has submitted an Observation which includes the following:

- Oisín House is structurally sound and could last indefinitely and be used for a variety of uses such as student accommodation.
- He suggests that the Council request the applicant to demonstrate on appropriate drawings that it has studied the possibility of adapting and if necessarily extending the existing building to meet its requirements.
- He provides a description of the design criteria for Oisín House and notes that these were reflective of other buildings designed in this period. This includes that the ground level in an urban building fulfils its public contact functions – normal office use starts on first floor.
- These buildings represented a brief but specific phase in the architectural evolution of commercial developments in Dublin over a twenty year period.
- He provides details of the construction of Oisín House and notes that it represents the practical limit to the possibilities of prefabrication in terms of overall size of individual reinforced concrete structural components.
- He considers that this is a building worth saving as a carefully designed ordinary sustainable building.
- This furthers a recent trend of demolishing sound buildings built in the last 30 or 40 years and granting permission for replacement buildings with a greater gross floor area. Height restrictions are also being relaxed.
- There is concern that this will encourage unsustainable building practice, and that well considered, sound and adaptable buildings will be demolished. Planning decisions should give due priority to that aspect of urban sustainability.

7.2 Valerin O'Shea

She is a member of the Dublin City Council Planning, International Relations and Property Development Strategic Policy Committee. Her Observation includes the following:

- It appears that the serious concerns expressed by the DCC Conservation Officer have been largely ignored, despite the importance of such advice given the architectural significance of Trinity College and its environs.
- The proposed scheme is a gross overdevelopment of the site and this scale of overdevelopment would be in direct contravention of the standards set out in the DCDP 2011-2017 and would have a seriously negative impact on the setting of TCD.
- The proposed development is in material contravention of the Z8 Conservation Zoning Objective and regard is had to policy relative to development in Conservation Areas and P.S.
- The significance of the contribution of TCD to the heritage of the city cannot be under estimated and she provides quotes from various publications relative to Dublin's Georgian Heritage.
- There is concern that the Council's Conservation Officer's comments regarding the lowering of the proposed structure have been disregarded in the Council's decision to grant permission.
- The height of the proposed development is a visual intrusion in many parts of the campus.

- The excessive scale and height would present a very dominant structure that will impact adversely on the other P.S within the campus including the proximate Printing House.
- They submit that the failure to identify student accommodation on the application form as residential is highly misleading.
- In the interests of sustainability serious consideration should be given to the upgrading and remodelling and reuse of Oisin House.
- Of major concern is the highly undesirable precedent that this would set for the city should such a proposed development be permitted to succeed.
- They consider that such a precedent would be undesirable on environmental grounds i.e the huge environmental costs associated with demolition and replacement and on conservation grounds i.e the overbearing impact of a building of such huge scale negatively impacting on the setting and character of Trinity College and on streetscape at Pearse Street.
- They contend that this proposal would not comply with proper planning and sustainable development of the area.

8.0 RESPONSES

8.1 **Dublin City Council** response to the grounds of appeal provides that the appeal documents have been reviewed and it is considered that the proposed development subject to the conditions attached to the permission is consistent with the proper planning and sustainable development of the area. They have no further comment to make and request the Board to uphold the Council's permission with conditions for the proposed works.

8.2 **First Party response**

GVA Planning has provided a response on behalf of the First Party. This is accompanied by the following documents:

- Statement of Architectural Significance – prepared by McCullough Mulvin, project Architects (Appendix B);
- Conservation Statement on An Taisce Appeal – prepared by Livia Hurley, Historic Building Consultatn (Appendix C);
- Additional verified computer generated images – prepared by Penderson Focus Ltd.

They provide that the proposed development provides innovative solutions offering a contemporary solution in a high standard of design which can be used to support a relationship with the existing city. It will act as a catalyst for the transformation of the street at the western end. Overall the concept of the treatment of the adjoining Protected Structures is something that has been accorded a significant level of importance and the resultant building will continue the legacy of TCD's commitment to brave, contemporary architecture in a unique setting. Their response seeks to address the matters set out by the Third Party and to demonstrate that the proposed development:

- Will not have a negative impact on the streetscape of Pearse Street or the protected structures thereon in the manner suggested;
- Will not have a negative impact on the setting of the campus of TCD or the protected structures therein;
- Will not result in an incongruous or disorderly form of development, as suggested, something that is contrary to the design intent;
- Will assist the university in maintaining its status as one of the foremost third level institutions in the country;
- Will be a sustainable form of development used throughout the year in accordance with the stated uses;

- Will contribute to the campus as one of the most important architectural resources in the city, and;
- Will therefore be wholly in accordance with the proper planning and sustainable development of the area.

They have regard to the contemporary design and the advantages/positive elements of the proposed development and provide a justification of the need for student accommodation in the area. They note consultation has taken place with stakeholders and consider the socio-economic benefits of the proposed development. They have regard to and welcome the decision of the P.A. Section 4.0 provides their general response to the ground of appeal which includes the following:

- They do not consider that it can be stated that the proposed development is in material contravention of the Development Plan.
- They advise on the merits of the scheme and consider that the scale and height of the proposed development is acceptable in this location and refer to a number of views.
- They note that the three dimensional model of the proposed buildings and refer to survey data and site photography and photomontages submitted.
- They provide that the option of refurbishing Oisín House was considered but that the building is not capable of accommodating modern student accommodation.
- They provide nos. relative to the need for student accommodation and provide there is sufficient demand which exceeds supply.
- They note that the removal of spaces from the model would fundamentally undermine the project having regard to the no. of bedspaces needed on campus.
- This is not a speculative development and is proposed on a site wholly owned by TCD.
- They consider that the proposed development is sensitively designed and contemporary and will not undermine the unique architectural characteristics on site.
- They note TCD has a Campus Development Plan (2010) that places a significant emphasis on architectural history, quality and the University's role as a tourist attraction.
- They note that there is a dynamic mix of buildings on the campus and have regard to the evolution of such.
- The campus and the surrounding city is a continually changing environment and the proposed development represents the next step in the evolution of the area.
- Section 5 provides a Response to the grounds of appeal as set out by the Third Party.
- They consider that the proposed development is compatible with planning policy and the Z8 land-use zoning.
- They provide that this proposal will only provide for a limited expansion of existing floorspace taking into account the demolition of the existing building and the overall campus stock.
- They have regard to plot ratio and note that the site is located in one of the most accessible areas of the city adjacent to transport links.
- They consider that the setting of the Printing House is enhanced by the proposed structure and the removal of the later additions reinstates the original pavilion form.
- No works are proposed that would cause loss or damage to the special characteristics of the Printing House.
- They provide a description of the additional Views and Photomontages submitted, including relative to Impact on Pearse Street.

- As shown on the Photomontages the special character of the ACAs are not materially impacted and TCD Conservation Area has been treated with the utmost respect by the design of the proposed development.
- They provide a description of the views submitted relative to various locations within the TCD campus and submit that the proposal will make a wholly positive impact on the building stock of TCD.
- It is the intention of the applicant to provide a building of the highest quality on the campus and they note that the appointed design team have a strong track record of successfully integrating new buildings into this most historical context.
- They submit that many of the points raised by the Third parties cannot be substantiated by evidence of adverse impact.
- They consider that this intelligent proposal addresses the history and character of the city and supports its conservation character in an entirely progressive way.

In conclusion they submit:

- The proposed development will not have a negative impact on the streetscape of Pearse Street or the P.S thereon;
- It will not have a negative impact on the setting of the campus of TCD or the P.S thereon;
- Will not result in an incongruous or disorderly form of development;
- It will assist the university in maintaining its status as one of the foremost third level institutions in the country;
- Will be a sustainable form of development used throughout the year in accordance with the stated uses;
- Will contribute to the campus as one of the most important architectural resources in the city, and;
- Will therefore be wholly in accordance with the proper planning and sustainable development of the area.

8.3 Third Party response to First Party

An Taisce response to the First Party response includes the following:

- The core issue of their appeal against the proposed development is excessive height.
- They refer to View 1 of the response photomontages submitted and consider that illustrates that the building is too tall in the streetscape.
- They consider that an uninterrupted six storey elevation as proposed in the current application is cliff like and unbalances the scale and proportions of the street.
- They provide that aerial views of the site show that the existing Oisín House is already a very substantial building in relation to its surroundings and the proposal for two stories above this in this location is not supportable.
- The Z8 conservation area land-use zoning is an especially sensitive zoning designation that requires the highest level of care.
- They note that Áras an Phiarsaigh is 5 storeys high (and includes plant in the roof). It was constructed in the 1970's but was reworked in the 1990's increasing the footprint and creating set-back for most of the fifth storey on Pearse Street.
- They express support for the Conservation Officer's Report on file and their recommended modifications, including reducing the overall height, and recommend that should the Board decide to permit that one storey is omitted.
- In conclusion they consider that the proposed development is excessive in scale and would present a visually overbearing prominence within historic streets adjacent to Trinity College and College Green and would adversely

impact on the pre-eminently important grounds at Trinity College and on protected structures in the vicinity.

9.0 PLANNING POLICY

The Planner's Report submitted with the application provides details relative to planning policies and objectives as does the documentation submitted by the Parties.

9.1 *Development Plan*

Under the Dublin City Council Development Plan 2011-2017 the site is shown on Map E within the Z8 (Georgian Conservation Area) land use zoning objective. Residential, Cultural/Recreational buildings and use, Educational and Medical and related consultants are all permissible under this zoning.

Chapter 7 refers to '*Fostering Dublin's Character and Culture*' and Section 7.2 includes regard to the Built Heritage. S.7.2.5.3 refers to Conservation Areas and ACAs.

Chapter 16 refers to Design and Connectivity of the Public Realm, Urban form and Architecture. This includes Guiding Principles for all new Developments, such as sustainable site design and regard to SUDS.

Chapter 17 includes the Development Management Standards and has regard to Design, Layout, Mix of Uses and Sustainable Design and Conservation issues. Table 17.1 provides the Car Parking Standards for Various Land-Uses and Table 17.2 the Cycle Parking Standards.

The Development Management Standards include:

- Indicative plot ratio for Z8 zone is 1.5
- Indicative site coverage for the Z8 zone is 50%.
- Section 17.6.2 provides a Definition of High Buildings – low rise category refers.

Specific Development Plan policies supporting Student Accommodation include:

Policy QH30 seeks: *To support the provision of high quality, professionally managed and purpose built third level student accommodation on campuses or in appropriate locations close to the main campus adjacent to high quality public transport corridors and cycle routes, in a manner which respects the residential amenity of the surrounding area, in order to support the knowledge economy. Proposals for student accommodation shall comply with Appendix 23 'Guidelines for Student Accommodation' and shall be considered in the context of the Department of Education and Science 'Guidelines on Residential Development for 3rd Level Students' (1999) and the supplementary review document of July 2005.*

Section 9.4.8 seeks to promote Tourism: Visitors, International Education, Conventions. Policy RE32 seeks: *To promote Dublin as an International Education Centre/ Student City, as set out in national policy, and to support and encourage provision of necessary infrastructure such as colleges (including English Language colleges) and high quality custom built and professionally managed student housing.*

Appendix 23 provides Guidelines for Student Accommodation.

9.2 **National Planning Guidelines Architectural Heritage Protection**

The Architectural Heritage Protection Guidelines for Planning Authorities issued by the DoEHLG in 2004/2011 has regard to development within Protected Structures and within an ACA. A Protected Structure includes the interior of the structure and all fixtures and features which form part of the interior or exterior and within the curtilage of the structure. An ACA is used to protect groups of structures of distinctiveness or visual richness or historical importance including the setting of Protected Structures where it is more extensive than its curtilage.

Chapter 2 refers to the Record of Protected Structures in the Development Plan and has regard also to those buildings within the curtilage of a P.S. Section 2.2.1 provides: *A 'protected structure' is defined as any structure or specified part of a structure, which is included in the RPS.*

Chapter 3 includes regard to The Development Plan and to ACAs and regard is had to Categories of Special interest, Architectural interest and to the historical interest and character of the area.

Chapter 6 provides policies and objectives for Development Control, which seek to ensure the protection of the architectural heritage so that these structures retain their character and special interest and continue to contribute to the social and economic mix of the area. This also relates to the sensitivity of works within the curtilage of protected structures and attendant grounds and/or ACAs. The sensitive restoration of the character of a Protected Structure is also supported. Section 6.8 refers specifically to extensions.

Part 2 includes Detailed Guidance Notes relative to works to the Interior and Exterior and Access to Protected Structures. Chapter 9 refers to Roofs and Chapter 10 refers to Openings: Doors and Windows.

Chapter 13 refers to Development within the Curtilage and Attendant Grounds. Section 13.1.1 provides: *By definition, a protected structure includes the land lying within the curtilage of the protected structure and other structures within that curtilage and their interiors.*

Design Manual for Urban Roads and Streets 2013

The DMURS document must be taken into consideration in examining planning applications. Within the DMURS document the application of the principles to existing streets must require a flexible approach. The document calls for a safer more attractive and vibrant street and the creation of a permeable network from a multi-layered process. The process should begin with a site analysis that identifies any constraints the proposal may have on the existing network, including points of access, major destinations and strategic connection (existing and proposed). The street hierarchy in terms of trips generated, access etc.

10.0 **ASSESSMENT**

10.1 **Principle of Development**

It is provided that the proposed development will bring the opportunity to rejuvenate this area of Pearse Street and will provide much needed student accommodation on the campus of a third level facility and in proximity to numerous transport links and amenities. The First Party provide that the proposed development is in compliance with the Dublin City Development Plan 2011-2017, provides a high standard of contemporary urban design and will bring activity and vitality to this prominent part of

Dublin City Centre, while having regard to the context of the important protected structures and the location of the site.

The Third Party and the Observers are concerned that the proposed scale, mass and height of the development is excessive for this sensitive site adjacent to the Trinity College Campus and several Protected Structures including the Printing House, which is on site. Also that it will not be character with the Pearse Street streetscape and will not comply with planning policy for the Z8 Georgian Conservation Area. They also consider that regard should have been had to the refurbishment of Oisín House.

Having regard to the Z8 Landuse zoning where Education and Residential uses are permissible and the location of the site proximate to Trinity College campus it is considered that the principal of student accommodation is acceptable on this site. Regard is had to Policy QH30 (as quoted in the Policy Section above) of the Development Plan which supports the provision of student accommodation and the criteria of Appendix 23 which provides Guidelines for standards for such. However the issue in this case is whether the design, scale, height and massing of the proposed contemporary development is acceptable on this sensitive site and whether it would be considered in character and in the interests of proper planning and sustainable development of the area.

10.2 Material Contravention

The issue of material contravention has been raised by the Third Party and the Observers. Section 34(6) of the Planning and Development Act 2000 sets out the procedure under which a planning authority may decide to grant permission for such a development. Section 37(2) of the 2000 Act provides the constrained circumstances in which the Board may grant permission for a material contravention. These include whether the development is of strategic or national importance, where the development should have been granted having regard to regional planning guidelines and policy for the area etc, where there are conflicting objectives in the Development Plan or they are not clearly stated, or permission should be granted having regard to the pattern of development and permissions granted in the area since the making of the Plan.

In this instance the proposed development is not of strategic or national importance, there is no policy or guidelines advising that such a development should be permitted in this specific area. The First Party response provides that it is not sufficient in their view to list a range of policy provisions and claim that the proposed development is contrary to them. They consider it must be demonstrated how exactly the policy provisions are materially contravened in order to warrant a reason for refusal.

While the footprint of Oisín House is excluded from the College Conservation area it is nevertheless covered by the Z8 zoning. However the historical significance of the Trinity College Campus is of note and there is concern that this proposal is for an overdevelopment of the site and runs directly contrary to the aim of the Z8 zoning designation where the objective is to provide for limited expansion i.e: *To protect the existing architectural and civic design character, to allow only for limited expansion consistent with the conservation objectives.*

The locational context of this site is particularly sensitive having regard to the historic build in the Trinity College campus and conservation status of the area. While the site is in proximity to a major rail corridor at Westland Row it is contended that the Z8 conservation status should ensure that over-development on this scale is not permitted and would be found to be inconsistent with the proper planning and

sustainable development of the area at this highly sensitive site. The Third Parties ask the Board to consider that the proposed development materially contravenes the policy objectives of the Z8 zone, materially contravenes the Development Plan policy in relation to Conservation areas and the scale, height and context of the proposed development would constitute an overdevelopment of the site.

An Taisce note that the Z8 conservation area land-use zoning is an especially sensitive zoning designation allocated to the most important historic precincts of the city and requires the highest level of care in dealing with development proposals to ensure protection of the architectural and civic design of the city. It has been noted that Educational and Residential uses are permissible in the Z8 land-use zoning. It is considered that student accommodation is acceptable in principle in this location, therefore having regard to the proposed use material contravention would not occur. The issue is whether the proposed design and layout would be considered excessive and would not detract from the special character of the land-use zoning.

10.3 Proposed Demolition

It is proposed to demolish buildings/structures within the site including the existing Oisín House building, 2 no. later 3no. storey ancillary extensions to the Printing House (P.S), existing single storey stores adjacent to the Pearse Street gate of Trinity College and sundry walls/gates within the site. The Oisín House property consists of a substantial 5 storey office building over a single level basement and abuts the university campus. Oisín House is a modern building with an underground carpark.

An Taisce provide that Oisín House together with the abutting Áras an Phiarsaigh and Goldsmith House across the road are late 20th century office developments (the latter two having had subsequent alteration/reworking) which maintain the scale of Pearse Street. Trinity College campus is a designated Conservation Area. While the footprint of Oisín House is excluded from the C.A it is nevertheless covered by the conservation Z8 zoning.

Brain Hogan Architects an Observer who was a designer of the original scheme in 1973 provides that the building is 'spatially neutral' and could be modified to provide student accommodation. He advises that the Council should request the applicant to demonstrate by means of appropriate drawings that this reuse of the existing building could be possible. He considers that the proposed building does not incorporate the design considerations of involving the retention of the original building lines, a plot ratio of 2:1, a parapet height reflecting the general scale of Pearse Street frontages, fenestration, external finishes etc. He provides a consideration of the design criteria for the architecture of Oisín House that were reflective in other buildings designed in this relatively short era. He considers that Oisín House is an adaptable well-built ordinary building that contributes to the established character of the area.

There is concern that this continues a recurrent recent trend of demolishing a relatively recent serviceable building to provide a replacement building where the gross floor area is considerably greater than the original. Also that planning decisions should have regard to the survival of sound buildings and give due priority to that aspect of urban sustainability. This is reiterated in the Observation which considers that in the interests of sustainability serious consideration should be given to the upgrading and remodelling of Oisín House. In this regard S.16.1.11 of the DCDP 2011-2017 seeks – *To minimise the waste of embodied energy in existing structures, the re-use of existing buildings should always be considered as a first option in preference to demolition and new-build.*

The Council's Conservation Officer notes that an evaluation of the C20th Oisín House has been undertaken and its record provided as part of the file particulars. The building is not recognised as one of the high end C20th structures and whilst its reuse would be promoted in the first place its removal allows for a more successful student block to be provided to the historic streetscape of Pearse Street as well as internally to the TCD campus. They provide that it would be appropriate this this documentation was lodged with the Irish Architectural Archive for record purposes.

Having toured the building, which is now vacant and no longer in use, it appears in reasonable condition both inside and out. While it is considered that there may be merit in the consideration of refurbishment and extension of the existing Oisín House building for student accommodation, this does not appear to have been considered as a workable alternative. The First Party response provides that the option to refurbish Oisín House was examined by the applicant but that the building is not capable of accommodating modern student accommodation. It is also envisaged that the workability of a purpose built student accommodation with ancillary facilities may be preferable. However regard needs to be had to the impact of the design and layout of the proposed scheme.

10.4 Design and Layout

The proposed development is to provide a new building within the Trinity College Campus to incorporate 278 bed student accommodation, medical facility/ wellness centre, ancillary retail facilities and building office administration. The layout shows that the new development will provided 3no. new interconnected blocks surrounding a central courtyard. The Printing House (P.S) is to be refurbished and restored as part of the proposed development and will enclose the south west corner of the new courtyard. A visual link is proposed to be created between the space made around the Printing House and the courtyard to the new block.

The proposed development consists of a 7 storey above ground level over double basement concrete structure. Revised drawings have been submitted at Further Information stage showing some modifications to the roofline to reduce its overall bulk and impact from Pearse Street. The First Party submit that these modifications provide for an appropriate transition between Áras an Phiarsaigh and the proposed student accommodation. Some minor modifications are also proposed to improve the impact on the Printing House.

The project has been designed by internationally recognised McCullough Mulvin Architects, Grade 1 Conservation Architects and examples are provided of their work. An Architects Report has been submitted with the application which provides the context, design rationale and interpretation of the proposed development. It is provided that the new building is in a significant location and proposes to be a 'new contemporary vernacular' and a high quality architectural expression and is innovative in its design and environment. Regard is had to the relationship to the Printing House P.S and this is discussed in more detail in the Conservation Section below.

The description of development provides that the lower levels are to be used for sports facilities, plant and the College Building and Estates Department stores at -2 level, offices and stores and disability services at a -1 level and medical facilities with plant and common meeting rooms at ground floor level; these uses are to be gathered around a 'lower' courtyard level in the centre of the plan. This includes that on ground floor level, there are to be three independent retail units onto Pearse Street. The rest of the ground floor level comprises the Medical Centre, bicycle parking, a loading bay for the Estates and Facilities Management Dept at level -1 and -2, plant and a security office at Pearse St. gate.

The upper levels i.e 1st to 6th floors comprise the student accommodation and details are given in the relevant Section below. An upper courtyard is to be provided which is open towards the South and West where the building steps down to the Printing House. Details are provided of access to the student accommodation.

The F.I submitted also provides that the retail units on the ground floor on the Pearse Street are re-aligned to make this a more centralised unit. It is noted that the Schedule of Accommodation submitted does not refer specifically to retail units, rather to student medical facilities on the ground floor. Condition no.5 of the Council's permission is relevant in this respect. It is recommended that if the Board decides to permit that a condition be included that the use of the ground floor as separate retail/service units be subject to a separate permission.

There are two main entrances to the scheme at ground floor level from Pearse Street – one is a (gated) staircase to the first floor courtyard from the street, the second is a main (gated) entrance to the complex, which is proximate to the Printing House. The Printing House is to be visible as a destination and focus from many areas on the ground floor. At the front entrance on Pearse Street, a sliding timber gate will also allow (pedestrian) access into the adjacent roadway behind the Pearse St. gate.

High quality finishes are proposed for the external elevations and materials include granite (specified as Wicklow granite) with a secondary use of reinforced boardmarked concrete at lower levels similar to the palette of the Berkley library. Details are given of the materials which includes that the granite is to be disposed on all the main elevations externally and the internal (upper) elevations, the boardmarked RC on the ground floor. Details of fenestration to the windows etc are also given.

Regard is also had to the Landscape Design Rationale Report relative to hard and soft landscaping within the scheme and the drawings submitted. It is provided that the ground and first floor courtyards of the new block will be paved in granite. It is recognised that in view of the amount of site coverage proposed that these will be relatively small areas of courtyard compared to the much larger courtyards in Trinity. The impact of landscaping will be minimal in view of the build proposed, however it is acknowledged continuation of the courtyard theme is beneficial and it is recommended that if the Board decide to permit that a landscaping condition be included.

10.5 Regard to Architectural Statement of Significance

This has been submitted in Appendix B of the First Party Grounds of Appeal by McCullough Mulvin architects and is of significance relevant to the design and layout of the proposed development. This provides that the Oisín House project for Trinity College on Pearse Street is not proposed as a standard building, but a signature work of contemporary architecture for Dublin which deals expertly with three important aspects - urban design, architecture, and the relationship with existing Protected Structures.

It is submitted that the project offers a vibrant mix of uses and facilities for students and provides a new gateway for the city with access from Pearse Street into the TCD campus. Also, that the scheme presents a courtyard plan appropriate to Trinity campus with needed sports facilities, disability services and medical services at lower levels and student accommodation at upper floors contained in a folded indented form. There will be upper and lower courtyard levels for students. The upper courtyard is open towards the south and west because of the existing Printing House.

The palette of materials proposed for the building are of high quality, it includes granite with a secondary use of reinforced broadmarked concrete at lower levels similar to the palette of the Berkley Library. Further details of external finishes and fenestration are given. The proposal aims to achieve a BREEAM Excellent and Nearly Zero Energy Building and is defined in the application as an A2.

They provide details of the concept for the undulating folding of the roof and include that the roof folds down to meet the adjacent Pearse Street elevations establishing a vibrant relationship with the adjacent Protected Structures. They consider that reducing the height of the building will endanger the integrity of this image. Also, that the relationship with the older buildings on campus and the Printing House with the new scheme is modulated where the roof sweeps down to link them.

The scheme proposes that the Oisín House site is a significant site at a key junction in the city and between the city and the College which needs a signature building. They consider that the proposal will constitute a landmark building on this significant site. The project does not seek to be neutral but to actively engage in an innovative way with its urban environment and create new possibilities in its treatment. It aims to create a new urban quarter and details are given of this concept relative to continuity with the older courtyard forms. They provide a description relative to urban design in the modern city, new markers and navigation points.

Section 4.0 of their Report provides a description of Innovative Conservation Intent which relates to the strength of the scheme and its integration and connectivity to the character of proximate existing older buildings including the Printing House. They provide that the west and south blocks of the proposed new building step down substantially to the Printing House and that this gesture creates a sense of appropriate space around the building.

Section 5.0 provides that the project has been designed by McCullough Mulvin architects, who work in Dublin and have built many important public structures in the city over the last two decades; their work is now internationally recognised and is subject of publication and exhibition in many countries. These include The Usher Library and The Long Room hub in Trinity College.

10.6 Student Accommodation

The proposal will provide 278no. student accommodation bedspaces and ancillary services. The accommodation is arranged as follows:

- First Floor – 45 rooms in 7 units (5 – 8 rooms per unit);
- Second Floor – 47 rooms in 7 units (5 – 8 rooms per unit);
- Third Floor – 50 rooms in 8 units (5-8 rooms per unit);
- Fourth Floor – 50 rooms in 8 units (5 -8 rooms per unit);
- Fifth Floor – 48 rooms in 8 units (4 – 8 rooms per unit);
- Sixth Floor – 38 rooms in 6 units (4 – 8 rooms per unit).

On the student housing levels, the layout the blocks are treated as ‘houses’ with rooms on either side of the core; there is to be a single entrance to each house. Rooms are located facing out onto the street or to the courtyard. It is provided that the Oisín House project will represent best practice in student housing, with a series of 6 to 8 bed units around a common living room/kitchen. A letter has been submitted with the application that provided that the scheme will be professionally managed by a suitably qualified student accommodation service provider engaged by Trinity College. The proposed development would be used for student accommodation during term time and for university related business. It is recommended that if the Board decide to permit that a condition be included as per the Guidelines in Appendix 23 that the use of the accommodation be restricted to student accommodation.

It is noted that as part of the Further Information a Schedule of Compliance with Appendix 23 of the DCDP 2011-2017 has been submitted in Appendix B. This provides a Schedule of Student Accommodation by GVA relative to the first to the sixth floors. It also includes the proposed usage for student facilities of basements 1 and 2 and the ground floor levels. The proposed development appears to be in compliance with the requirements set out in the Appendix 23. In terms of the 'house' units all units exceed the overall minimum g.f.a of 55sq.m with 34% or 15 out of the 44 units exceeding the maximum g.f.a of 160sq.m. Common rooms are provided throughout. The response states that this is a direct result of providing higher quality internal spaces than is normally provided in student accommodation. Communal facilities are provided for students including a laundry on the second floor. Caretaker/Security Office on the ground floor and Refuse facilities are provided in the courtyard. Leisure facilities are provided in the basement levels of the development and students have access to the wider campus.

One of the Observers is concerned that 'Student Accommodation' is not correctly stated on the application form i.e. Part 10 refers to total non-residential floor area as 14,205.1sq.m. However it is considered that this is clarified in Part 12 where it corresponds to the total area of the proposed new/retained development is 13,825.4 sq.m, where it this is further broken down into Class of Development i.e:

Student Accommodation – 11,627.4sq.m
Medical Facility/Wellness Centre – 975sq.m
Ancillary Retail Service Units – 149sq.m
Sports and Recreational Facilities – 1,074sq.m

Ancillary uses will support the student accommodation to be provided. Also, the provision of these units, will provide an active street frontage to a section of Pearse Street which is currently lacking in activity and permeability. The First Party consider that this proposal supports Policy QH30 relative to the provision of student accommodation and the guidelines set out in Appendix 23 of the Development Plan.

Appendix 23 includes that the applicant submits documentary evidence to demonstrate there is sufficient demand for student accommodation in this area of the city at present. The First Party response provides that there are 671no. residential places on campus, with an additional 940no.places at Trinity Hall (Dartry). It is not clear if they have also included Goldsmith Hall (constructed c.1996) which is off campus and a separate building on Pearse Street, proximate to Pearse Station for student accommodation in these calculations. However they provide that the number of applications made for accommodation far exceed places in recent academic years and that demand clearly exceeds supply. They also provide that this is not a speculative application, the no. of bedspaces proposed critically impact on the University's ability to deliver student accommodation on the campus.

10.7 Plot Ratio, Site Coverage and Building Height

An Taisce consider that the scale of the proposed development is grossly excessive. The plot ratio on a Z8 site is 1:5:1 and there is concern that this proposal is twice that i.e.2:97:1. It is noted that the g.f.a of the building to be demolished is 7,391.4sq.m and the new building would be 13,825sq.m. The First Party note, that the existing plot ratio at 2.09 already exceeds this standard and refer to a slightly lower plot ratio proposed at 2.73. Section 17.4 of the DCDP provides that in certain circumstances the indicative plot ratio maybe exceeded such as close to major public transport termini, to facilitate comprehensive development in areas in need of urban renewal, to maintain existing streetscape profiles, where a site already has the benefit of a higher plot ratio.

Section 17.5 of the plan provides that the indicative site coverage in Z8 zones is 50%. It is of note that their Planner's Report provides a site coverage of 60% for the proposed scheme compared to 39% for the existing scheme. The First Party provide that it is considered that the nature of the site within a larger educational campus adjoining a major transport hub within the inner city would justify the relaxation of plot ratio and site coverage standards subject to complying with height policy standards.

An Observation has been received regarding the significance of the buildings in Trinity College campus to the heritage of the city and this refers to a book 'The Buildings of Ireland' by Christine Casey which states: *Trinity has the largest group of C18 Buildings in Ireland and is the most complete university campus of the period in these islands.* Regard is had to the Photomontages submitted and there is concern that the proposed development rises to the equivalent of two storeys higher than the existing and this results in visual intrusion on many parts of the campus. There is concern that it will have an adverse impact on the Printing House, P.S.

It is noted that TCD has carried out significant construction and densification in and around the college campus in the past two decades and An Taisce consider it is not necessary or desirable to increase the density of the Oisín House site to the extent proposed and it amounts to an exercise in floorspace maximisation at the expense of an area of great historic, architectural and civic design sensitivity.

As per Section 17.6.2 of the DCDP 2011-2017 this area is within the Low-Rise category (relates to the prevailing local height context) i.e: in the inner city up to 6 storey residential/7 storey office (now - commercial) i.e below 19/28m. The height of the building is described in the plans as under 28 metres and 7 stories i.e is the maximum height for a commercial building. It is noted that Variation 14 of the Plan includes educational and student accommodation in the 'commercial' category. An Taisce are concerned that to permit the proposed building – a six storey parapet and a seventh storey in the roof in the Pearse Street frontage which is characterised by 3 to 5 storey buildings would provide a jump in scale and also set a precedent for such increases in similar locations throughout the city. They provide that the building fronting Pearse Street is at least one floor too high and recommended that this should be revised.

It is of note that the existing building i.e. Oisín House is of a similar height to the adjoining building to the east Áras an Phiarsaigh (c.1994) which is in use as a college building for TCD and is 4 stories above the ground floor i.e appears 5 storeys. Also the building to the west appears 4 storeys (part of Botany Bay P.S) and forms part of the older Trinity College campus buildings. This proposal will provide for a higher and more dominant building in the streetscape. While there is concern regarding the impact of the scale, height and massing of the proposed development on the streetscape, the First Party provides that Pearse Street is not a consistent scale and that the adjoining building Áras an Phiarsaigh provides a suitable transition to the proposed development.

On my site visit I observed that this proposal would introduce a higher larger scale building into this area of the streetscape on the southern side of Pearse Street. Thus there would be a definite step-up from the buildings on either side. While there is clearly a transition in scale and there are other examples of higher buildings visible in the area such as Hawkins House and Liberty Hall, it is considered that this proposal would create a higher building context in this sensitive location. The issue in this case is whether the design, scale and height of the proposed building, which is two stories higher than Oisín House would integrate well or appear overly dominant in the area. In view of sensitive location proximate to and adjoining the Trinity College campus, historic buildings and courtyards, I would recommend as advised by the Council's

Conservation Officer and considered by An Taisce that if the Board decide to permit that the proposed development would integrate better and also appear less dominant in the streetscape and from the campus if it were to be reduced by one storey in height. However since the proposed roof is such a prominent and key part of the overall contemporary building design concept, I would recommend that this be retained and that the building drop by one storey omitting the first or second floor levels so that the folding of the roof is not adversely impacted.

10.8 Conservation issues

10.8.1 Impact on Conservation Areas

The south eastern extent of the O'Connell Street and Environs ACA is nearby to the west, coming to the junction of Pearse Street and College Street. The land use zoning map also shows the proximity to the Grafton Street and Environs ACA to the south west. Section 7.2.5.3 of the Development Plan refers to the special architectural character of designated Conservation Areas and provides that: *land use zonings are used to designate areas of particular value i.e. Residential Conservation Areas (land-use zoning Z2) and Architectural and Civic Design Character Areas (land-use zoning Z8) and the red-hatched areas shown on the zoning objective maps.* Trinity College campus is a designated Conservation Area and is in the Z8 zoning. The site within the curtilage of the Printing House P.S is proximate to the Trinity College Conservation Area.

An Taisce are concerned that the proposal would be overly large and dominant in this sensitive area close to the Old Squares of the college and would not be in accordance with the subject Z8 Conservation zoning objective: *To protect the existing architectural and civic design character, to allow only for limited expansion consistent with the conservation objective.* They consider that the scheme as proposed would constitute a disorderly, incoherent form of development with an overscaled building disrupting the scale and balance of the street in an important Conservation Area. Regard is had to Section 13.8.2 of the Architectural Heritage Protection Guidelines which provides: *New development both adjacent to, and at a distance from, a protected structure can affect its character and special interest and impact on it in a variety of ways.* Section 13.8.3 provides: *Large buildings, sometimes at a considerable distance, can alter views to or from the protected structure or ACA and thus affect their character. Proposals should not have an adverse effect on the special interest of the protected structure or the character of an ACA.*

The Conservation Officer provides that taking an overview of the TCD campus its grid like planning and subsequent classical character is evident and consider that the applicant has responded to this in this development. While they consider that the proposed contextual infill building in a contemporary classical articulated manner is supported, but are concerned that the scale exceeds the surrounding streetscape and they recommend a maximum height of six storeys. There is also concern regarding the potential impact on the streetscape of the proposed dramatic roofscape onto the classical approach along Pearse Street. It is considered that the reduction in scale/stepping down to the Printworks scape as is the treatment of the new elevations in a classical manner will contribute to creating a new setting for the principle structure. They support the breaking down in overall scale and massing of the new build and consider that there are several mitigation measures to be considered and these include:

- The removal of the dramatic/sculptural roofscape to provide a more regular topped building and parapet height.
- The re-design of the roofscape so that it reduces in height as it turns towards the Printworks.

- The lowering of the overall building by a single floor (the roof level to drop) so that it relates better to the adjoining structures on Pearse Street and is less visible above the adjacent internal courtyards within TCD.

In response to the F.I submitted the Conservation Officer considered that the modifications proposed confirmed the proposed overdevelopment of the site. Whilst the scheme is of a very high quality design with quality materials it is apparent that the overall height is in reality two stories above the extant situation. They considered that the mitigation measures previously recommended by the CO are still relevant and guided.

The Observers are concerned that these mitigation measures were not included in the Council's permission and consider that the proposed development is excessive and will not be in scale or character with the other TCD campus P.S and buildings. They consider that Oisín House should be retained and refurbished and that the proposed overdevelopment of the site would set an undesirable precedent for the city. Section 4.4.9 of the Development Plan is also of note having regard to regeneration and architectural form i.e. *It recognises that architectural quality is measured by a building's contextual and environmental response in addition to the aesthetic qualities of the individual building.*

In response the First Party provide that the proposed development will have a minimal impact on the wider Trinity College campus, including New Square and Botany Bay. They consider that it is an innovative form that will not affect the College's conservation area status but rather will add to it providing a high quality contemporary building. Appendix C of their response provides *A Conservation Statement on An Taisce Appeal – prepared by Livia Hurley, Historic Building Consultant.* This includes regard to the urban design history of the college and notes the varied scales of buildings within or proximate to the campus and considers that this proposal relates well to the character of this Conservation Area. It considers that the new proposal fits into this evolutionary context and adapts well to the Pearse Street context. It has regard to the views from the O'Connell Street ACA/Grafton Street ACA and considers that this proposal will enhance the character of the general area.

10.8.2 The Printing House

In addition to Oisín House, the site is now occupied by the 18th century Printing House, a Protected Structure which has had an extension added on to it in the 19th century and in the 20th century, as well as a lane, pathway and sheds. As part of the proposal it is proposed to demolish extensions and stores/sheds that are connected to the Printing House. Oisín House is not a P.S but falls within the curtilage of the Printing House to the south of the site. The core idea is to provide for restoration and conservation of the Printing House. A Historical Appraisal and Report have been submitted which has regard to the Printing House and Ancillary Buildings. It is provided that these extensions have been assessed by their Historic Building Consultant with regard to their quality and historic value. One of the extensions was constructed in the 1840's and consists of a three storey perpendicular block. The other building was constructed in the 1970's and both buildings have been renovated at this time. The Architects Report (prepared by McCullough Mulvin Architecture) outlines that the first extension would not have been considered as a work of architecture that corresponds to the original building and the 1970's extension devalues the building. They conclude that these extensions are of limited architectural value and that their demolition would allow the Printing House to be reinstated to its original form.

The Printing House which is a small but architecturally important C18th temple fronted building constructed by Richard Castle. The Council's Conservation Officer considers that The Printworks a core historic building of TCD in the form of a classical temple is integrated into the plan and the paring back of its 3D form as part of the overall scheme allows for the building to be read. They note the partial dismantling and restoration proposals and consider that the proposed new context for the Printworks comprises a classical articulated building in native stone of a clearly contemporary architectural expression.

It is of note that Policy FC30 of the DCDP 2011-2017 provides: *It is the policy of Dublin City Council to protect (protected) structures, their curtilage and the setting from any works that would cause loss or damage to their special character.*

The First Party provide that the proposed design integrates the Printing House into the proposed student accommodation development and does not leave it adjunct to the rest of the scheme. Regard is also had to their Conservation Officer response in Appendix C of the First Party response. It is proposed that restoration works will be undertaken and that its historical architectural will remain intact and legible. The establishment of a natural plan zone for the Printing House is part of the proposal. This is focused around the creation of the Printing House Square and the lowering of the external surface to the south of the building to reform the steps which lead to the entrance to the building. The proposed student accommodation building steps down to the Printing House and both elevations facing the Printing House remain simple stone elevations, providing an abstract surface in the background.

The rationale is to create a strong architectural, material and proportional relationship between the new building and the Printing House. The aim is to provide a functional relationship between the juxtaposition of the old and the new that sustains the relevance of the old buildings in the context of the 21st century campus. It is provided that this will be achieved by continuing the courtyard/square approach that is found throughout the campus by connecting the Printing House Square with the proposed courtyards in Oisín House. They provide that the principle of the scheme is that the Printing House would have its own setting within the College that would respond both to its material nature (stone) and the direct perspective axial view from the steps of the Berkeley Library.

The views, photomontages and drawings and 3D model submitted show the impact of the proposed development relative to the impact on the framing of the Printing House. While the First Party provides that the setting of this building will be enhanced by the proposed development, I am concerned that it will appear crowded and hemmed in as a smaller building with less status in a tight corner position on the site. It is noted that the drawings and the 3D model show a greater separation between the west wing of the proposed building than the wing to the north of the pavilion. While it is appreciated that the proposed building reduces in height and folds down to the pavilion, in the interests of retaining the setting of the P.S which is an important building in its own right, I would recommend that if the Board decide to permit that it be conditioned that the proposed buildings in the development be set back a minimum of 6metres from the footprint of the pavilion. I would also recommend that a condition be included to ensure the continued use of The Printing House.

10.8.3 Impact on Botany Bay

The site is bounded to the west by the buildings of Botany Bay East, which is a four storey block constructed in the 19th century P.S. The Conservation Response in Appendix C of the First Party Response provides that the cut stone granite of the new building will match the material character of the external Botany bay façade; and will address the relationship between the 'formal' character of the original and the

'vernacular' of the new. The folded roof floor and the floor below of the proposed development will be seen above the parapet of the Botany Bay east and they provide that there will be a material relationship between the old and the new. They consider that the impact on Botany Bay Square will be limited.

The new building will impact on Botany Bay from the public realm on Pearse Street; within the College environment along the Pearse Street, the access route through to Pearse Gates; and from the buildings fronting onto Botany Bay Square itself. In this respect regard is had to the plans and documentation submitted and in particular the 3D views of the west elevation. There will arguably be a considerable change in impact on the existing older 4 storey buildings in Botany Bay facing the proposed western elevation of the development in that the Oisín House Building is well set back from this site, whereas the proposed development in closer proximity will have a greater impact. It is considered that there may also be some impact on daylight/sunlight to the existing buildings to the west, although this has not been assessed. However these are not permanent residences, rather part of the buildings on the college campus.

10.8.4 New Square

This is a formal green space with perimeter blocks; from different eras and styles is included as a P.S. The Square is a sizable area and is well planted; the corners of the space are open in the Trinity Manner with the Printing House building set back behind the line of the west gable of New Square North. There is a strong axial vista between the Berkeley podium and the façade of the Printing House. The First Party provides that the strong visual element of the proposed sloping 'stone hill' to the north of the Printing House, framing its elevation from New Square, will help to increase the strength of the axial relationship between the Berkeley and the Printing House.

While it is of note that there are more modern higher buildings to the north eastern end of the campus closer to the Pearse Station (regard is also had to the ongoing construction of the 6no. storey Luce building fronting Pearse Street as noted in the History Section above), the subject site is arguably in a more sensitive area in that it is closer to and will have more impact on the older buildings and more traditional squares in the Trinity College campus.

10.9 **Archaeology**

An Archaeological Assessment accompanies this application. This has regard to the locational context and the historical/archaeological background including historical map records and early sketches of Trinity College. This includes regard to the development of the Printing House built in 1734 and the more modern Oisín House including basement carpark. This Report recommends that archaeological monitoring should take place during all subsurface work under archaeological licence from the National Monuments Service.

It is noted that the proposed development is partially within the Zone of Archaeological Constraint for the Recorded Monument DU018-020 (Dublin City), which is subject to statutory protection under Section 12 of the National Monuments (Amendment) Act 1994. Further the site in question is located partially with the Zone of Archaeological Interest in the Dublin City Development Plan 2011-2017.

The City Archaeologist does not object to the proposed development subject to a number of conditions including archaeological monitoring. It is recommended that if the Board decide to permit that a condition regarding archaeological monitoring be included.

10.10 Access and Parking issues

It is provided that access and permeability will be improved as part of the overall development. There are two main entrances to the scheme at ground floor level at Pearse Street, one is a gated staircase to the first floor courtyard from the street: the second is a main gated entrance to the complex. The route leads towards the south and exists beside and behind the Printing House. Access and permeability are seen as important and overall 5no. access points will be created as part of the scheme linking the student accommodation to the rest of the campus. Details of each of these are given and their location is shown on Fig. no.2 of the Planning Report submitted with the application.

Currently the underground carpark of Oisín House and yard to the side of the building is accessed through steel gates linked to the stone boundary and gate piers of Trinity College – the only access point at the north western end of Pearse Street. It is proposed that the Pearse Street gates P.S. will be temporarily removed to facilitate the development. It is provided that the gates will be reinstated as existing on completion of the works on the site. Once the gate is reinstated the existing access arrangements will continue for this vehicular entrance that exits onto Pearse Street. During occupational phase these gates will remain a vital access point for the whole of the Trinity College campus, including for emergency services. They will also be used for deliveries and waste removal.

Table 17.1 and 17.2 of the Development Plan outline the appropriate car and cycle parking standards for various uses, however no specific standard is provided for student accommodation. No carparking is proposed to serve the proposed development due to the central location of the site. Managed student accommodation without car parking has been permitted on several sites across the city. It is provided that three disabled spaces will be available to the development from within the campus. As shown on the plans these are to be marked out in the location of the existing car parking spaces to the south of the Printing House.

A total of 140 cycle parking spaces are proposed at ground floor level distributed in two areas. The courtyard area houses 52 spaces whereas the area beside Pearse Street entrance accommodates the remainder. It is recommended that if the Board decide to permit that it should be conditioned that final details of proposed cycle parking including measures to ensure adequate security and lighting etc. should be agreed in writing with the Planning Authority prior to the commencement of development.

The proposed development includes maintenance stores within the basement and these will require a number of deliveries each week. It is provided that flat bed trucks will not impinge on the emergency access to the campus. It is also provided that the estates management facility will have vehicular access to allow for goods to be transported to and from the site. This will be facilitated by a delivery bay and a cargo lift to facilitate the transport of goods and materials to the proposed workshop/stores.

It is noted that a layby is proposed on Pearse Street as bus/coach drop off. The Council's Roads and Traffic Planning Division are concerned that this is located close to the junction with Tara Street and an existing pedestrian crossing. The proposed layby is indented into the public footpath with reduces its width to 1.8m. At this city centre location and along the pedestrian entrance route to the campus, this reduction in footpath width is considered unacceptable. They recommend that the proposed bus layby should therefore be omitted from the development, notwithstanding that it is outside the applicant's site boundary. It is recommended that if the Board decide to permit that this be conditioned.

The Engineering Services Report proposed for the redevelopment of the site has regard to the proximity of the site to public transport links including bus and rail. The site is located approx. 500m walk from the Luas Red Line Abbey Street stop. It is also noted that there is a significant level of cycle infrastructure including Dublin Bike stations in the locality. Taking all of this into account it is not envisaged that travel by private car will be the primary mode of travel to and from the development site, hence the minimal carparking with only 3 disabled parking spaces to be provided as part of the development.

10.11 Impact on the Character and Amenities of the Area

The application site occupies a prominent location at the western end of Pearse Street lead-in to College Green, an area of great historic, architectural and civic design importance and is sensitively located within the Trinity College campus close to its Old Squares and adjacent to the college's Printing House – a Protected Structure. There are a number of Protected Structures located in close proximity to the proposed development and regard has been had to the Printing House in the Conservation Section above. In close proximity to the west of the proposed development is the stone four-storey range of Botany Bay (P.S), part of the extended grid of the college's old squares. The Printing House together with other protected structures fronting New Square, including the Rubrics, the Museum Building and the Berkeley Library form part of a significant group ranging from the late seventeenth to the mid-twentieth century. The 19th and 20th century extensions to the original Printing House as well as Oisín House on Pearse Street and other ancillary buildings on the development site are considered to fall within the curtilage of the protected structure.

Directly across from the site and standing on the corner of Pearse Street and Tara Street is the attractive three storey 1907 stone and brick former Central Fire Station and its brick watertower (P.S) which is a city landmark. The three storey 1912 stone former Dublin Metropolitan Police barracks, now Pearse Street Garda Station, which lies to the west of the application site is also a P.S. To the east are remaining stretches of three-storey late Georgian terraces (some original and some rebuilt) from the early layout of Pearse Street and which still form the baseline for the scale and grain of the street, including the group at Nos.23-28 (P.S).

The First Party response to the grounds of appeal and observations made provide that the proposed development has been designed by award winning architects – McCullough Mulvin Architects, Grade 1 Conservation Architects who have built many important structures throughout the city including the Usher Library and the Long Room Hub in Trinity College and are internationally recognised. They contend that the proposed development has been carefully considered in its immediate environment. The plan form of the proposed building reflects the geometric forms of the college squares and the requirement to provide a suitable setback for the Printing House. The architectural intent of the design has been clearly set out in the application documents and is further elucidated upon in Appendix B of their response.

They provide that consultation with stakeholders has taken place. The provision of purpose built student accommodation in the city serves an important civic/socio-economic benefits. The active frontage onto this area of Pearse Street along with the increased activity and footfall associated with student accommodation will significantly contribute to the vibrancy and vitality of this area of the city. The Conservation Statement in Appendix C of the First Party Appeal provides that the proposed development will add to and not adversely impact on the ACAs, Trinity College Conservation Area or the proximate P.S both within and outside of the campus.

It is provided that the proposed development does not seek to undermine the architectural character of the TCD campus, which is a dynamic mix of buildings of different styles and ages rather than a fixed set of forms that never changes. However it is considered that the proposed development will nevertheless introduce a very large scale building proximate to some of the older Protected Structures and Squares and there is concern that it will appear overly dominant relative to the visual impact on the more traditional elements of Trinity College. It is noted that there are other modern buildings in the grounds such as 'The Long Hall', however these are smaller buildings of merit in their own space that do not dominate the older more traditional buildings and courtyards that give Trinity College campus its special character.

Views and Photomontages have been included in the information submitted with the application and additional ones including a 3D model in response to the appeal. These show the proposed development relative to the streetscape in Pearse Street and the Trinity College campus and a detailed description is given relative to their locational context. While the First Party has given a full account of the positive elements of the scheme it is considered that the views and photomontages (regard to existing and proposed) show that there will be a significant visual impact on the surrounding area. The Photomontages dated 21/10/15 (including those submitted as Part A with the F.I) show that this is especially relevant to the streetscape in Pearse Street (e.g. View nos.1,2,11), and to the immediate environment of The Printing House (e.g. View nos. 6,12) and to the Trinity College campus (View nos.4, 5, 8.9A, 9B). It is also of note that these views particularly inside the campus are taken when the trees are in full leaf and not in the winter period when the views are likely to be more prominent.

The First Party response also includes Part B *Supplementary views to previous set prepared* and is dated 22/04/16 show further views relative to existing and proposed from the surrounding area. Depending on the vantage point (regard is to the Viewpoint location map) in some cases where more obscured there will be glimpses of the proposed building, above other buildings, in other cases there will be a greater change in the views (e.g. View nos.14, 22, 24). It is also of note that the proposed building will be visible in the wider area including from the junction opposite with Tara Street and the bridge across the Liffey and Liberty Hall. It will also be visible to the junctions with Pearse Street to the east, and is seen here in the context of the existing college buildings.

There will also be an impact on the view of the older Trinity College buildings facing College Street/Pearse Street, in that this proposal will provide a 'jump up' in close proximity to these buildings that have formed an important vista for many years. It is considered that this impact, including on Pearse Street, would be somewhat reduced if the overall height of the proposed building were reduced i.e. dropped by one floor as has been recommended above.

10.12 Drainage and Flood risk issues

The Engineering Services Report prepared for the Oisín House redevelopment includes a number of Appendices relative to drainage calculations. This notes the drainage system in the vicinity and that the site is already serviced and includes details on existing and proposed drainage arrangements for the redevelopment relative to foul drainage calculations and connections. The foul drainage for the proposed development has been designed as a completely separate system to the storm.

It is proposed that the storm drainage for the development be comprised of 2 separate systems i.e; surface water, rainwater. An attenuation tank to accommodate a 1 in a 100 year rainfall event is to be located in the basement. Based on a total site area of 0.23ha a required storage volume of 115 m³ has been calculated. The SUDS Approach is to be used and the design approach for the proposed storm water drainage has been developed in accordance with the GSDSDS Volume 2 and details are given relative to this. Details are also given of potable water supply and it is noted that there are 2 public mains in Pearse Street.

A Flood Risk Assessment has been carried out using the source-pathway-receptor model. Both the Greater Dublin Strategic Drainage Study and The Planning System and Flood Risk Management Guidelines for Planning Authorities require that account be taken of climate change over the design life of the development normally 100 years. It is noted that the site is located within the Liffey catchment and is approx. 250mm from the River Liffey. There do not appear to be any watercourses on or within close proximity to the site. Based on OPW Floodmaps.ie website it is provided that the risk of fluvial flooding is negligible and no mitigation measures are proposed. Proposed basement levels are likely to be below the existing groundwater table. To combat a risk of flooding it is proposed that the basement levels be constructed with a waterproof concrete box including tanking membrane to above existing ground level. It is therefore concluded that the flood risk represented by groundwater is minor.

It is noted that certain drainage and service works will be required to be undertaken outside of the site boundary and the Engineering Services Report provides that the necessary arrangements will be agreed between the Contractor and the Local Authority.

10.13 Appropriate Assessment

An AA Screening Report was undertaken by Scott Cawley Ltd., and is included in the documentation submitted. This includes Table 1 which provides an Overview of the Proposed Development and the receiving Environment. This has regard to existing and proposed drainage systems and notes that foul effluent generated from the proposed development will be treated at the Ringsend WWTW and will ultimately discharge into Dublin Bay.

The subject lands do not physically overlap with any European sites. The entire site appears to consist of buildings and artificial surfaces none of which are habitats listed under Annex 1 of the Habitats Directive. A separate Guidance Note relative to Bats and Birds is also included. Table 2 of the Screening Report provides an Analysis of the site relative to a listing of European sites within 15kms of the site, the closest of which is within 3kms South Dublin Bay SAC(000210), and then North Dublin Bay SAC (000206) within 5kms.

The AA screening Report found that following their analysis with regard to the proposed development, there will be no likelihood of significant effects on any European sites either alone or in combination with other plans or developments. In conclusion this Report did not consider that a full AA Report was required. Having regard to the nature and scale of the development proposed and to the nature of the receiving environment, namely an urban and fully serviced location, no appropriate assessment issues arise.

10.14 Construction Stage

Details are given in Section 6.3 of this Engineering Services Report of the Traffic Impact on Operational and Construction stages. It is also noted that the Luas Cross

City site is currently under construction which has the potential to co-exist with the construction stage of the proposed development.

Details are also given relative to the construction methodology of the proposed development. It is noted that the works to construct the basement are to be undertaken in proximity to the existing Printing House which is a P.S. A structural assessment of the potential impact of the works including of the basement structure on the Printing House has been undertaken and is included in Appendix I of this report.

It is provided that a full Construction Management Plan will be prepared and developed by the appointed Contractor and agreed with Dublin County Council prior to any works commencing on site. It is recommended that if the Board decide to grant that a condition be included that a Demolition and Construction Management Plan be submitted. Also that a condition be included relative to conservation methodology to ensure that there will be no damage to the structure of the Printing House building.

11.0 CONCLUSION AND RECOMMENDATION

Regard has been had to the documentation submitted, to the submissions made including the Third Party appeal and the Observations made and to the First Party response. Having also visited the site and had regard to the sensitive nature relative to the potential impact particularly on the Trinity College campus (including proximate Protected Structures) and on the streetscape in Pearse Street, I would have some concerns about the scale, height and massing of the proposed scheme.

Regard had been had to the demolitions proposed above. While Oisín House is a functional, relatively recent commercial building of its era and in reasonable condition both internally and externally, it is a relatively bland building which while it does not detract from the streetscape does not particularly add to it. To provide the student accommodation and range of associated facilities proposed it would require refurbishment and extension and I would have no objection to its demolition to provide more purpose built student accommodation and associated facilities. Having regard to the Architectural and Conservation information submitted I would also not object to the demolition of the extensions to The Printing House P.S, to restore it to its original pavilion form.

It is recognised that the proposed new development will create a significant public/social context at this end of the College and on Pearse Street to the north. It is provided that the new build will increase permeability and footfall providing pedestrian access from Pearse Street to the campus. It is considered that the opening up of this end of Pearse Street for student facilities proximate to the Trinity College campus will provide a beneficial range of facilities including needed student accommodation and increased footfall for this area. It has also been seen that the proposal complies with Appendix 23 of the Development Plan relative to 'Guidelines for Student Accommodation'. Therefore the acceptance of the usage of the proposed development is not in question.

The proposed development will stand in the context of the existing environment in Pearse Street and Trinity College; it will impact on that environment in a physical and functional and social way. It will also impact on the roofscape and vistas of the wider area, including the vistas when seen from within the College campus and Pearse Street. It is acknowledged that the roofscape proposed is more dramatic and will have a different visual impact to that of other buildings in the area.

The consideration is whether the proposed development provides an overly strong and dominant form, taking into account the sensitive site locational context. It is of utmost importance that the integrity of the buildings in the Trinity College campus are not undermined. As has been noted in the Historical documentation submitted these buildings have stood for some time, many are P.S including The Printing House and it is considered that current need has to be tapered so that the height, scale and massing of the proposed building is not considered overly large and dominant on this particular site or adversely affects the eminence of these buildings. Therefore the impact on the character of the area requires that the scheme while albeit for a landmark building be integrated so that it does not conflict with the existing (varied) and older more traditional build in proximity.

As has been discussed in the Assessment above, I would consider that if the Board decide to permit that the scheme should be modified i.e:

- The proposed development should drop by one floor. To maintain the integrity of the roofscape concept which appears to form an integral part of the scheme, it is recommended that the first or second floor be omitted. This would allow for the proposed roofscape to be retained, but would also allow for the height to drop so that the proposed building would integrate better with proximate buildings in the streetscape and the impact on views from the campus complex would be lessened.
- The footprint of the proposed buildings should be set back a minimum of 6m from the pavilion on all sides. This would allow for the concept of the folding arms relative to the drop in height and would allow more space to preserve the integrity of the setting of the Printing House P.S.

Having regard to the Assessment above I would therefore recommend that permission be granted subject to conditions to include these two reasoned modifications.

12.0 REASONS AND CONSIDERATIONS

Having regard to the Zoning Objective Z8 (Georgian Conservation Area) for the site as set out in the Dublin City Development Plan 2011-2017 and to the location of the site in proximity to Trinity College, it is considered that, subject to compliance with the conditions set out below, to include modifications, the proposed development would be in accordance with the provisions of the Development Plan, would not seriously injure the amenities of the area, would be appropriate within the area, would provide an acceptable standard of amenity for future residents, would be acceptable in terms of traffic safety and convenience and would, therefore be in accordance with the proper planning and sustainable development of the area.

13.0 CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 26th day of January, 2016, and the further plans and particulars received by An Bord Pleanála on the 22nd of April 2016, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed development shall be amended as follows:
 - (a) The overall height of the proposed development shall be reduced i.e. it shall drop by one floor. In order to preserve the concept of the proposed roofscape, the first or second floor of the proposed development shall be omitted.
 - (b) The proposed buildings shall be pulled back so that they are sited a minimum of 6m back on all sides from the footprint of The Printing House pavilion.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity and to preserve the character and setting of the Protected Structure.

3. Details of the materials, colours and textures of all the external finishes to the proposed blocks and paved areas shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Water supply and drainage arrangements including basement drainage, and the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

5. The landscape plan shall be implemented and the areas of public open space shown as courtyard areas on the lodged plans shall be reserved for such use and shall be landscaped in accordance with the detailed requirements of the planning authority. This work shall be completed before any of the student accommodation is made available for occupation and shall be maintained as public open space by the developer.

Reason: In order to ensure the satisfactory development of the public open space areas, and their continued use for this purpose.

- 6.(a) Alterations to the road network, including the laying out of the proposed accesses and mobility impaired parking spaces, shall comply with the requirements of the planning authority for such works and services.
 - (a) The Pearse Street Gates shall be reinstated prior to the occupation of the student accommodation.
 - (b) The proposed bus layby on Pearse Street located on the public road outside the applicant's boundary shall not be provided as part of the development.
 - (c) The layout and marking demarcation of the cycle spaces, including adequate security and lighting shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In order to ensure a satisfactory standard of development and the interest of road safety and sustainable transport.

7. (a) The residential accommodation including associated facilities hereby permitted shall only be occupied/used for student accommodation, and for no other purpose, without a prior grant of planning permission for change of use.
- (b) The apartments in the student accommodation shall not be sold or let to persons other than current students of recognised third level institutions.
- (c) The uses of the ground floor service/retail units including new signage shall be subject to a separate planning permission.

Reason: In the interest of residential amenity and to limit the scope of the proposed development to that for which the application was made.

8. No signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, shall be erected within the site and adjoining lands under the control of the applicant unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

9. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennas or equipment, unless authorised by a further grant of planning permission.

Reason: To protect the visual amenities of the area.

10. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall -

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
- (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
- (c) provide arrangements, acceptable to the planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.

- 11.(a) A conservation expert i.e. a Grade 1 Conservation Architect or equivalent shall be employed to manage, monitor and implement the works on the site and to ensure adequate protection of the retained and historic fabric of The Printing House pavilion during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.

- (b) The architectural character of the ancillary wing proposed for demolition shall be fully documented and the survey amended as necessary by a Grade 1 Conservation Architect to reflect hitherto concealed fabric and significance. A full record of the building shall be placed in TCD own Record Collection/Library. The salvaged historic building materials shall be agreed in writing with the Planning Authority prior to demolition and re-use.
- (c) The architectural character and significance of Oisín House shall be documented in accordance with the C20th DOCOMOMO standards and a record placed in the Irish Architectural Archive for record purposes.
- (d) All repair works to the protected structure shall be carried out in accordance with best conservation practice as detailed in the application and the Architectural Heritage Protection Guidelines for Planning Authorities issued by the Department of Environment, Heritage and Local Government in 2004. The repair works shall retain the maximum amount of surviving historic fabric in situ, including structural elements, plasterwork (plain and decorative) and joinery and shall be designed to cause minimum interference to the building structure and/or fabric. Items that have to be removed for repair shall be recorded prior to removal, catalogued and numbered to allow for authentic re-statement.
- (e) All existing original features, including interior and exterior fittings/features, fenestration, joinery, plasterwork, features (including cornices and ceiling mouldings) staircases including balusters, handrail and skirting boards, shall be protected during the course of the works.
- (f) During the course of the works and as part of the preparation of the Conservation Methodology and Specification as required detailed Conservation Schedules shall be agreed in writing with the Planning Authority and site exemplars prepared as necessary. This shall include a methodology for making good the main entrance steps/porch including the proposed mortar specification and joint detail.
- (g) A conservation plan for the Printing House pavilion shall be prepared as part of the overall development strategy for the site on the basis that the removal of the ancillary wing will have an immediate effect on its use and interaction with the proposed development. This document shall indicate works of a short, medium and long-term conservation, objectives appropriate to the character of the protected structure.

Reason: To ensure that the integrity of the retained structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

12. Prior to commencement of development, detailed structural drawings and a construction methodology statement (including the results of detailed structural surveys of the protected structure and all building facades to be retained) indicating the means proposed to ensure the protection of the structural stability and fabric of all these retained structures shall be submitted to and agreed in writing with the planning authority. These details shall include demonstrating the methods proposed to demolish the ancillary wing and to retain other existing facades of the Printing House pavilion as proposed, demolition and excavation arrangements, the proposed foundation system and underpinning, structural bracing and support and method of construction.

Reason: In the interest of preserving the architectural integrity and heritage value of the retained structures.

13. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

Reason: In the interest of sustainable waste management.

14. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) location of the site and materials compound(s) including area(s) identified for the storage of construction refuse,
- (b) location of areas for construction site offices and staff facilities,
- (c) details of site security fencing and hoardings,
- (d) details of on-site car parking facilities for site workers during the course of construction,
- (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site,
- (f) measures to obviate queuing of construction traffic on the adjoining road network,
- (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network,
- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works,
- (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels,
- (j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to exclude rainwater,

(k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, and

(l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

Reason: In the interest of amenities, public health and safety

15. Site development and building works shall be carried out only between the hours of 08.00 to 19.00 Mondays to Fridays inclusive, between 08.00 to 14.00 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

16. Comprehensive details of the proposed lighting system to serve the development shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development. The agreed lighting system shall be fully implemented and operational, before the proposed student accommodation is made available for occupation.

Reason: In the interest of public safety and visual amenity.

17. (a) A management scheme, providing adequate measures for the future maintenance of the development, including the external fabric of the buildings, internal common areas, open spaces, landscaping, roads, paths, parking areas, public lighting, waste storage facilities and sanitary services, shall be submitted to, and agreed in writing with, the planning authority, before the student accommodation is made available for occupation.

- (b) The management scheme shall undertake to ensure that the courtyards are publically accessible daily during the hours of daylight.

Reason: To provide for the future maintenance of this development in the interest of amenity and orderly development.

18. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

19. The developer shall pay to the planning authority a financial contribution in respect of Metro North in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under Section 49 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. The application of any indexation required by this condition shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

Angela Brereton,
Inspector
27th of June 2016