

Statement of Consistency & Planning Report

In respect of

Proposed Shared Living Accommodation and Neighbourhood uses

at

36-40 Dominick Street Upper, Broadstone, Dublin 7

Prepared by

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On behalf of

Western Way Developments Ltd

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1.0 INTRODUCTION

- 1.1 On behalf of the applicant, Western Way Developments Ltd., 2 Washington St, Dublin 8, D08 X6C8, we hereby submit this Planning Report and Statement of Consistency with Planning Policy to accompany a Strategic Housing Development in accordance with the provisions under Section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016. This application includes a mixed-use development including neighbourhood uses and shared living accommodation at the Hendrons' Building and wider site, 36-40 Dominick Street Upper, Dublin 7, D07 X4HW. The subject site is brownfield land and is located within 100m of the Broadstone green line Luas stop.
- 1.2 The proposed development will comprise the demolition of the existing warehouse buildings (fronting Palmerston Place) and no. 36 Dominick Street Upper, while retaining and incorporating the main Hendrons building (a protected structure no. 8783) into the new development. The scheme includes the provision of a gym, café/shop and 280 no. shared living units (281 no. bedspaces) and ancillary amenity facilities over 5 no. blocks ranging in height from 4 no. storeys to 9 no. storeys, all on a 0.33ha (0.3285ha) site.
- 1.3 Adaptive reuse of the Hendrons Building will provide for publicly accessible neighbourhood uses including a ground floor café/shop and community spaces. TRX/Pilates studios and a gym are also provided at lower ground floor level of Block C. The upper levels of the Hendrons building will accommodate shared amenity spaces for residents of the wider site including co-working space and a sky-lounge.
- 1.4 The proposed development includes 1,739.4sqm of shared living/kitchen/dining spaces (6.2sqm per person) and 1,267.1sqm of external amenity space, including 2 no. roof terraces, a central courtyard and seating areas. In addition, 446.9sqm of internal resident amenity space is provided including a wide range of resident support services and other amenity facilities including; co-working space, a cinema room, games room, sky lounge, laundry, bicycle repair station, an administration suite and reception and storage areas.
- 1.5 The central pedestrian and cycle entrance, fronting Dominick Street Upper, links to the 175 no. secure bicycle parking spaces. All ancillary servicing, refuse storage, and infrastructure is included within the application site, with plant enclosed at basement level of Block A.
- 1.6 This Statement of Consistency also includes details of the proposed developments location and context, the development description and the relevant planning history.
- 1.7 A Confirmation of Feasibility and Design Acceptance letter is enclosed within this application from Irish Water (see Appendix A of the Engineering Assessment Report prepared by Waterman Moylan Consulting Engineers).
- 1.8 The recent addition of the Hendrons building to the list of protected structures as decided at the Dublin City Council monthly meeting on the 3rd of February 2020 is reflected in the proposal which seeks to retain the Hendrons Building (no. 8783, main building and original historic western railings only) fronting onto Dominick Street Upper.
- 1.9 The applicant is committed to delivering a high-quality development in this location, complemented by high quality landscaping which has regard to the existing site features and the established character of the area. This report, prepared by John Spain Associates, demonstrates that the proposal is consistent with the relevant national planning policy, guidelines issued under Section 28 of the Planning and Development Act 2000 (as amended), and with local planning policy. It should be read in conjunction with the accompanying detailed documentation prepared by John Fleming Architects, Park Hood

Landscape Architects and Waterman Moylan Engineering Consultants and other relevant experts.

- 1.10 This SHD application is accompanied by a comprehensive range of documentation which specifically seeks to address the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, the Planning and Development (Strategic Housing Development) Regulations 2017, and items raised by the Planning Authority and An Bord Pleanála during pre-application consultation discussions and the relevant sections of the Dublin City Development Plan 2016-2022.

Figure 1 - Proposed Site Layout Plan

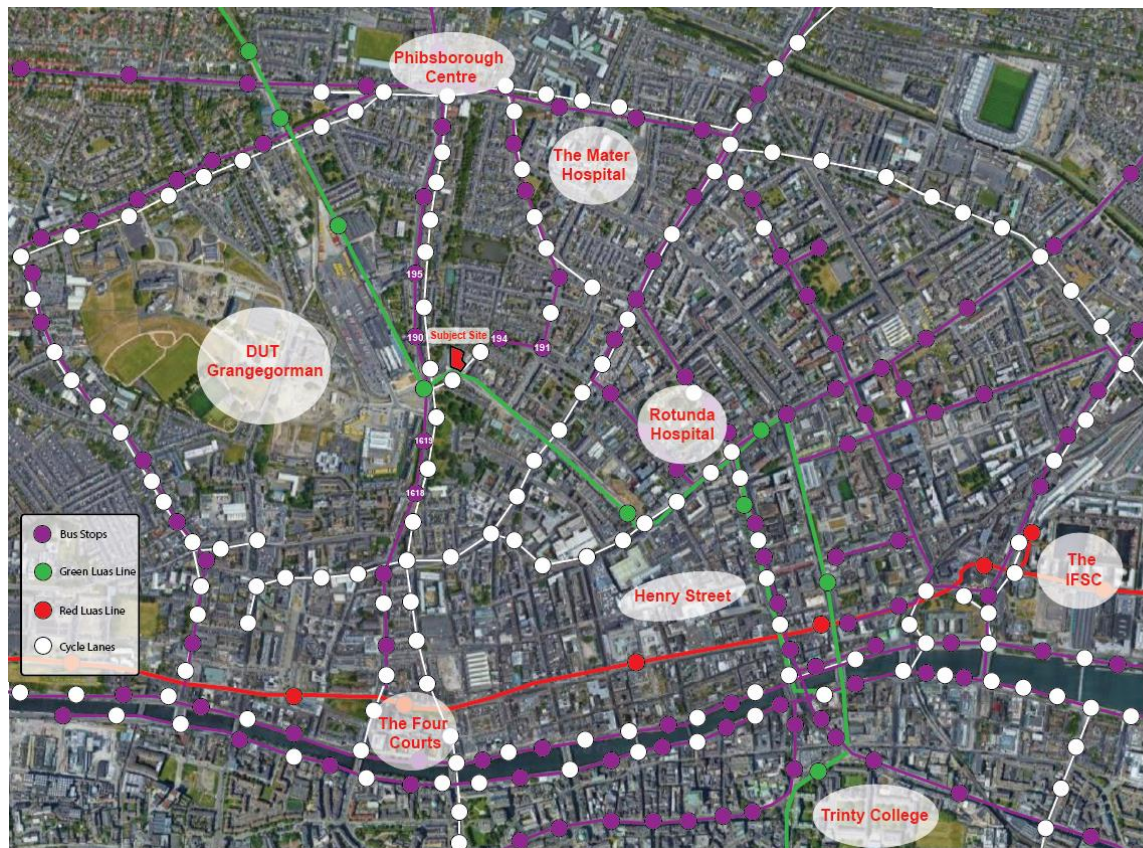


Source: JFA Architects

2.0 SITE LOCATION AND CONTEXT

- 2.1 The subject site comprises approximately 3,285sqm (0.33ha) of brownfield lands which are currently unused. The site is split into four key parts: the Hendrons Building a former industrial building, the adjacent warehouse buildings, a large informal gravel parking area and no. 36 Dominick Street Upper.
- 2.2 Number 36 Dominick Street Upper is a 3 no. storey, dwelling house, connected to the Hendrons buildings. The house is a former hotel and boarding house and is derelict and in disrepair.
- 2.3 The warehousing to the rear of the site comprises 1950's, 2-storey, 10-bay workshops which were formerly used in connection with the Hendrons Building. These buildings are not currently in use.
- 2.4 The Hendrons building itself (a protected structure no. 8783) is a 1949, 4-storey over basement industrial structure with a large entrance foyer and glass block windows. It is currently vacant but was most recently used as a yoga studio and artist's studios. A full description of the building (including photographic record of the building and glass window opes) is contained within the Conservation Assessment by Historic Building Consultants and conservation Development Strategy by Carole Pollard.
- 2.5 To the west of the site, there is an informal, unused, gravel surface car park which accommodates advertising structures. The unbuilt upon portion of the site is also entirely a hard surfaced area with very little existing planting with the exception of a small area of scrub adjacent to the stone boundary wall on Western Way within the informal carpark area.
- 2.6 The site is bound by a stone wall (protected structure no. 8483) which encloses the site at the boundary with Western Way, extending the length of the site to the north.
- 2.7 The site is located at the northern end of Dominick Street Upper, bound by Western Way to the north, Palmerston Place to the south and east and Dominick Street Upper to the west. Existing residential uses adjoin the site to the east, with other commercial uses on Dominick Street Upper to the south, with a pub and café located opposite the site.
- 2.8 The existing traditional red brick 3 no. storey homes located to the east of the site at Palmerstown Road include rear gardens extending to meet the site. Between the boundary of the site and these houses there is a laneway which includes a right of way.
- 2.9 To the south, green space at King's Inns Park separates the site from the King's Inns building. To the east, beyond the immediate green space at Broadstone Park and residential land along Phibsborough Road, the existing Broadstone bus depot is zoned Z10 '*to consolidate and facilitate the development of the inner city and inner suburban sites for mixed uses*', indicating the likelihood of significant change to the urban landscape of this area in the future.
- 2.10 The site is well served by high-frequency public transport, with the no. 4, 9, 83, 83a and 140 Dublin Bus routes linking the subject site to Harristown, Monkstown, Charlestown, Limekiln Ave, Stannaway Ave, Ikea, Rathmines and the Dublin City centre. The frequency of these is between 8 minutes and an hour. The bus stop is located 120m from the subject site.
- 2.11 The green-line Luas also serves the site with the Broadstone stop located c. 100m (less than a 2 minute walk from the site).

- 2.12 A wide variety of public services, retail and convenience needs are provided within the local area, predominately located at the Key District Centre at Phibsborough, approximately 400m from the site. This provides a range of high street facilities including a supermarket, gym, pharmacy, hairdressers, restaurants, cafes, pubs and a post office. The locality is also well served in terms of healthcare, with the Mater hospital and medical practitioners within the surrounding area. The Iliac centre provides significant additional retail and service facilities, approximately 650m from the subject site (to the south-east).



- 2.13 Large employment hubs are located in close proximity to the site as outlined in Figure 2 below;

Figure 2 - Large Employment Hubs in proximity to the site

Employment Hub	Approx. No. of Employees	Distance	Mode of Transport
Technological University Dublin	3,000	300m	Walk
The Mater Public Hospital	3000	800m (500m as the crow flies)	Walk
Trinity College Dublin	4,000	1.3km	Luas/bus
Rotunda Hospital	1,000	700m	Walk
IFSC	40,000	1.5km	Luas
The Four Courts (legal precinct)	c. 5,000	1km	Walk
The Mater Public Hospital	3,000	800m	Walk

- 2.14 Recreational and public facilities are also readily available nearby, with newly developed football pitches and tennis courts located at Grangegorman. The King's Inn Park and Hercules Gym are both also located within 500m of the subject site.

- 2.15 The site's location in its local context is shown by Figure 1, below. A full planning history of the site is attached to this document at Appendix 1.

Figure 3 - the subject site outlined in red



3.0 PROPOSED DEVELOPMENT

Introduction

- 3.1 The proposed development comprises of the construction of a mixed-use development comprising shared living accommodation (281 no. bed-spaces) and neighbourhood uses, across 5 no. blocks orientated in a crescent shape, following the boundary of the site. The central block, Block B, fronts Dominick Street Upper and incorporates the existing Hendrons building (a protected structure), forming the focal point of the development.
- 3.2 Blocks C-E which follow the curved boundary of site adjacent to Western Way step from 9 to 5 storeys in height, as they move back from the Dominick Street Upper frontage. On the southern side, Block A fronts Palmerstown Place and transitions from 5 storeys to 4 storeys in height, in order to preserve the residential amenity of the street.

- 3.3 Adaptive reuse of the Hendrons Building will provide for publicly accessible neighbourhood uses including a ground floor café/shop and community spaces. This extends into proposed Block A and includes an outdoor seating area ensuring a fully active frontage adjacent to Dominick Street Upper. The upper levels of the building will comprise resident amenity spaces in the form of co-working spaces, a cinema room, games room, LKD space and a sky lounge.
- 3.4 A publicly accessible gym and yoga/pilates studio is proposed at ground floor level of Block A. This is accessed directly from Dominick Street Upper and adjacent to the Hendrons Building. An outdoor seating area is also proposed directly in front of the gym and adjacent to the ground floor café/shop. It is anticipated that these complementary uses will be used by both existing locals in the area and future residents of the site.
- 3.5 Internal and external amenity space is proposed throughout the scheme as detailed below.

Access

- 3.6 The site's current point of access is retained and will be used as a cycle and pedestrian route, with vehicle access for emergency vehicles and only. This will contribute to a clearly identifiable path for pedestrians entering and exiting the site and enhance the safe operation of the development. Refuse bins will be placed at the curb for collection by the management company. No general access to the site is proposed via the existing right of way on Palmerston Place. However, this may be utilised by emergency vehicles as required.
- 3.7 Street furniture is located at appropriate intervals throughout the site, in close proximity to building entrances. Outdoor seating will be provided adjacent to the Hendrons Building for use by patrons of the proposed café and residents of the scheme.

Design Rationale

- 3.8 The Architectural Design Statement sets out a comprehensive design rationale for the proposed development.
- 3.9 The design addresses and incorporates the following:
- Regeneration of a heritage building to contribute positively to the streetscape at the corner of Western Way and Dominick Street Upper;
 - Provision of neighbourhood uses within the Hendrons Building, as the focal point of the scheme and within Blocks A and C, to provide an active street frontage including a café/shop and community spaces, a gym and yoga/pilates studios which will benefit the wider community;
 - Sensitive eastern site boundary edge to preserve the amenity of adjacent residential dwellings, replacing the unsightly, dilapidated warehouse buildings with a high-quality design and improved passive surveillance;
 - High quality façade and elevational treatments, including integration and reuse of the Hendrons building (and glass block windows);
 - Provision of a pedestrian access within the site to the south through appropriate landscaping;
 - Provision of 175 no. bicycle parking spaces and a repair station in a secure, covered location;
 - Improved design, materials and finishes used;
 - High-quality public realm and landscaping within the development; and
 - Useable and functional quantum of internal and external amenity space within the site.

- 3.10 It is considered that the proposed scheme makes optimum use of this strategically located brownfield site providing much needed housing within the city and in close proximity to the city centre (900m), large employment hubs and high-frequency public transport.

Neighbourhood Uses (publicly accessible)

- 3.11 The subject proposal includes approximately 432.3sqm of publicly accessible neighbourhood uses which have been provided as part of the scheme. The uses are provided at ground floor level of the Hendrons Buildings, Block A and Block C, as demonstrated in Table 2 below. The Hendrons Building is a protected structure and the proposed uses will reactivate the building, making it accessible to the community.

Table 2 – Proposed Neighbourhood uses within the Hendrons Building

<i>Internal</i>	<i>Use</i>	<i>Location</i>	<i>Area (SQM) Internal</i>	<i>Area (SQM) External</i>
	Shop/ Café, Community Space	Ground Floor (Hendrons Building and Block A)	172.6sqm	
	Gym	Ground Floor (Block C)	184.4	
	Yoga/Pilates Studio	Ground Floor (Block C)	75.3	
<i>External</i>	Outdoor Seating (within site boundary)	Adjacent to Hendrons Building		9.4
	Outdoor Seating (within site boundary)	Adjacent to the gym		33.6
Total			432.3sqm	43sqm

Figure 4 - Illustration showing the entrance to the neighbourhood uses including gym, seating area and cafe at street level



Source: Park Hood Landscape Architects

Shared Living

- 3.12 The proposed development comprises 10,951.4sqm of purpose-built shared living housing and amenity space. This is proposed in direct response to the need for additional accommodation in Dublin, as recognised within the Dublin City Development Plan 2016-2022. The Apartment Guidelines (2018) state that city centre locations are considered to be the most appropriate location for such developments. The application is accompanied by an Accommodation Demand Report prepared by John Spain Associates which details the demonstrated housing demand at this location. As set out above, the site is also strategically located within walking distance (1km or less) of major employment hubs, including the Mater Public and Private Hospitals, and TU Dublin (300m).
- 3.13 The co-living scheme comprises 281 no. bed spaces distributed across 2 no. buildings (described as Blocks, A, B, C, D and E [Blocks A and B over basement]) ranging in height from 4 no. storeys to 9 no. storeys. The detailed breakdown of accommodation is set out in the Design Statement and Schedule of Accommodation set out by John Fleming Architects.
- 3.14 The scheme incorporates 279 no. single rooms and 1 no. twin room (281 no. bedspaces) ranging from 16.5sqm to 24.9sqm (in excess of the minimum required under the Guidelines). Each shared accommodation unit has access to a kitchenette facility which is typically used for the preparation of light day to day snacks and refreshments. However, it is expected that future residents of the proposed shared living scheme will prefer to use the communal kitchen/dining areas for cooking.
- 3.15 The proposed development includes 1,739.4 sqm of shared living/kitchen/dining spaces, resulting in 6.2 sqm per person. These communal spaces are located on each floor and are provided in a range of different locations and sizes. As shown in the figure below, the Living Kitchen Dining provision on the first floor are located to receive easterly, southerly and western light. This gives residents the option to move between spaces at different times of the day or to use a different size space depending on their needs.

Figure 5 - First Floor Plan showing LKD provision



- 3.16 1,267.1sqm of external amenity space, including 2 no. roof terraces (Blocks A and D) and a central courtyard is provided. In addition, a wide range of resident support services (not publicly accessible) and other amenity facilities (totalling 446.9sqm) are provided throughout the scheme including; co-working spaces, a cinema room, games room, laundry, bicycle repair station, an administration suite for parcel collection and reception and storage areas. The sky lounge is directly accessible from roof terrace A.

	LKD	Internal Resident Facility	Amenity/Support	External Space	Amenity	Publicly Accessible Space
Total	1739.4sqm	446.9sqm		1,224.1sqm (excluding external areas)	public seating	432.3sqm
Sqm/Resident	6.2	1671 sqm = 5.94sqm/resident				1.53
Combined internal amenity space	LKD + Internal Amenity + Public Space = 2,618sqm or 9.3 sqm/ resident					

- 3.17 The gym and yoga studios whilst publicly accessible will also form part of the residential amenity available to residents of the scheme. Both will be fully accessible to residents. The café/ shop and community spaces at the ground floor of the Hendrons building will also be available for use by local community group meetings for example book clubs, artist groups,

religious groups etc. the spaces may be booked through the management company and is further detailed in the management plan which accompanies the application.

3.18 The proposed additional amenity space includes a wide range of uses in addition to communal Kitchen/Living/Dining Areas, as required under 5.17 of the Guidelines, including;

- 2 no. roof terraces,
- Gym,
- Yoga/Pilates studios,
- Co-working spaces,
- Administration office/parcel drop off Suite,
- Retail/café space,
- Sky lounge,
- Laundry,
- Cinema Room,
- Games Room,
- Study room,
- Courtyard, and
- Bicycle Repair Space

Open Space and Landscaping

3.19 Detailed consideration has been given to the provision of open space and landscaping within the development. The landscaping proposals for the site have incorporated a number of different landscaped areas, focused on the area central to the development. This is occupied by a range of planting, seating and mixed materials that have been utilised in order to create a range of spaces. A shared surface approach is implemented, and materials are carefully chosen to ensure these areas are visually attractive and entice residents to spend time utilising them.

3.20 The proposed landscaping significantly enhances the overall quality of the scheme, improving the natural environment and incorporation of the scheme within the wider area. The central courtyard of the site provides a sense of place for the development. This central area is also capable of accommodating fire tender access.

3.21 2 no. south facing roof terraces are also proposed on Block A and D, improving amenity for future residents. The roof terraces have been setback from the adjoining houses on Palmerston Place with screen planting included. Careful landscaping will screen the terrace to mitigate any overlooking. Limited hours of access and resident numbers will apply to use of the courtyards as set out in the accompanying Management Plan.

3.22 A landscape masterplan prepared by Park Hood Landscape Architects accompanies this application and provides details of how the site is utilised in terms of open space provision, landscaping and planting. This report also provides details of trees and planting and permeable surface finishing as used throughout the scheme. The landscape plan is considered to be robust and gives careful consideration to the site layout and existing conditions, while providing usable open space for the future residents and the wider community.

Building Height

3.23 The proposed development will vary in height from 4 no. storeys to 9 no. storeys. Block A, extending along the site's western perimeter rises from 4 no. to 5 no. storeys. This height has been proposed to reflect the context of Palmerston Place and to maintain the amenity of

the existing dwellings on the street. The scale is generally reflective of the existing warehouse house buildings. This approach will ensure that the impact of the development on the immediate surroundings is minimised. This is detailed further within the Shadow Analysis and Daylight & Sunlight Report accompanying this application prepared by Digital Dimensions, which details an improvement in daylight access to the gardens to the rear of the site on Palmerston Place when compared to the existing situation.

- 3.24 Block B incorporates the existing Hendrons building, with an additional level proposed above. This is setback from the existing top floor of the Hendrons building and the proposed materials and finishes complement the protected structure. The change in materials from concrete at the lower levels to zinc and glazing at the proposed additional level demonstrate a distinct difference between the old and the new elements of the scheme. The Hendrons Building is considered the focal point of the scheme. To the right, blocks C-E step down from 9 to 4 storeys in height as they move away from Dominick Street Upper frontage, following the curved boundary of Western Way.
- 3.25 The 9 storey component adjacent to Hendrons adopts a slender built form, cognisant of the industrial nature of the Hendrons Building. The new building is separated from the Hendrons Building and addressed the corner of Western Way. The height and massing of the development has been given careful consideration and is appropriate having regard to the site's strategic location adjacent to high quality public transport whilst also respecting the more sensitive residential boundaries to the east.

Access

- 3.26 The proposed development is accessed exclusively through pedestrian and cycle routes. The estimated walking times for residents of the development to the Luas stop at Broadstone, located 100m from the proposal site is c. 2 minute. In addition, Phibsborough centre is approximately 400 metres north of the site. In this regard, the site is considered to be highly accessible in terms of adjacent and nearby public transport links in the form of the green-line Luas and Dublin Bus services
- 3.27 It is also noted that direct vehicle access is provided to the ESB substation adjacent to Western Way. This access point is required by the ESB to facilitate direct servicing of the substation and involves removal of 2.63m length of the existing stone boundary wall.

Traffic

- 3.28 No vehicle parking spaces are proposed as part of the scheme. It is therefore anticipated that a low number of trips will be generated by the proposed use on a daily basis, ensuring a net decrease in vehicular movements in comparison to the site's existing use or possible alternative uses.

Visits to the site by service and refuse collection vehicles will be arranged outside of peak movement periods, such as during the afternoon. This will improve the environment for adjacent residents and reduction noise and pollution in the area, having a positive impact on surroundings

Bicycle Parking

- 3.29 The proposal retains its current vehicular access at Dominick Street Upper, reducing it to a pedestrian and cycle route, with vehicle access for refuse and emergency access only.

- 3.30 The site is ideally located in close proximity to the city centre and also the Luas stop at Broadstone (c. 100m, a 2 minute walk). A range of high frequency Dublin Bus services are also readily available within 300m of the site, providing links to Harristown, Monkstown, Charlestown, Limekiln Ave, Stannaway Ave, Ikea, Rathmines and the Dublin City centre.
- 3.31 The site is in close proximity to a Quality Bus Corridor to the west of the site along Phibsborough Road, which is served by Dublin Bus Route No's 4, 9, 40, 83, 83a, 140, 155 as well as an additional bus stop located 120 metres to the north west on Mountjoy Street which is served by Dublin Bus Route No's 38, 38a, 38b, 38d, 40, 46a, 120, 836, 870. The site is also adjacent to the Broadstone LUAS green line station, which is within 100m of the site.
- 3.32 In relation to Bus Connects, the proposed development is located immediately adjacent to Spine E and the Orbital Route 7 as noted in the accompanying Traffic and Transport Assessment prepared by Waterman Moylan. Spine E is a high frequency spine from Ballymun Road to the City Centre and Stillorgan, running every 5 minutes during the day and more frequently during peak hours. Orbital Route 7 is a high frequency route from Charlestown to the City Centre and Dun Laoghaire, running every 10 minutes during the day and every 8 minutes during peak hours.

Figure 6 - Bus connects proposed infrastructure in the context of the subject site



Source: TTA prepared by Waterman Moylan Consulting Engineers

- 3.33 175 no. sheltered and secured surface bicycle parking is provided at lower ground level along with a bicycle repair station. These are situated within the lower ground level.

Drainage & Servicing

- 3.34 The development makes provision for the implementation of a new 225mm connection to the existing 300mm diameter sewer on Palmerston Place, which discharges to the existing 1,020mm brick combined sewer on Dominick Street Upper. There is an existing connection to the disused Hendrons building from Dominick Street Upper, which is proposed to be decommissioned within the boundary of the application site.

Although the existing drainage infrastructure consists of combined foul and surface water sewers, private foul and surface water drainage will be drained on separate systems throughout the development.

- 3.35 The proposed strategy implements permeable surfaces throughout the site and replaces hard surfaces, increasing the site's capability to retain surface water and delivering an improvement on the existing situation on site.
- 3.36 A letter of Confirmation of Feasibility and of Design Acceptance from Irish Water is included at Appendix A of the Engineering Assessment Report prepared by Waterman Moylan .

Construction and Waste Management

- 3.37 At the planning stage, the siting of construction activities and storage piles will take note of the location of sensitive receptors and prevailing wind directions in order to minimise the potential for dust nuisance. In addition, site management good practice will include the ability to respond to adverse weather conditions by either restricting operations onsite or by using effective control measures quickly before the potential for nuisance occurs:
- During working hours, technical staff shall be on site and available to monitor dust control methods as appropriate;
 - Complaint registers will be kept on site detailing all telephone calls and letters of complaint received in connection with construction activities, together with details of any remedial actions carried out; It is the responsibility of the contractor at all times to demonstrate full compliance with the dust control conditions herein;
 - At all times, the procedures put in place will be strictly monitored and assessed.
- 3.38 The waste manager will have overall responsibility to oversee, record and provide feedback to the client on everyday waste management at the site. Authority will be given to the waste manager to delegate responsibility to sub-contractors, where necessary, and to coordinate with suppliers, service providers and sub-contractors to prioritise waste prevention and salvage.
- 3.39 For further detail, see enclosed Construction and Demolition Waste Management Plan prepared by AWN and the CEMP by DCON.

Flood Risk Assessment

- 3.40 A Flood Risk Assessment (FRA) has been prepared by Waterman Moylan Engineers. The report concludes that the subject site is outside the area of potential risk for coastal or fluvial flooding. The site has been considered in the context of the Greater Dublin Strategic Drainage Study in respect of pluvial flooding. The proposals are seen to improve the surface water run-off from the site and mitigate any potential flooding in this respect, having regard to a new public surface sewer in the area. The site is not predicted to flood due to ground water flooding, tidal flooding from Dublin Bay and from the River Liffey, fluvial flooding from the River Liffey, pluvial flooding and failures of mechanical systems.
- 3.41 The FRA concludes that the risk of flooding at the site and the risk of flooding due to the development of the site is minimal. The site is outside both the 1-in-1,000-year tidal and fluvial flood zones.

Daylight / Sunlight Access

- 3.42 The application is accompanied by a Daylight and Sunlight Analysis Report prepared by Digital Dimensions. The report includes an assessment of daylight sunlight access applicable to the proposed development and also assesses the impact on the surrounding residential properties. This is addressed in further detail at Section 7 below.

Sustainability / Energy

- 3.43 An energy statement has been prepared by Waterman Moylan. The report confirms that the proposed development will comply with Part L 2017 regulations as required.

Visual Impact Assessment

- 3.44 A Visual Impact Assessment has been prepared by Chris Kennett Consulting. The report concludes that the design of the scheme successfully integrates with its surroundings.

‘Therefore, we can conclude that the proposed development will have no adverse impacts upon local landscape character or visual amenity, instead making a positive contribution to the emerging contemporary character and identity of the local area while respecting its established heritage’.

Appropriate Assessment

- 3.45 An Appropriate Assessment Screening Report has been prepared by Openfield. The AA Screening Report found that;

‘In carrying out this AA screening, mitigation measures have not been taken into account. Standard best practice construction measures which could have the effect of mitigating any effects on any European Sites have similarly not been taken into account.

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

According to the AWN report:

There is no direct source pathway linkage between the Proposed Development site and open water (i.e. River Liffey or Dublin Bay SAC/SPA/pNHA). There are indirect source pathway linkages from the Proposed Development through public sewers to the Dublin Bay (3 km downgradient of the proposed site) and foul sewer discharge to Ringsend WWTP which ultimately discharges into Dublin Bay.

It is concluded that there are no pollutant linkages as a result of the construction or operation of the Proposed Development which could result in a water quality impact which could alter the habitat requirements of the Natura sites within Dublin Bay’

Archaeological & Historic Conservation Assessment

- 3.46 A Conservation Assessment has been prepared by Historic Building Consultants which accompanies this submission. The report concludes that while Hendrons Building is of note as an example of 20th century vernacular modernism.

‘In summary, the proposed development would make good use of a substantial site and would bring the prominent Hendron’s building back into use while respecting its character both internally and externally. ‘

- 3.47 A specific Conservation Development Strategy has also been prepared by Carole Pollard which accompanies the application. The strategy details the retention and re-use methods to be adapted when incorporating the building into the scheme. The strategy concludes;

‘I believe that the proposed works by Western Way Developments represent an opportunity for the sympathetic conservation, adaptation and re-use, and future maintenance of the Protected Structure. No longer suitable for use as an industrial unit, the proposal is an appropriate way to satisfy the requirements of the structure to be safe, durable and useful on the one hand, and to retain its character and special interest on the other.’

4.0 PLANNING HISTORY

4.1 The relevant planning history to the subject site is outlined below:

Reg. Ref.: 3938/08 / An Bord Pleanála Ref.: PL29N.233677

4.2 In April 2009, Dublin City Council granted permission for a mixed-use scheme on the subject site for the following;

'Development of a mixed-use scheme on a site of 0.3444 hectares, approximately, principally identified as the site of the 'Hendron's' building, located to the east of the junction of Western Way and Dominick Street Upper, Dublin 7. The site is bounded to the north and west by Western Way, to the south by Dominick Street Upper and to the southeast partially by Palmerston Place and partially by the rear gardens of nos. 1-5 Palmerston Place. The site contains a stone wall which is a protected structure (Dublin City Council RPS no. 8682), extending along the site's boundary with Western Way. The overall proposed development will consist of: the demolition of the existing building on site (3,130 sq.m) and the construction of a mixed use scheme with a total gross floor area of 11,466 sq.m. The proposed development ranges in height from single storey to 14 storeys over 1 no. basement level and comprises: 48 no. residential units (5 no. 1 bedroom apartments, 33 no. 2-bedroom apartments and 10 no. 3 bedroom apartments); 4 no. live/work units (3 no. 3 bedroom live/work units and 1 no. 4-bedroom live/work unit); 32 no. apart-hotel units (2,505 sq.m); offices (1,532 sq.m), a neighbourhood shop (675 sq.m); an artists gallery/studio (511 sq.m) and restaurant (334 sq.m). The proposed development also comprises works to the existing stone boundary wall (RPS no. 86825) fronting Western Way (which will be retained and incorporated into the proposed development), including the creation of openings in the wall of various sizes to form pedestrian entrances to the development, and the removal of the existing ashlar stone piers, plinth and cast iron railings to Upper Dominick Street. The proposed development comprises 3 no. building elements arranged around a central landscaped courtyard at ground floor as follows: The first element comprises a block ranging in height from 4 to 14 storeys extends from site's south-western corner at the junction of Western Way and Dominick Street Upper to the site's southern corner at the junction of Palmerston Place and Dominick Street Upper. This element will comprise a neighbourhood shop at ground floor level (657 sq.m); offices extending from ground floor level to fourth floor level inclusive (totalling 1,532 sq.m); 20 residential units extending from first floor level to fifth floor level inclusive (5 no. 1-bedroom apartments, 10 no. 2-bedroom apartments, and 5 no. 3-bedroom apartments); a restaurant at fifth floor level (334 sq.m) and 32 no. apart-hotel units extending from sixth floor level to thirteenth floor level inclusive (totalling 2,505 sq.m). The second element is a primarily residential block ranging in height from single storey to 6 storeys and is located to the north of the first element. It extends along part of the western site boundary fronting Western Way. This element will comprise 15 no. residential units in total extending over each floor level (12 no. 2-bedroom apartments, 3 no. 3-bedroom apartments); 4 no. live/work units extending from ground floor level to second floor level (3 no. 3-bedroom live/work units, 1 no. 4-bedroom live/work unit); and a gallery/studio facility at ground floor level (511 sq.m). The third element is a primarily residential block with a height of 5 storeys (with a partial set-back at fifth floor level nearest the existing residences to the north of the site) which extends along part of the eastern site boundary fronting onto Palmerston Place. This element includes 13 no. residential units in total spread over each floor level (11 no. 2-bedroom apartments and 2 no. 3-bedroom apartments). The development also includes 1 no. basement level principally comprising: 68 no. car parking spaces; 60 no. bicycle parking spaces; plant rooms; private residential storage; and bin storage. The proposed development will provide pedestrian access/egress points along Western Way, Dominick Street Upper and Palmerston Place. Vehicular access to the basement level will be provided from the site access road off Palmerston Place. The

proposed vehicular access arrangement will involve reversing the existing one-way circulatory regime along Palmerston Place so that all traffic must enter at Dominick Street Upper and exit at Mountjoy Street. In addition the section of Palmerston Place between the proposed access and Dominick Street Upper will be opened up to two-way traffic. The proposed development will result in the removal of 7 no. existing pay and display parking bays along the western kerb line of Palmerston Place. The proposed development also includes changes in level; boundary treatments; all hard and soft landscaping; balconies and terraces; vehicular access points; internal roads and pathways; pedestrian access points; site services and all associated site development works above and below ground’.

4.3 In January of 2010, following a third party appeal, An Bord Pleanála refused the development on the below grounds. A response to each reason for refusal is outline as follows;

1. Having regard to the location of the site, in an elevated, prominent position near the top of Constitution Hill, in the vicinity of a number of significant protected structures, including Broadstone Railway Station and Kings Inns and adjacent to a residential conservation area, it is considered that the proposed development, notwithstanding the revisions proposed on appeal, would, by reason of its design, height, scale and mass, be visually obtrusive, would seriously injure the visual amenities of this sensitive area and would constitute overdevelopment of this site. Furthermore, the Board is not satisfied that the quality of the design of the proposed development would justify the demolition of the ‘Hendron’ building, a building of some architectural character. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

4.4 **Response:** The proposed scheme is significantly different to the previous application on the site in that it includes the retention of the Hendrons Building, as the focal point of the scheme. The scheme also includes a 9 storey building as the highest building on site as opposed to the 14 storey plus penthouse building previously proposed. This is a significant reduction of 5 storeys. In relation to the nearby protected structures, this was reviewed by Historic Building Consultants and a detailed assessment is included at pages 41 and 42 of the Architectural Heritage Impact Assessment.

2. Having regard to the height, scale and mass of the proposed development, it is considered that the proposal would seriously injure the residential amenities of the area by reason of overshadowing, overlooking and would be visually overbearing. Furthermore, the proposed development would not provide adequate amenity for future residents, given the extent of overshadowing of the communal courtyard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area and the amenities of property in the vicinity.

4.5 **Response:** The proposed built-form has been carefully designed to respond to the surrounding site context including the existing residential dwellings on Palmerston Place. The proposed Sunlight, Daylight and Shadow Analysis has found that the proposal will result in an improved outcome in terms of solar access to the rear garden abutting the site. The report further determines that the daylight to the existing dwellings will meet or exceed BRE Guidelines.

4.6 The massing and scale of the proposed building (Block A) on Palmerston Place steps down to 4 storeys adjacent to the nearest dwelling house. The existing warehouse buildings are three storeys in height and therefore of a similar height and scale of that proposed.

- 4.7 The proposed buildings are setback from the existing rear boundary wall of the existing dwellings and include the appropriate 22m setback from the windows of the existing dwellings. High-sill windows and off-set/angled windows are introduced to minimise overlooking. Screen planting is included on the boundary and will provide an improved landscaped outlook for residents when compared to the existing unsightly industrial yard.
3. Having regard to the restricted width of Palmerston Place and Middle Mountjoy Street and the right angle bend on Palmerston Place, the Board is not satisfied that the location of the proposed vehicular access is the optimal for this site, in the absence of an assessment of alternative locations. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
- 4.8 **Response:** The subject proposal does not include vehicle parking. The main entrance to the site will be via the existing entrance at Dominick Street Upper which will accommodate cycle and pedestrian access only. Emergency vehicles may use the main entrance and the right of way on Palmerston Place as required and this is considered more than reasonable given the nature of emergency vehicles.

5.0 CONSISTENCY WITH NATIONAL AND REGIONAL PLANNING POLICY

- 5.1 The key provisions of national and regional planning policy as it relates to the proposed development is set out in the following sections.

National Planning Framework (2018)

- 5.2 The National Planning Framework (NPF) is the Government's high-level strategic plan for shaping the future growth and development of the country up to 2040.
- 5.3 A core objective of the NPF is achieving compact growth and the Framework targets a *'significant proportion of future urban development on infill/brownfield development sites within the built footprint of existing urban areas'*.
- 5.4 The NPF seeks to achieve *'better use of underutilised land and buildings, including 'infill', 'brownfield' and publicly owned sites and vacant and under occupied buildings, with higher housing and jobs densities, better serviced by existing facilities and public transport'*. Section 2.2 of the NPF targets 40% of future housing development to be within and close the existing footprint of built-up areas.
- 5.5 National Policy Objective 4 aims to *'ensure the creation of attractive, liveable, well designed, high urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being'*.
- 5.6 National Policy Objective 11 states that:

'In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth.'

- 5.7 The NPF advocates compact urban development and focuses maximising existing uses onsite and maximising potential with respect to connections to transport links.
- 5.8 National Policy Objective 13 states that:

'In urban areas, planning and related standards, including in particular building height and car parking will be based on performance criteria that seek to achieve well-designed high quality outcomes in order to achieve targeted growth. These standards will be subject to a range of tolerance that enables alternative solutions to be proposed to achieve stated outcomes, provided public safety is not compromised and the environment is suitably protected.'

- 5.9 Objective 35 of the National Planning Framework aims to:

'Increase residential density in settlements through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area of site-based regeneration and increased building heights.'

Evaluation of Consistency

- 5.10 **Response:** The proposed development is located within 100m of Broadstone Luas stop, within walking distance of several major employment hubs including Grangegorman TUD Campus (300m), the Mater public and private (800m) and the legal precinct at the Four

Courts (1km). Further, the site is also within close proximity (walking distance) of several major employment centres as follows:

Figure 6 - Large Employment Hubs in proximity to the site

Employment Hub	Approx. No. of Employees	Distance	Mode of Transport
Technological University Dublin	3,000	300m	Walk
The Mater Hospital	3,000	800m	Walk
The Four Courts (legal precinct)	c. 5,000	1km	Walk
Trinity College Dublin	4,000	1.3km	Luas/bus
Rotunda Hospital	1,000	700m	Walk
IFSC	40,000	1.5km	Luas

- 5.11 In addition, the site is served by several high-frequency bus routes leading to the city and centre and suburbs. The existing site is underutilised and presents an opportunity site for development, meeting the criteria identified in the NPF and providing for redevelopment for a residential scheme.
- 5.12 The scheme includes a variety of building heights stepping from 4 storeys at the eastern boundary of the site (cognisant of the adjoining built form) to 9 storeys at the western boundary and corner of the site. The building rises to a maximum height of 9 no. storeys at the corner of Western Way and Dominick Street, reflective of this prominent corner, creating strong urban edge to the street. The proposed density and height of the development is considered appropriate for the location of the site and the availability of public transport facilities. The proposed development is therefore in accordance with the objectives of the NPF in this regard.
- 5.13 The proposed development will provide for a high-quality residential accommodation scheme, including neighbourhood uses, in a range of room sizes and layouts including communal internal and external spaces. The proposed materials and finishes will also be of a high-quality standard (including white brick and glazed finishes) in order to complement the existing Hendrons building on the site, whilst creating a unique quality urban place.
- 5.14 It is considered that the proposed development provides for the creation of an attractive, sustainable residential development within an existing built up urban area, on a brownfield site. The provision of the new sustainable development is therefore consistent with the NPF objectives.
- 5.15 Compliance with the National Planning Framework therefore provides an appropriate justification for granting permission for a higher building (c. 2.82m above the height requirement) in this location as a material contravention of the CDP. This is further reinforced by the Urban Development and Building Height Guidelines below.

Restricting the height of the development at such a location, well served by public transport and adjacent to several major employment hubs to that set out under the CDP building height objectives would be a contravention of Government policy which promotes increased densities at well served urban sites.

Rebuilding Ireland Action Plan (2016)

- 5.16 Rebuilding Ireland was launched in 2016 with the objective to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021, while at the same time making the best use of the existing stock and laying the foundation for a more vibrant and responsive private rented sector.
- 5.17 Rebuilding Ireland is set around 5 no. pillars of proposed actions. *Pillar 3 seeks to – Build More Homes: Increase the output of private housing to meet demand at affordable prices.*

Evaluation of Consistency

- 5.18 The proposal will deliver much needed housing within the Metropolitan Area of the Greater Dublin Area in accordance with the aims of Rebuilding Ireland, and in particular Pillar 3, which seeks to build more homes – *“to increase the output of private housing to meet demand at affordable prices.”*

Regional Spatial Economic Strategy – Eastern and Midlands Regional Assembly (2019-2031)

- 5.19 The Regional Spatial and Economic Strategy – Eastern and Midlands Regional Assembly is a strategic plan and investment framework to shape the future development of the eastern region to 2031 and beyond. The principle function of the assembly is the delivery of a Regional Spatial and Economic Strategy (RSES), a new concept in Irish planning where not only the spatial but also the economic factors that go into the future of the region are brought together into one all encompassing strategy.
- 5.20 The RSES supports the consolidation and re-intensification of infill, brownfield sites to provide high density and people intensive uses within the existing built up area of Dublin city and suburbs and ensure that the development of future development areas is co-ordinated with the delivery of key water infrastructure and public transport projects.

Settlement Strategy

- 5.21 Dublin City and Suburbs: Support the consolidation and re-intensification of infill, brownfield and underutilised lands with 50% of all new homes to be provided in the existing built up area of Dublin City and Suburbs in tandem with the delivery of key infrastructure to achieve a population of 1.4 million people by 2031.

“For urban-generated development, the development of lands within or contiguous with existing urban areas should be prioritised over development in less accessible locations. Residential development should be carried out sequentially, whereby lands which are, or will be, most accessible by walking, cycling and public transport – including infill and brownfield sites – are prioritised.”

- 5.22 The overarching vision statement of the RSES is ‘to create a sustainable and competitive region that supports the health and wellbeing of our people and places, from urban to rural, with access to quality housing, travel and employment opportunities for all.

Evaluation of Consistency

- 5.23 This proposal seeks to provide for residential development and neighbourhood uses on a strategically located urban infill site to increase densities, heights and urban consolidation in

this inner suburban location. The proposed development therefore is compliant with the overall policies and objectives of the RSES in this regard.

6.0 Section 28 Guidelines

6.1 The key provisions of national (including relevant Section 28 guidelines) and regional planning policy as it relates to the proposed development are set out in the following sections. The key policy and guidance documents of relevance to the proposed development are as follows:

- Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
- Design Manual for Urban Roads & Streets (2013);
- Delivering Homes, Sustaining Communities (2008) and the accompanying Best Practice Guidelines - Quality Housing for Sustainable Communities;
- Quality Housing for Sustainable Communities (2007);
- Design Standards for New Apartments (2018);
- Urban Development & Building Height Guidelines (2018)
- Smarter Travel – A New Transport Policy for Ireland (2009-2020);
- Transport Strategy for the Greater Dublin Area 2016 – 2035;
- Birds and Habitats Directive – Appropriate Assessment.
- Guidelines for Planning Authorities on *'The Planning system and Flood Risk Management (November 2009)'*
- Architectural Heritage Protection Guidelines for Planning Authorities (2011)

Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009)

- 6.2 The role of the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas is to ensure the sustainable delivery of new development throughout the country.
- 6.3 The Guidelines provide guidance on the core principles of urban design when creating places of high quality and distinct identity. The Guidelines recommend that planning authorities should promote high quality design in their policy documents and in their development management process. In this regard, the Guidelines are accompanied by a Design Manual discussed below which demonstrates how design principles can be applied in the design and layout of new residential developments, at a variety of scales of development and in various settings.
- 6.4 These Guidelines support a plan-led approach to development as provided for in the Planning and Development Act 2000. Section 2.1 of the Guidelines note that *'the scale, location and nature of major new residential development will be determined by the development plan, including both the settlement strategy and the housing strategy'*.

Evaluation of Consistency

- 6.5 Having regard to the above, the subject infill brownfield site is zoned Z3 within the Dublin City Development Plan 2016-2022. The Development Plan adopted a sequential approach when zoning the land for development. Therefore, the location of the site and the zoning pertaining to the development is appropriate for the subject proposal.
- 6.6 Sustainable neighbourhoods require a range of community facilities, and each district/neighbourhood will need to be considered within its own wider locality, as some

facilities may be available in the wider area while others will need to be provided locally. The subject lands are located in close proximity to the Key District Centre of Phibsborough, approximately 400m north east, with additional convenience and retail services located at the Iliac Centre, also c.650m from the subject site. The Grangegorman TUD campus is also a short distance west. The subject application also includes a local café/shop offering and a neighbourhood gym, yoga/pilates studios and community spaces.

- 6.7 The subject lands are located adjacent to 'Public Transport Corridors' under the Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009). These areas are defined as being located within 500 metres walking distance of a bus stop, or within 1km of a light rail stop or a rail station.
- 6.8 The subject site is located within 100m of the green-line Luas stop at Broadstone and within 300m of a high-frequency Dublin Bus service providing connections to Dublin city centre and suburbs. In this regard, the proposed scale of development on site can be justified.
- 6.9 The proposed development incorporates 175 no. bicycle parking spaces in a secure location within Block B. Pedestrian paths are provided through out the site and with no vehicle parking proposed, the scheme promotes and enhances permeability throughout the site and its local surroundings.
- 6.10 The Guidelines also provide advice on the core principles of urban design, when creating places of high quality and distinct identity. The Guidelines are accompanied by a Design Manual which demonstrates how design principles can be applied in new residential developments, at a variety of scales of development and in various settings. The design of the proposed development has taken cognisance of the 12 no. criteria as set out in the Urban Design Manual, as detailed further with the accompanying Architectural Design Statement prepared by John Fleming Architects.

Figure 7 - Urban Design Manual 12 criteria



Source: Urban Design Manual DoEHLG 2009

- 6.11 The Urban Design Manual is based around 12 criteria that have been drawn up to encapsulate the range of design considerations for residential development based on “a *distillation of current policy and guidance and tried and tested principles of good urban design.*”
- 6.12 The 12 no. criteria are addressed in summary below. Please refer to the Architectural Design Statement by John Fleming Architects for further details in this respect.

Context: How does the development respond to its surroundings?

- 6.13 The proposed development responds to its surroundings by integrating appropriately with its existing setting through a high-quality built form and scale. The surrounding area comprises a mix of uses including residential, Grangegorman TUD Campus and other neighbourhood uses (e.g. pub, café and gym). The proposals are therefore compatible with adjacent uses and will achieve the site’s zoning objective.
- 6.14 The proposed built form has also been carefully designed to respond the characteristics and features of the existing area including stepped building heights adjacent o Palmerston Place and a 9 storey building on the prominent corner of Western Way and Dominick Street Upper.

Connections: How well is the new neighbourhood / site connected?

- 6.15 The main point of access to the site is through the existing established site access point from Dominick Street Upper. This will facilitate cycle and pedestrian access for residents and emergency vehicles as required. Publicly accessible outdoor seating is proposed within the entry plaza adjacent to this area (associated with the proposed gym and café/shop), activating the street frontage and reconnecting the site to the neighbourhood. No access will be provided via the existing laneway to the south of the site (adjacent to Palmerston Place) unless for emergency purposes.
- 6.16 The site is bounded by a stone wall adjacent to Western Way which is a protected structure. An access point is provided to the proposed substation for ESB access only to the north of site for essential maintenance, however no other access points are proposed from Western Way due to the historic nature of the wall.

Inclusivity: How easily can people use and access the development?

- 6.17 Universal access will be provided throughout the site, with pedestrian movement being a key design focus. Accessible units are provided throughout the scheme and a diverse range of amenity spaces are proposed to meet the needs of future residents. Direct access to the Broadstone Luas stop is also available from the site.

Variety: How does the development promote a good mix of activities?

- 6.18 A wide variety of amenity spaces are provided within all buildings across the scheme. Internal and external amenity space is provided as discussed in detail earlier in this report including, a café/shop, gym, co-working space and cinema room. Living/kitchen/dining spaces are provided on all floors in different formats and sizes to provide for the different needs of the individual residents.

Efficiency: How does the development make appropriate use of resources, including land?

- 6.19 The proposed scheme includes 280 no. units across the c. 0.33ha site resulting in a 66% site coverage and a plot ratio of 3.47. This is considered to be an efficient and suitable use of a

currently vacant brownfield site in very close proximity to the city centre (900m) and adjacent to a Luas stop. In addition, an Energy Statement prepared by Waterman Moylan accompanies this application and includes sustainable design measures to incorporate renewable energy sources into the scheme, in compliance with Part L.

Distinctiveness: How do the proposals create a sense of place?

- 6.20 The Hendrons Building forms the focal point and centre of the proposed development. Its distinctive red and white finishing's and signage are well recognised and are reflected in the proposed materials of the adjacent buildings, subject of this proposal. The protected Hendrons Building forms the main entrance point to the scheme and will be the centre and neighbourhood hub of the scheme including the café/shop and community spaces. This together creates a sense of space and place within the neighbourhood.

Layout: How does the proposal create people-friendly streets and spaces?

- 6.21 The proposed site layout plan provides for a legible, permeable and distinctive layout, which prioritises pedestrian movement within the site. The structure of the Site Layout Plan is based on the principles of best practice urban design including permeability, connectivity and legibility as set out above. The internal layout has been designed with pedestrian and cyclists to the forefront. The proposed layout of the development provides for a straightforward, easily accessible and easily navigable network of places for pedestrians and cyclists.

Public Realm: How safe, secure and enjoyable are the public areas?

- 6.22 The layout and design of the proposed development has been influenced by the level of security and overlooking to be provided by the future residents. The design of the development has been carefully considered to ensure a high level of passive surveillance on both the central area of open space and the adjoining streets, Dominick Street Upper and Western Way. The siting, layout and design of the proposed blocks provide for a frontage onto centrally located public areas ensuring the provision of a safe, secure and enjoyable at this prominent location development.

Adaptability: How will the buildings cope with change?

- 6.23 Each of the proposed units exceeds the minimum standards for a single shared living unit size. The overall architectural style is contemporary and reflects the modern requirements to satisfy energy reducing objectives, whilst respecting the existing built form of the Hendrons Building. Accessible rooms have been provided throughout as required. A Building Lifecycle Report accompanies the application providing detail on the robustness of the materials reducing future running costs etc.

Privacy / Amenity: How do the buildings provide a high-quality amenity?

- 6.24 The design of the scheme has had due regard to the siting and orientation of the development in order to maximise the solar gain and natural light aspect of each dwelling.
- 6.25 The development provides for adequate separate distances in excess of 22m (c. 25m to 27m proposed) between the proposed blocks D and E and existing dwellings on Palmerston Place. High windows have also been used to avoid overlooking. This maintains a high level of privacy and amenity obtained by residents and minimises overlooking. The scale of the buildings adjacent immediately to the south-east of the existing residences is 4 storeys (stepping down towards the boundary with the existing 3 storey houses). Off-set windows and a blank gable wall have been included to avoid overlooking.

- 6.26 Where possible boundaries will be consolidated by additional planting to enhance screening and ensure the development integrates with the existing back gardens with minimal visual impact. This additional planting is detailed further within the accompanying Landscape Masterplan by Park Hood Landscape Architects.

Parking: How will the parking be secure and attractive?

175 no. cycle parking spaces are proposed at lower ground floor level of Blocks D and E. The spaces will be secure and easily accessible to residents. A bicycle repair station is also proposed adjacent to the parking area for resident use. 31 no. electrical vehicles are also proposed adjacent to the ESB substation.

Detailed Design: How well thought through is the building and landscape design?

- 6.27 This Statement of Consistency is accompanied by a Design Statement, prepared by John Fleming Architects, and Landscape Proposals by Park Hood which demonstrate how the proposed development has regard to, and has been developed in accordance with, best practice in respect to urban design and landscape design.

Design Manual for Urban Roads & Streets

- 6.28 The Design Manual for Urban Roads and Streets (DMURS), 2013, sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas.
- 6.29 DMURS aims to end the practice of designing streets as traffic corridors, and instead focus on the needs of pedestrians, cyclists, and public transport users. The Manual sets out design guidance and standards for constructing new and reconfiguring existing urban roads and streets in Ireland. Incorporating good planning and design practice and focus on the public realm. It also outlines practical design measures to encourage more sustainable travel patterns in urban areas. The principle design guidance of DMURS has been considered in the design of this development. The proposed development seeks to prioritise pedestrian and cyclists throughout and around the site in accordance with the policies set out in DMURS.

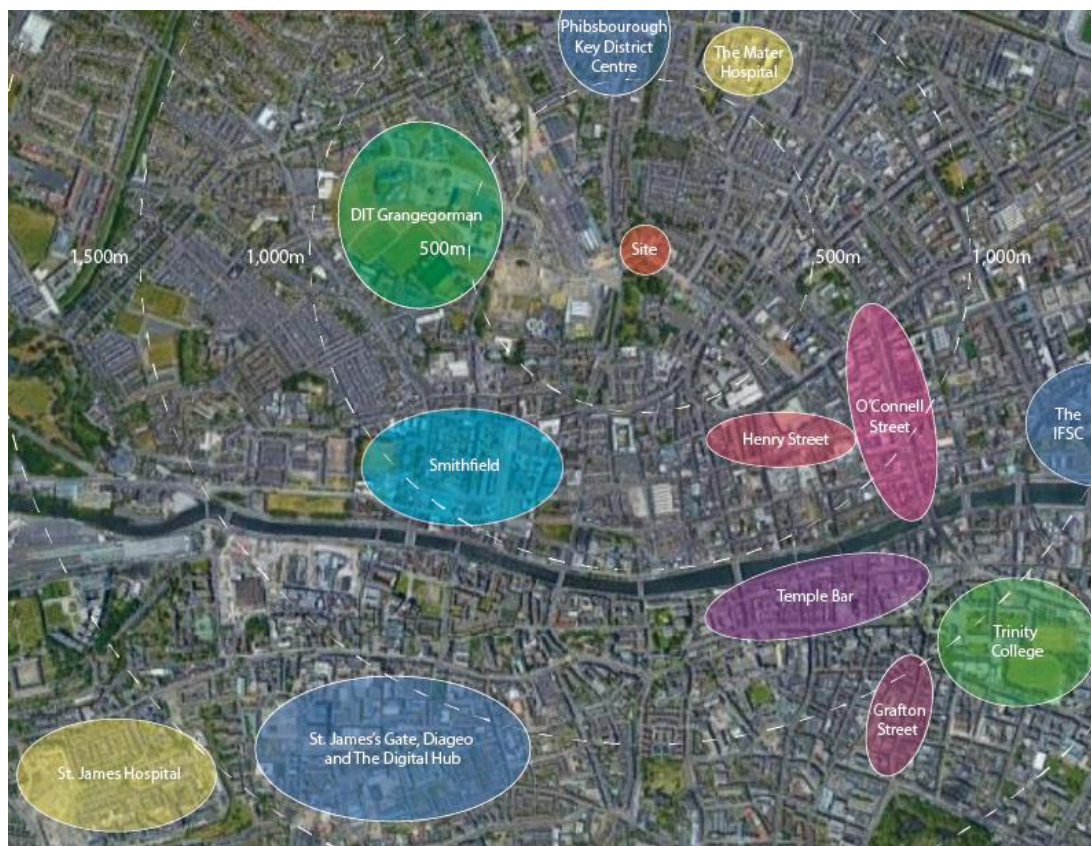
Sustainable Urban Housing: Design Standards for New Apartments 2018

- 6.30 The proposed Shared Living Accommodation Development has been designed in accordance with Section 5.13 of the Apartment Guidelines 2018 which *“comprises professionally managed rental accommodation, where individual rooms are rented within an overall development that includes access to shared or communal facilities and amenities.”*
- 6.31 These guidelines contain the primary design guidance for shared living accommodation. The Apartment Guidelines recognise the need for alternative types of accommodation to facilitate the societal and economic changes which would be better suited to reflect current and projected household formation and housing demand. The proposed application comprising 281 no. Shared Living bedspaces will therefore provide an alternative housing accommodation type for people seeking residential accommodation in Dublin at a central location. An Accommodation Demand Report prepared by John Spain Associates accompanies this application which details the suitability for the site for the proposed use. We also refer to the Management Plan prepared by City Living which outlines the management strategy which will be implemented at the operational phase of the development.

Location

- 6.32 Shared Living is a form of residential development, suitable for central and accessible urban locations, that is focused on community and convenience, living in a combination of high-quality communal spaces and high function, high quality private residential units.
- 6.33 The site is considered to be an appropriate location for this type of accommodation being within the city centre and close proximity to a wide range of employment hubs including TUD's campus at Grangegorman (less than 250m to the south-west), the city centre, D2 office district, the IFSC, the Rotunda Hospital, the Mater Hospital (Public and Private), Temple Street Children's Hospital numerous shopping centres etc.

Figure 8 - Subject site in proximity to employment centres



- 6.34 The proposed development will be professionally managed (by CityLiving – see accompanying Management Plan) and is located in immediate proximity to the Luas Green Line, with the nearest stop at Broadstone located 100 metres west. Details of Bus Connects have been included in the TTA prepared by Waterman Moylan and discussed above.

Specific Planning Policy Requirement 7

- 6.35 As detailed under SPPR9, shared accommodation developments must be subject to requirements of SPPR7 which relate to Build to Rent schemes. SPPR7 is set out below:

“BTR development must be:

(a) Described in the public notices associated with a planning application specifically as a ‘Build-To-Rent’ housing development that unambiguously categorises the project (or part of

thereof) as a long-term rental housing scheme, to be accompanied by a proposed covenant or legal agreement further to which appropriate planning conditions may be attached to any grant of permission to ensure that the development remains as such. Such conditions include a requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period;

Response: The accompanying notices address the above information as required. A draft legal covenant has also been prepared and accompanies the application.

(b) Accompanied by detailed proposals for supporting communal and recreational amenities to be provided as part of the BTR development.

These facilities to be categorised as:

(i) Resident Support Facilities - comprising of facilities related to the operation of the development for residents such as laundry facilities, concierge and management facilities, maintenance/repair services, waste management facilities, etc.

Response: The proposed scheme includes the above facilities including;

- Management Office/parcel collections/concierge space
- Laundry Facilities
- Large Bicycle Storage Room
- Resident Storage Area
- Bicycle Repair Station
- A waste management room (an Operational Waste Management Plan by Awn Consulting accompanies the application),

(ii) Resident Services and Amenities – comprising of facilities for communal recreational and other activities by residents including sports facilities, shared TV/lounge areas, work/study spaces, function rooms for use as private dining and kitchen facilities, etc.”

Response: The proposed scheme includes a wide selection of spaces dispersed throughout the site, including both internal and external for resident use, as listed under Section 3.11 above.

- 6.36 In total, c. 449sqm of internal amenity space, c. 433sqm of publicly accessible space (café/shop and gym), 1,267.1sqm of external amenity space and 1739.4sqm of kitchen, living/dining/space is proposed within the scheme, totalling 3,906sqm.

Specific Planning Policy Requirement 9

- 6.37 Specific Planning Policy Requirement 9 of the Apartment Guidelines relates to Shared Accommodation. Compliance with the policy requirements for Shared Accommodation is provided below. SPPR 9 provides:

“Shared Accommodation may be provided and shall be subject to the requirements of SPPRs 7 (as per BTR). In addition,

- (i) No restrictions on dwelling mix shall apply;*

Response: 279 no. single shared living rooms are proposed and one twin room providing for 281 no. bedspaces throughout and are considered to be acceptable in respect to SPPR 9(i).

- (ii) *The overall unit, floor area and bedroom floorspace requirements of Appendix 1 of these Guidelines shall not apply and are replaced by Tables 5a and 5b;*
- (iii) *Flexibility shall be applied in relation to the provision of all storage and amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities. The obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;*

- 6.38 **Response:** The Guidelines recommend minimum bedroom size of 12 sq.m for a single bedroom, and 18 sq.m for double or twin bedrooms. These figures include an ensuite. The minimum floor area for the proposed single shared accommodation units is 16.4 sq.m whilst the proposed twin room is 32.3sqm, both of which exceed the minimum room sizes.
- 6.39 The rationale behind the larger room size beyond that prescribed in the Apartment Guidelines is the multifunctional capability of the room space, which includes a kitchenette area, to enhance the provision of in-room sharing for small scale socialising on a more intimate scale such as playing computer games and sharing a coffee etc.
- 6.40 Section 5.16 of the Guidelines require a minimum floorspace requirement for a common shared area for living and kitchen facilities that will be calculated on a per bedroom basis (i.e. 8 sq.m per person for bedrooms 1-3 and an additional 4 sq.m per persons for bedrooms 4-6). This equates to an average of 6 sq.m of communal amenity space per shared accommodation resident.
- 6.41 The proposal included 6.2sqm of LKD space per person. As noted above, the proposed development also consists of a range of communal residential amenity space to serve the shared accommodation units including; co-working spaces, a cinema room, residential lounges and gym facilities and additional communal areas at second, third and fourth floor levels of the Hendrons building, including a sky lounge connecting to the outdoor terrace.
- 6.42 This is in addition to the LKD space provided on each level of Blocks A, B, C, D and E and the external roof top terraces and central courtyard areas. Further, neighbourhood uses including a shop/café and gym are included at ground floor level of the Hendrons Building and Block C respectively with adjoining outdoor seating. Refer to the Accommodation Schedule prepared by John Fleming Architects for detailed breakdown of the size and location of the spaces.
- 6.43 Table 1 below provides a breakdown and the location of the proposed living/kitchen/dining spaces at each level throughout the development. A wide variety of spaces are provided, differing in size to provide for different resident preferences. The proposal provides 6.2 sqm of LKD space per resident which exceeds the requirements.

Table 1: Location and distribution of LKD space throughout the scheme

Location	No. of Living/Kitchen/Dining Spaces	Area SQM	LKD/ person/ floor
Lower Ground Floor	34.6 sqm 47.6 sqm 89.4 sqm	171.6	6.4
Upper Ground Floor	85.9 sqm 64 sqm 45.2 sqm 89.4 sqm	284.5	6.3
First Floor	85.9sqm 64sqm 58.2sqm 16.4sqm 89.4sqm	313.9	6.4
Second Floor	91sqm 64sqm 58.8sqm 89.4sqm	303.2	6.2
Third Floor	91sqm 64sqm 58.2sqm 60.6sqm	273.8	6.0
Fourth Floor	72.6sqm 53.8sqm	126.4	5.7
Fifth Floor	91sqm	113.3	6.3
Sixth Floor	91sqm	91	5.7
Seventh Floor	61.7sqm	61.7	6.9
Total		1,739.4.9sqm	6.2 sqm per person

(iv) *A default policy of minimal car parking provision shall apply on the basis of shared accommodation development being more suitable for central locations and/or proximity to public transport services. The requirement for shared accommodation to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures;"*

- 6.44 **Response:** Due to the central location of the scheme and immediate access to public transport links, no parking is proposed on the site. The relevant carparking standards are included in the Dublin City Development Plan with no parking acceptable at the subject site. This is detailed in the Traffic and Transport Assessment by Waterman Moylan and at section 7 below. We also refer to the Travel Plan contained within the TTA which provides initiatives and measures to include use of public transport (shared transport facilities)
- 6.45 175 no. bicycle spaces are proposed in a secure location within the site, within the lower level of Blocks D and E (143 no. spaces) and within the central courtyard (32 no. spaces). We also note the provision of 30 no. Dublin Bike Spaces directly adjacent to the site on the corner of Western Way and Dominick Street upper. Provision has also been made for 3 no. motorcycle spaces. As nominated within the TTA by Waterman Moylan, there is sufficient space within the central courtyard to facilitate additional spaces if required. This will be determined by resident demand and reviewed by the management company on a regular basis.

- 6.46 A detailed management plan prepared by CityLiving, an experienced operator, who will be responsible for the future management of the scheme when operational, accompanies this proposal. The plan states;

'CityLiving is owned and founded by James McGrath and Jamie Eustace, and will be a subsidiary of Mezzino (mezzino.com), which has been operating in the student, residential and hospitality business since 2010. CityLiving will use the same back-office infrastructure, including our accommodation management system, facilities management system and building Hub portal.

The team has a excellent track record having seamlessly integrated over 4,500 beds spaces onto our management platform and consistently achieved occupancy levels approaching 100% across all our sites. Our model is fully scalable, and our track record is unblemished. Mezzino are regulated by Royal Institution of Chartered Surveyors (RICS) in Ireland and the UK. In addition, we are regulated in Ireland by the Property Services Regulatory Authority (PSRA), adhering to their code of conduct and obliged to act in a professional manner with clients, customers, suppliers and relevant third parties.

As well as 4,500 student beds, CityLiving's parent, Mezzino, currently manage three residential assets in the UK representing 450 units (c.700 beds) and also a significant number of commercial (public house, supermarket, estate agent and café) tenants within the assets in various locations.'

- 6.47 In addition, it is noted that "A key feature of successful Shared Accommodation schemes internationally is the provision of wider recreation and leisure amenities as part of the overall development." In order to fulfil this, a range of amenities such as a gym, outdoor terraces games room and cinema room are provided within the development.
- 6.48 The Guidelines draw similarities between the standards set out relative to Shared Accommodation and note that co-living accommodation 'will not normally be subject to Part V requirements in relation to the reservation of 10% of the units as social housing' as they are not provided as individual self-contained residential units.
- 6.49 The guidelines highlight a need for this type of accommodation in particular locations such as city centre. The subject sites proximity to the city centre and multiple employment hubs is in line with these guidelines.

Report to Minister Darragh O' Brien

- 6.50 We also refer to the report prepared by the Department of Housing, Local Government and Heritage to the minister Darragh O'Brien. A response to recommendations in relation to the subject proposal is detailed as follows;

Proposed Amendment 1: Increase Floor Area Standards

*6.3 To ensure that there is an equivalence in standards of private, communal and amenity floorspace between Shared Accommodation and conventional apartments under the 2018 Guidelines, it is proposed that the minimum floor area per person/bedspace for Shared Accommodation be set at not **less than 29 square metres**. This would apply to a combination of private space (the bedroom) together with shared support services and amenities, but would exclude corridors and general circulation space etc.*

- 6.51 **Response:** The proposal includes 34.2sqm per person and therefore exceeds the requirements (based on c. 9,599.8 (GFA less circulation areas) /281)

Proposed Amendment 2: Reinforce Communal Kitchen/Dining Requirements

6.4 To clarify that there would be at least six square metres of communal kitchen/dining space per person external to the individual bedroom, for all co-living formats. It should also be specified that this may not be included as part of any such occasional provision within bedrooms, or within the floor area of any other communal facilities and amenities, or any circulation space (corridors, stairwells etc.). **In addition, the maximum number of bedrooms sharing a kitchen/dining space should be limited to 20-25**, with flexibility up to this range allowable subject to building design. Furthermore, no bedrooms should be designed or let as wholly self-contained units unless they meet the minimum apartment floor area standard of at least 37 square metres for a studio unit or 45 square metres for a one-bedroom apartment. 18

- 6.52 **Response:** The proposed development includes 281 no. bedspaces. There are 25 no. LKD spaces available for use by residents, with multiple options provided on every level, except 5th, 6th and 7th floors which include smaller floorplates and less rooms per LKD. This equates to 11.24 (12) people per LKD through out the development. This far exceeds the requirements of the report recommendations.

Amendment 3: Further Clarify Appropriate Locations

6.5 Co-living development should generally be located within **15 minutes walk (i.e. a 1km radius), or, a maximum 15 minutes morning peak hour public transport accessibility of a high density employment cluster**. Such a 'cluster' comprises at least two defined CSO 'workplace zones' with more than 500 employees per hectare in close proximity i.e. within a maximum of 400m (five-minutes walk) of each other. Exceptions to this requirement would be restricted subject to assessment on a case-by-case basis to:

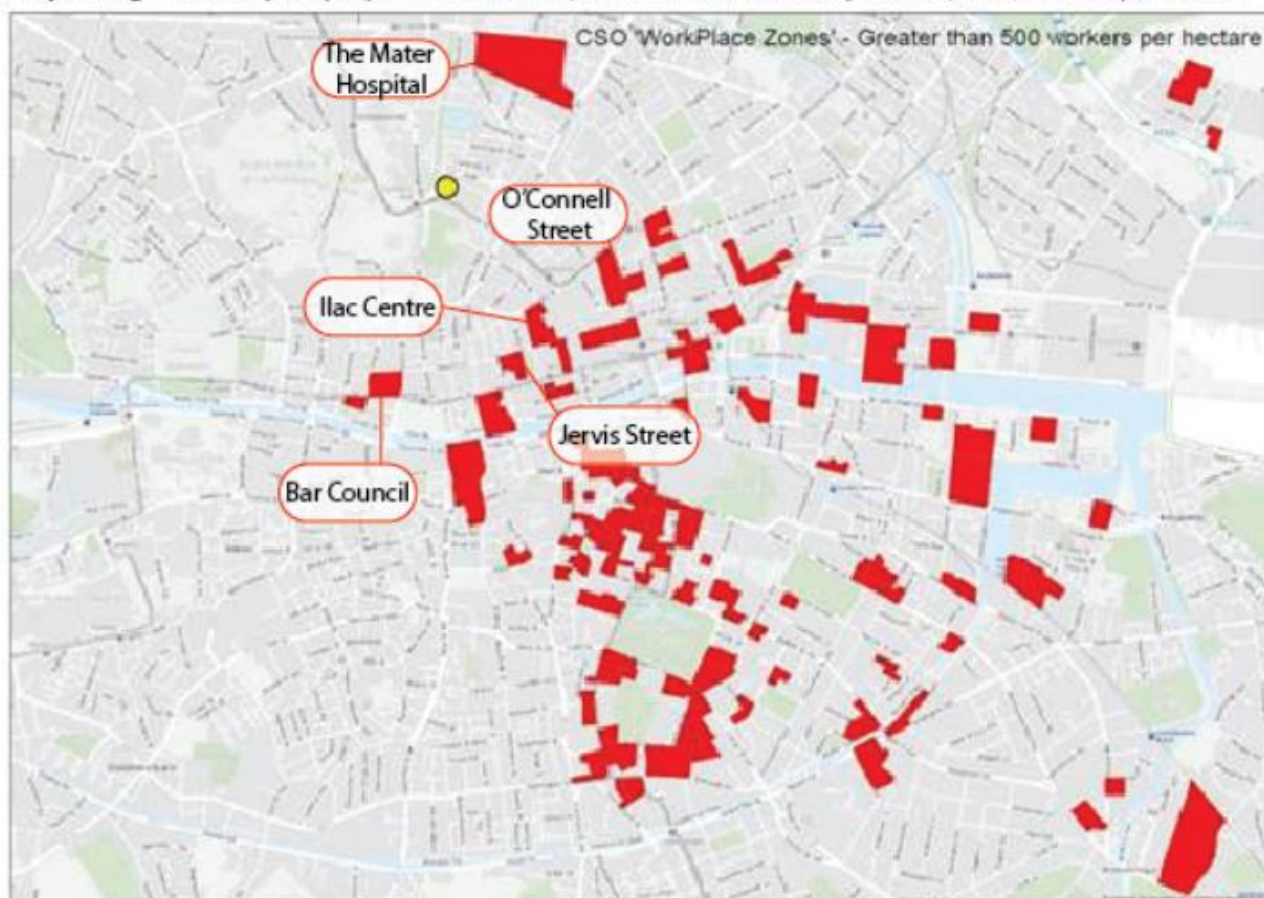
- (i) Protected Structures, in order to ensure their long term rehabilitation and to address sensitive architectural constraints of the subject building;
- (ii) Major national level hospitals and health campuses, with any co-living proposal would require to be contractually sponsored/endorsed by the medical institution concerned.

- 6.53 **Response:** We refer to figure 6 above which includes a list of key employment hubs in close proximity to the site. In addition, the site includes re-use of a protected structure and is within an 800m walk of the Mater Hospital (a major national level hospitals and health campus).
- 6.54 We also refer to the below map which illustrates the site location in the context of Map 3 as included in the Report to Minister Darragh O'Brien. We also refer to the below additional high intensity employment clusters as identified on the map that are in proximity to the site.

- 10 minute walk to the Mater Hospital (800m)
- 9 minute walk to Ilac centre (800m)
- 11 minute walk to O Connell street (650m)
- 13 minute walk to Jervis street (900m)
- 10 minute walk Bar Council (800m)

Figure 7 - Map extract from the Department report to the minister

Map 3: High Intensity Employment Locations/Clusters in Dublin City Centre, as defined by the CSO



Urban Development & Building Height Guidelines (2018)

- 6.55 The Department of Housing, Planning & Local Government published Guidelines on Urban Development & Building Heights for consultation in December 2018. The Guidelines introduce a more flexible approach to building heights in urban locations in order to deliver compact growth in accordance with the strategic outcomes of the NPF. It is noted that under Section 28 (1) (c) of the Planning & Development Act 2000, as amended, planning authorities and An Bord Pleanála will be required to have regard to these and apply any Specific Planning Policy Requirements (SPPRs).
- 6.56 The Guidelines support the consideration of building heights within the canal ring in Dublin *'of at least 6 storeys at street level as the default objective, subject to keeping open the scope to consider even greater building heights by the application of the objectives and criteria'* as set out within the document. Elements such as the configuration of sites and infrastructure provision e.g. public transport capacity and connectivity, as well as high quality architecture, urban design and public realm outcomes are key considerations in permitting higher buildings in urban areas.
- 6.57 Notably, relative to Development Planning, Specific Planning Policy Requirement 1 requires Planning Authorities to avoid provision of blanket *'numerical limitations on building height'* and advises the identification of areas *'where building height will be actively pursued'* within

Development Plans. The Guidelines advocate increased building heights *‘in locations with good public transport accessibility, particularly town/city cores’*.

- 6.58 The Guidelines introduce Development Management criteria which proposals for higher buildings will be required to satisfy. It is noted that the subject application is accompanied by a Material Contravention Statement prepared by John Spain Associates which address the requirements of SPPR 3 in detail and is therefore not repeated here.
- 6.59 The justification demonstrates that the proposal meets the criteria for higher buildings as set out within the Guidelines on Building Heights. The site is well placed to absorb a high-density development which is appropriately scaled and designed in the context of its urban surroundings, at a highly accessible location and in close proximity the city centre and employment hubs. The statement concludes;

“It is respectfully submitted that should An Bord Pleanála consider the proposed development is a material contravention of the Dublin City Development Plan 2016-2022, an appropriate justification is set out within this statement demonstrating that the proposed development should be considered for increased building heights due to the location of the subject site, the incorporation of a protected structure into the scheme, the overall context of wider existing developments, adjacent to high-frequency public transport corridors and large scale employment hubs, and the policies and objectives set out within the Urban Development and Building Heights Guidelines 2018.

In particular, it is considered that there is sufficient justification for An Bord Pleanála to grant permission for the proposed development, notwithstanding any material contravention of the City Development Plan, by reference to sub-paragraphs (i) (iii) and (iv) of Section 37(2)(b) of the 2000 Act, as amended, for the reasons set out above.”

Transport Strategy for the Greater Dublin Area 2016 - 2035

- 6.60 This strategy has been prepared by the National Transport Authority. The Vision of this strategy is for Dublin to be a competitive, sustainable city-region with a good quality of life for all by 2030.
- 6.61 The Strategy includes five overarching objectives to achieve the vision which are as follows:
- Build and strengthen communities;
 - Improve economic competitiveness;
 - Improve the built environment;
 - Respect and sustain the natural environment;
 - Reduce personal stress.
- 6.62 The Strategy sets out measures to achieve the vision and objectives for the GDA. These include better integration of land use planning and transportation, consolidating growth in identified centres, providing more intensive development in designated town and district centres and control parking supply.
- 6.63 The strategy builds on previous strategies and investment programmes, and for this reason several major infrastructure schemes that are included in the government’s Transport 21 investment framework are included in all of the strategy options.

- 6.64 The proposed development which is adjacent to existing high-frequency public transport, including the Broadstone Luas stop to the south-west, bus connects routes Spine E and the Orbital Route 7 makes optimal use of brownfield land resource through a quality design and appropriate number of bed-spaces, in compliance with the guidelines.

Appropriate Assessment and Environmental Impact Assessment Screening

- 6.65 Under Article 6 (3) of the EU Habitat Directive and Regulation 30 of SI no. 94/1997 “European Communities (Natural Habitats) Regulations (1997)” any plan or project which has the potential to significantly impact on the integrity of a Natura 200 site (i.e. SAC or SPA) must be subject to an Appropriate Assessment. This requirement is also detailed in the Planning and Development Acts (2000 – 2010).
- 6.66 An Appropriate Assessment Screening Report and Ecological Impact Assessment prepared by Openfield Ecological Services, are submitted with this application. These establish that none of the habitats and species listed as ‘qualifying features’ in the Natura 2000 site designations will be affected by the proposed development.
- 6.67 In addition, an Environmental Impact Assessment Screening Statement has been prepared to accompany this application. The screening statement concludes that an EIAR is not required in respect of the proposed development as it is not likely to have any significant effects environmental impacts.

Guidelines for Planning Authorities on ‘*The Planning System and Flood Risk Management (November 2009)*’

- 6.68 *The Planning System and Flood Risk Management* Guidelines were published by the Minister for the Environment, Heritage & Local Government in November 2009 under Section 28 of the Planning & Development Act 2000 (as amended). The Planning system and flood risk management guidelines require the planning system at all levels to avoid development in areas at risk of flooding, particularly floodplains, unless there are proven wider sustainability grounds that justify appropriate development and where the flood risk can be reduced or managed to an acceptable level without increasing flood risk elsewhere; adopt a sequential approach to flood risk management when assessing the location for new development based on avoidance, reduction and mitigation of flood risk; and incorporate flood risk assessment into the process of making decisions on planning applications and planning appeals.
- 6.69 **Response:** In order to comply with these Guidelines a Flood Risk Assessment relating to the site has been prepared by Waterman Moylan to inform the application. The assessment states;

The subject lands have been analysed for risks from tidal flooding from Dublin Bay and from the River Liffey, fluvial flooding from the River Liffey, pluvial flooding, ground water and failures of mechanical systems. Table 4, below, presents the various residual flood risks involved.

Source	Pathway	Receptor	Likelihood	Consequence	Risk	Mitigation Measure	Residual Risk
Tidal	Dublin Bay or River Liffey	Proposed development	Extremely low	None	Negligible	None	Negligible
Fluvial	River Liffey	Proposed development	Extremely low	None	Negligible	None	Negligible
Pluvial	Private & Public Drainage Network	Proposed development, downstream properties and roads	Ranges from low to high	High	Ranges from low to extremely high	Appropriate drainage, SuDS and attenuation design, non-return valves	Low
Ground Water	Ground	Underground services, basement and ground level of building	Low	Moderate	Low	Damp proof membranes, adequate waterproofing at the basement and lower ground floor level, sealing of all openings in the lower ground floor, installation of granular blanket around building	Low
Human/Mechanical Error	Drainage network	Proposed development	High	Moderate	High	Non-return valves, regular inspection of SW network	Low

As indicated in the above table, the various sources of flooding have been reviewed, and the risk of flooding from each source has been assessed. Where necessary, mitigation measures have been proposed. As a result of the proposed mitigation measures, the residual risk of flooding from any source is low.

Architectural Heritage Protection Guidelines (2011)

- 6.70 The *Architectural Heritage Protection Guidelines for Planning Authorities*¹ provides comprehensive guidance for the assessment of proposed development that may have a potential impact architectural heritage. Paragraph 6.4.15 sets down the requirement for a detailed architectural heritage impact assessment:

‘For more extensive or complex works with a potential to have a major impact on the architectural heritage, a planning authority may require an applicant to submit a more detailed impact statement. This may be necessary to allow the planning authority to assess the full implications of the proposals and allow an informed decision to be made on the appropriateness of the development. An outline of the type of information that could be included in such an architectural heritage impact assessment is found in Appendix B of these guidelines.’

- 6.71 **Response:** The subject application is accompanied by an Architectural Heritage Impact Assessment by Historic Building Consultants and a Conservation Development Strategy by Carole Pollard, both of which include assessments of the proposal in relation to the guidelines. The Conservation Strategy states;

‘The conservation of the Hendron’s Building is a significant element of the Western Way SHD project and has been carefully considered in accordance with the Architectural Heritage Protection Guidelines, 2011.’

¹ Department of the Environment, Heritage and Local Government, 2004, reissued by the Department of Arts, Heritage and the Gaeltacht, 2011.

7.0 LOCAL PLANNING POLICY

- 7.1 The application site is located within the Dublin City Council administrative boundary therefore is subject to the policies and objectives of the Dublin City Development Plan 2016-2022. The relevant policies are set out in this section.
- 7.2 Chapter 5 of the Development Plan ‘Quality Housing’ states ‘*there is a pressing need to facilitate a significant increase in housing output whilst creating high quality accommodation*’ and ‘*the City Council will engage in active land management, relax standards to facilitate distinct components [including] professionally managed private rental,*
- 7.3 The proposed shared accommodation is in accordance with Chapter 5 of the Development Plan ‘Quality Housing’ which states the following in relation to the need for residential developments in the City. Of particular relevance to this application is Section 5.5.2 of the Development Plan which outlines overarching policies relating to residential development in city centre locations. The following policies are noted:

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

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

Policy QH8: *To promote the sustainable development of vacant or under-utilised infill sites and to favourably consider higher density proposals which respect the design of the surrounding development and the character of the area.”*

- 7.4 It is considered that the proposed development appropriately responds to the above policies by delivering a high-quality scheme comprising 280 no. shared accommodation units (281 no. bedspaces) on an underutilised brownfield site. The scheme also incorporates the derelict Hendrons Building, providing a unique opportunity for its conservation and reuse.

Zoning Objective

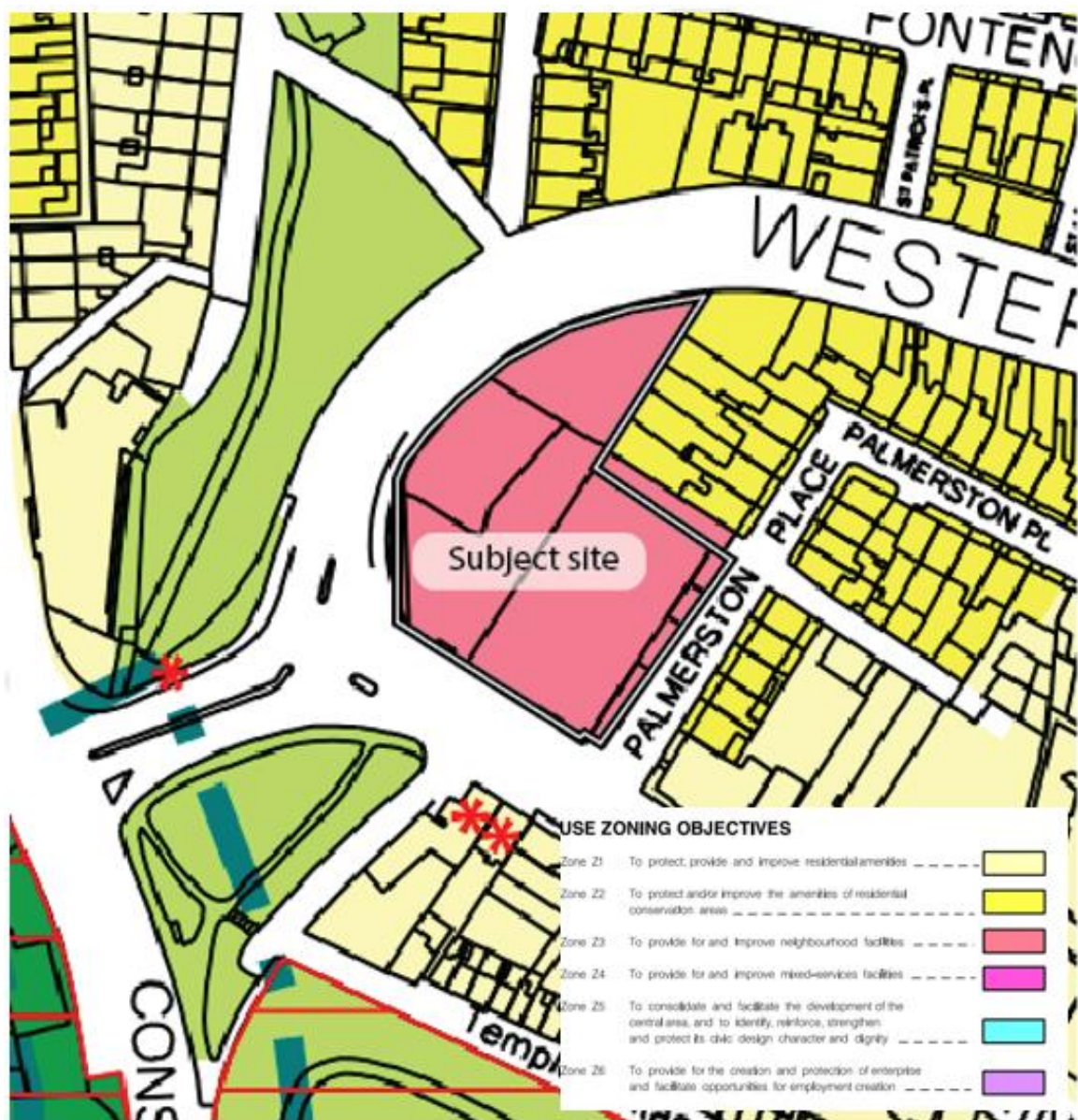
- 7.5 The subject site is zoned Z3, with an objective ‘*To provide for and improve neighbourhood facilities*’. Approximately 429.8sqm of publicly accessible neighbourhood uses have been provided as part of the scheme, contained at ground floor level of the Hendrons Building, Block A and Block C, as demonstrated in Table 2 below. The Hendrons Building is a protected structure and the proposed uses will reactivate the building, making it accessible to the community.

Table 2 – Proposed Neighbourhood uses within the Hendrons Building

Internal	Use	Location	Area (SQM) Internal	Area (SQM) External
	Shop/ Café, Community Space	Ground Floor (Hendrons Building and Block A)	172.6sqm	
	Gym	Ground Floor (Block C)	184.4	
	Yoga/Pilates Studio	Ground Floor (Block C)	75.3	
External	Outdoor Seating (within site boundary)	Adjacent to Hendrons Building		9.4
	Outdoor Seating (within site boundary)	Adjacent to the gym		33.6
Total			432.3sqm	43sqm

- 7.6 The proposed uses will benefit the existing neighbouring residents as well as the future occupants of the scheme. The range of uses is considered suitable given the sites proximity to larger centres such as Phibsborough Key District Centre, *the Ilac Centre and Jervis Street Shopping Centres..*
- 7.7 The uses are sited at ground floor level across Blocks A and C and the Hendrons Building, all of which have a direct frontage to Dominick Street Upper, creating an enlivened public interface. Outdoor seating is also included adjacent to the proposed gym and café, creating synergies between the two complementary uses.
- 7.8 The re-use and repurposing of the currently vacant Hendrons building is considered a significant benefit to the wider community. The renovation and careful re-instatement of this building for publicly accessible purposes has been carefully considered to form a key focal point of the development.
- 7.9 We note that 'Residential' is a permitted use under the land use zoning matrix relevant to the Z3 zone in the Dublin City Development Plan 2016-2022, as are 'restaurant,' 'shop (neighbourhood)' (which include the café/shop), 'recreational building and uses'. Accordingly, the proposed shared living residential component of the scheme is permissible in the zone.

Figure 9 - Extract from the Dublin City Zoning Map



Plot Ratio & Site Coverage

- 7.10 The Dublin City Development Plan 2016 – 2022 sets out the following indicative plot ratio and site coverage standards for lands zoned Z3 (inner city):

Plot ratio: 1.5 – 2.0
 Site Coverage: 66%

- 7.11 The Development Plan states that higher plot ratio and site coverage may be permitted in certain circumstances such as:

- *Adjoining major public transport termini and corridors, where an appropriate mix of residential and commercial uses is proposed;*
- *To facilitate comprehensive re-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.*

- 7.12 The proposed development equates to a plot ratio of 3.47 and site coverage of 66%. This is in keeping with national guidelines encourages increased building heights and higher density in inner city infill locations.

Built Heritage

- 7.13 In February 2020, Dublin City Council included the addition of the Hendrons Building (ref. no. 8783, the main building and original historic western railings only) to the Record of Protected Structures. In order to utilise this historic asset, the development incorporates the Hendrons Building into the design of the proposal. The existing stone boundary wall on Western Way is also a protected structure (no. 8483) and retained as part of the subject application. We refer to the following relevant policies contained in the CDP that are addressed in the following sections. We also refer to the Conservation Development Strategy prepared by Carole Pollard and the Architectural Heritage Impact Assessment prepared by Historic Buildings Consultant.

- 7.14 *CHC2: To ensure that the special interest of protected structures is protected. Development will conserve and enhance protected structures and their curtilage and will:*

(i) Protect or, where appropriate, restore form, features and fabric which contribute to the special interest

- 7.15 **Response:** Features will be retained and restored wherever possible throughout the site. We refer to the Conservation Development Strategy which states;

‘Protecting Special Interest: The conservation of the Hendron’s Building includes the retention of all the key architectural elements including, inter alia, the glass blocks, the steel parapet railings, the ‘HENDRONS’ sign, and the lift shaft and wrap-around staircase. New buildings have been designed so as to not detract for the special impact of the building on its site.’

‘The existing steel trusses and winches visible in the rear laneway are not of heritage significance but will be retained to reflect the former industrial use of the buildings. They are attached to the warehouse building on Palmerston Place which is not a protected structure and which is proposed to be demolished. In accordance with the proposed Construction Management Plan, the trusses and winches will be carefully secured in place during the demolition works by means of temporary supports. They will remain in the same positions and will be secured to the gable end of the newly constructed Block A in accordance with good conservation practice.’

(ii) Incorporate high standards of craftsmanship and relate sensitively to the scale, proportions, design, period and architectural detail of the original building, using traditional materials in most circumstances.

- 7.16 **Response:** Part 2 of the Conservation Development strategy contains methodologies for repair of the existing reinforced concrete, glass blocks, and steel railings. Part 3 of the same report includes a detailed schedule of repairs to the windows. The highest of construction standards will be implemented in this regard.

(iii) Be highly sensitive to the historic fabric and special interest of the interior, including its plan form, hierarchy of spaces, structure and architectural detail, fixtures and fittings and materials

7.17 Response: The Conservation Development Strategy states;

'The proposed new uses for the building are designed to have minimum impact on the existing structure. Only non-original partitions are to be demolished. Repair work will be carried out sensitively and only where necessary. Compliance with building regulations has necessitated the inclusion of a new lift shaft and this is proposed to be constructed to the rear of the protected structure with minimum impact on its structural integrity or architectural form. The additional roof is well set back from the existing parapet edge restricting the visual impact. The existing lift shaft tower, parapet edge detail and steel railings are retained. Where it is proposed to remove or alter small sections of the original fabric of the protected structure (see 'Keeping a Building in Use' above) this will be carried out under the supervision of a conservation specialist and in consultation with the Dublin City Council Conservation Officer.'

(iv) Not cause harm to the curtilage of the structure; therefore, the design, form, scale, height, proportions, siting and materials of new development should relate to and complement the special character of the protected structure

7.18 Response: In relation to the extent of the curtilage of the Hendrons Building, the AHIA states:

'The responsibility for defining the extent of the curtilage of a protected structure, where necessary, lies with the planning authority and in this instance the planning authority has not defined the curtilage. For the purpose of this report and of this planning application it is assumed that the curtilage may extend to include the entire site, except for number 36 Dominick Street Upper. The house is excluded as the address cited in the Record of Protected Structures is 37-40 Dominick Street Upper. It is noted that the description of the protected structure as set down in the Record of Protected Structures is "Hendron's main building and original historic western railings only" and hence no other structure within the curtilage or within the application site is included in the protection, except for the boundary wall to Western Way, which is a protected structure in its own right. The boundary wall would not have a curtilage.'

7.19 Therefore, in relation to the existing warehouse buildings to the rear of the Hendrons building which are proposed to be demolition, the AHIA states:

'As has been noted above, the structures at the rear were not all built at the same time as the main building at the front and they are not in good condition. Examination of the fabric of the structures reveals obvious signs of poor construction that have led to severe deterioration in the mass concrete, while other flaws are evident, together with fire damage.'

We refer to the Waterman Moylan structural report which is appended to the AHIA and states that:

'The overall structural stability of this building [number 36 Dominick Street Upper] is seriously compromised and there is requirement for works in the short term to make the structure safe. It is not proposed to retain the building in the proposed development and as the works needed to remediate will be invasive to the point of replacement, we would suggest that demolition is appropriate for a building of this age and condition. The removal of the building will allow for effective repair of the

concrete frame of the Hendron's building, so is of considerable benefit to the primary building on this site.'

7.20 The AHIA concludes;

'In the light of the above, the proposed demolition of the sheds at the rear of the main Hendron's building and the house at number 36 Dominick Street Upper would not have significant adverse impacts on architectural heritage, though it is recommended that full photographic and written records are made of the buildings prior to their removal and that all due care is taken during demolition to ensure that no damage occurs to the Hendron's building.'

7.21 In relation to the proposed new buildings in the context of the protected structure, the Conservation Development Strategy states;

'The special character of the protected structure is protected by maintaining complete separation on the northwest gable end. The proposed Shared Living Blocks C, D, and E, are situated away from the Hendron's Building and there is clear visual and architectural distinction between the two. The entrance portal to the inner courtyard is located between the protected structure and the proposed new buildings. All existing opes on the north-west gable end of Hendron's are to be retained and the existing glass block infill panels will be conserved and repaired. New opes at ground floor level will align with those above and will be fitted with new windows that respect the existing character of the building, while also activating the building's ground floor edge.

The existing house at 36 Dominick Street which sits flush with, and directly abuts, the south-east end of the Hendron's building is to be demolished. The proposed new Block A, which turns the corner from Dominick St Upper into Palmerston Place, sits on the footprint of the former No. 36 but is stepped back and separated with a deep recess. The second floor parapet level is at the same level as the parapet of the original building and an additional floor has been further set back to ensure that the southeast corner of the building remains clearly defined and visible from the Dominick Street Upper approach. The architectural character of the new building is sympathetic to the Hendron's building but clearly distinguishable as new. Block A forms the Palmerston Place edge of the site, replacing derelict industrial buildings that once were part of the Hendron's factory. These buildings were not part of the original Hendron's building and are not of significance. They are not on the Dublin City Record of Protected Structures'

(v) Protect architectural items of interest from damage or theft while buildings are empty or during course of works

7.22 **Response:** The existing site is currently unoccupied but secured. The applicant is not aware of any such issues at the site to date. The CMP states that temporary hoarding will be placed around the construction site which as well as acting as a safety measure, will also ensure the further protection of the building as required above.

(vi) Have regard to ecological considerations for example, protection of species such as bats.

7.23 **Response:** We refer to the Bat Assessment by Wildlife Surveys Ireland which states;

'There is no evidence that the building within the site is in use as a bat roost from the survey of August 2019. Bats move in and out of roosts on a regular basis and individuals may be present at times other than a specific survey without any evidence. There is no evidence in any of the buildings (or elements of the same building) of bats and it is very unlikely that this building has recently or ever served as a roost. This potential impact is likely to be moderate and long-term if there is roost loss in the absence of mitigation. From available evidence, this is not an impact of this project.'

(vii) Changes of use of protected structures, which will have no detrimental impact on the special interest and are compatible with their future long-term conservation, will be promoted.

7.24 **Response:** We refer to the Conservation Development Strategy which states;

'The purpose of the conservation strategy is to ensure minimum impact on the special character of the protected structure and its setting.'...

'Every effort has been made to retain the building's character and special interest and we believe that the proposed conservation works and adaptive reuse of the building will ensure that the special qualities of the building will be protected into the future.'...

7.25 The strategy further states;

'The conservation of the Hendron's Building includes the retention of all the key architectural elements including, inter alia, the glass blocks, the steel parapet railings, the 'HENDRONS' sign, and the lift shaft and wrap-around staircase. New buildings have been designed so as to not detract from the special interest of the building on its site.'

7.26 Further detail is included in the Strategy report which includes a detailed justification for the proposed new openings within the interior of the building which will facilitate the re-use of the building.

Policy CHC3: To identify and protect exceptional buildings of the late twentieth century; to categorise, prioritise and, where appropriate, add to the RPS. Dublin City Council will produce guidelines and offer advice for protection and appropriate refurbishment.

7.27 **Response:** The Hendrons Building is identified on the record of protected structures and is retained as the focal point of the proposed development.

Policy CHC6: To ensure a sustainable future for historic and other buildings subject to heritage protection. The City Council will encourage and support works to upgrade the environmental performance of the existing building stock that incorporates good standards of design and appearance. Where these works involve historic buildings subject to protection (this includes buildings referenced on the Record of Protected Structures and non-protected structures in an Architectural Conservation Area), the works shall not adversely affect the special interest of the structure and thus a sensitive approach will be required, taking into account:

The significance of the structure, and the extent of intervention, including impact on historic fabric, traditional construction, visibility, siting and design.

The installation of renewable energy measures and equipment will be acceptable where sited and designed to minimise the visual impact and does not result in any significant loss of historic fabric or otherwise affect the significance of the structure.'

- 7.28 **Response:** As detailed above, the proposed works will not impact on the special interest of the protected structures.

Works affecting the character of protected structures

- 7.29 It is noted that the proposal does not include demolition of a protected structure. Rather material alterations and interventions into the original fabric of the Hendrons Building and the protected wall are proposed. This is detailed in the AHIA and in the conservation strategy. However, should it be interpreted that special circumstances are required under Section 57 (10)(b) of the Act, the following is stated in the AHIA in relation to the boundary wall;

'The proposed development has been designed to remain clear of the boundary wall to Western Way in recognition of its status as a protected structure. However, it will be necessary to open an access through the wall to provide access to an ESB substation at the northern end of the site.

A substation is required in order to facilitate the supply of electricity to the development and it is necessary that this be accessible by the statutory undertaker for purposes of maintenance and repair without having to access private property. The potential locations for this substation are limited, as a substantial part of the site boundary to the public road is marked by the wall on Western Way and by the Hendron's Building, both of which are protected structures.

Given the lack of alternative locations, the circumstances that determine the necessity for opening a gap in the wall are exceptional. It is noted that this affects approximately two metres in a wall that is more than two hundred metres in length, and which has already been pierced by a number of pedestrian accesses and garage doors.

The external face of the wall to Western Way is formed with squared calp limestone, as seen in the photographs above, and it will be a simple matter to open up an access through the wall and to make good the ends of the wall on either side of the opening in accordance with the drawings submitted. This will be carried out in accordance with good conservation practice, including the use of appropriate mortars to match those used in the construction of the wall.'

- 7.30 Considering the identified significant demand for housing in Dublin, the strategic location of the site, the proximity to major employment hubs, the quality and quantity of amenity provided within the scheme, coupled with the constrained nature of the site, it is considered that the requirement to provide access to the ESB station from Western Way (involving removal of c. 2m of the existing boundary wall), in the absence of any other suitable locations warrants an 'exceptional circumstance' in this instance.

- 7.31 In relation to the Hendrons Building, we note the following stated in the AHIA:

'The development now proposed includes some interventions into the fabric of the Hendon's Building, notwithstanding its status as a protected structure. As has been described above, the building was originally erected as an industrial building but is no longer suitable for that purpose, given the evolution of the requirements of a building if it is to be so used. Best conservation practice requires that a building should be put to use in order to ensure its survival into the future. However, in order to do so the building must

be adapted to meet the requirements of its new use and this will inevitably require a certain degree of modification. The alterations to the building as described above and in the Conservation Development Strategy are not such as to detract to any significant extent from the essential character of the building and the exceptional circumstances of the need to adapt the building justifies these minor interventions.

Similarly, the requirement to bring the entire site back into use necessitates the provision of a new power supply and the restrictions of the site are such that the location of the electricity substation must be on the Western Way frontage, with the consequence that a new access must be provided through the boundary wall, which is a protected structure. These circumstances are also exceptional and justify a small intervention into a long wall along the street frontage.'

7.32 The Conservation Development Strategy by Carole Pollard states;

'The proposed new uses for the building are designed to have minimum impact on the existing structure. Only non-original partitions are to be demolished. Repair work will be carried out sensitively and only where necessary. Compliance with building regulations has necessitated the inclusion of a new lift shaft and this is proposed to be constructed to the rear of the protected structure with minimum impact on its structural integrity or architectural form. The additional roof is well set back from the existing parapet edge restricting the visual impact. The existing lift shaft tower, parapet edge detail and steel railings are retained. Where it is proposed to remove or alter small sections of the original fabric of the protected structure (see 'Keeping a Building in Use' above) this will be carried out under the supervision of a conservation specialist and in consultation with the Dublin City Council Conservation Officer.'...

'Having lain empty for a number of years, active community use is proposed for the ground floor in the form of a café, while the upper floors will provide amenity spaces including co-working spaces, a games room and sky lounge for the proposed shared living accommodation element of the proposal. The ground floor café will also provide community facilities for meetings and gatherings, reinstating the building as a focal point in the community.'

7.33 As above the re-use and retention of the Hendrons Building is a focal point of the scheme. The site is currently vacant and is located 100m from a green line Luas stop. The re-use of the building to facilitate housing is in accordance with national, regional and local policy guidance. Extensive consultation was undertaken with Dublin City Council (including the conservation officer) who have supported the proposed retention of the building. The interventions proposed have been minimised to the furthest extent possible and limited to only those essential changes needed to accommodate re-use. It is therefore considered that, given the wider benefits outlined and the location of the site, the interventions fall under the remit of special circumstances.

7.34 This strategy will ensure the aesthetical appearance and enhancement of this building and its façade fronting to Dominick Street Upper through a sensitive program of restorative works. The assessment concludes;

'No longer suitable for use as an industrial unit, the proposal is an appropriate way to satisfy the requirements of the structure to be safe, durable and useful on the one hand, and to retain its character and special interest on the other.'

7.35 Implementation of the conservation strategy will enable the building to contribute positively to the visual appearance of the streetscape on this prominent corner. The proposed adjoining

buildings have been setback from the Hendrons Building to ensure its prominence on the site. In relation to the site as existing, the LVIA states:

'The vacant character of the Hendrons building and the wider site, including advertising hoardings and graffiti, detract from the wider urban landscape which is of a reasonably high quality. As a prominent corner in the streetscape, the existing site has a significant adverse impact upon visual amenity. Sensitivity to the proposed development is low, though the Hendrons building is nonetheless a local landmark.'

7.36 In relation to the design of the building, the LVIA states:

'The Hendrons building is reinstated and has an additional floor set back in contrasting cladding and glazing, allowing the original form of the Hendrons building to prevail. New buildings adjoin to the left, illustrating how Blocks C and D clearly echo the façade character of the Hendrons building, including material colours and the apparent proportions of window openings.'

The development wraps around the street corner, with Block C the tallest element, stepping down to Blocks B and A along Dominick Street, also stepping down to Block D and beyond along Western Way. The result is a coherent assembly of existing and new buildings that make an appropriate bold statement on this prominent street corner, while transitioning successfully to the neighbouring existing buildings on Dominick Street. Visual impacts are moderately positive.'

7.37 The proposals have been designed taking cognisance of the on-site and surrounding historic built environment and to improve the quality of the Hendrons Building and ensure its preservation.

Preservation of Zones of Archaeological Interest and Industrial Heritage

7.38 Policy CHC9 of the CDP states: *To protect and preserve National Monuments.*

- i. *To protect archaeological material in situ by ensuring that only minimal impact on archaeological layers is allowed, by way of the re-use of buildings, light buildings, foundation design or the omission of basements in the Zones of Archaeological Interest.*
- ii. *That where preservation in situ is not feasible, sites of archaeological interest shall be subject to 'preservation by record' according to best practice in advance of re-development.*
- iii. *That sites within Zones of Archaeological Interest will be subject to consultation with the City Archaeologist and archaeological assessment prior to a planning application being lodged.*
- iv. *That the National Monuments Service will be consulted in assessing proposals for development which relate to Monuments and Zones of Archaeological Interest.*
- v. *To preserve known burial grounds and disused historic graveyards, where appropriate, to ensure that human remain are re-interred, except where otherwise agreed with the National Museum of Ireland.*

- vi. That in evaluating proposals for development in the vicinity of the surviving sections of the city wall that due recognition be given to their national significance and their special character.
 - vii. To have regard to the Shipwreck inventory maintained by the DAHG. Proposed developments that may have potential to impact on riverine, inter-tidal and sub-tidal environments shall be subject to an underwater archaeological assessment in advance of works.
 - viii. To have regard to DAHG policy documents and guidelines relating to archaeology
- 7.39 An Archaeological Impact Assessment report, prepared by Courtney Deery accompanies this application to An Bord Pleanála. The report concludes;
- 'Given the urban nature of the site with existing surfaces and buildings, geophysical survey is not suitable for this site. It is recommended that archaeological monitoring of earthmoving works be undertaken on the site in order to identify and record subsurface remains of the 19th century Palmerston House and associated features, including basements, foundation levels and garden features. A photographic record of features that might be uncovered is recommended.'*

Building Height

- 7.40 Dublin City Council Height Strategy sets out a building height of 24m for residential development in low-rise inner-city areas.
- 7.41 Block C of the proposed development extends to a total height above ground of 26.82m at its highest point. This reduces to 15.32m above ground level at Block E and 15.80m at Block A. The proposed development therefore takes cognisance of the scale and nature of the adjacent residential development to the east and north. As discussed above, this application is accompanied by a Material Contravention Statement prepared by John Spain Associates which includes a full justification for this minor departure from the CDP requirement, should the Board be of the view that it is a material contravention of the plan.
- 7.42 Building heights are noted as being above the standards set out in the Development Plan, however this increased height is considered justifiable in the context of adjacent building heights and the content of the Building Heights Guidelines as addressed at Section 5.47 of this report above.
- 7.43 The accompanying Landscape and Visual Impact Report, prepared by Chris Kennett Consulting, and the photomontages and CGIs prepared by Digital Dimensions illustrate the nature of the proposed development within its existing and emerging local context. This notes the development relates well to prevailing height and land use and concludes;
- 'the proposed development will have no adverse impacts upon local landscape character or visual amenity, instead making a positive contribution to the emerging contemporary character and identity of the local area while respecting its established heritage'.*

Parking

- 7.44 Table 16.1 of the Dublin City Development Plan 2016-2022 (DCDP) sets out the maximum car parking requirements for various types of development, depending on the Area/Zone the development falls within. No parking standards are outlined for 'shared living accommodation'.

The subject site is within Area/Zone 2, as illustrated in Map J of the DCDP, extracted in the Figure below:

Figure 10 - Parking standards as per the CDP



- 7.45 No vehicle parking is proposed as part of the subject application due to the site's proximity to high-frequency public transport. A detailed rationale is set out at Section 3.2 of the Traffic and Transport Assessment. Notwithstanding, 3 no. motorcycle spaces are provided on the site. In addition, 175 no cycle spaces are proposed located within a secure room at the lower ground floor of blocks D and E and adjacent to the substation at the north-east of the site.
- 7.46 Table 16.2 of the Dublin City Development Plan 2016-2022 sets out the cycle parking requirements for various types of developments. However, no cycle parking requirements are given for shared living developments. The cycle parking requirements for the most similar type of residential development is presented in the table, and has been used to determine the appropriate ratio of cycle parking for the proposed shared living scheme:

Figure 11 - Relevant cycle parking requirements per relevant land use

Land Use	Area/Zone	DCDP Standards
Residential (houses and apartments)	All zones	1 per unit (Additional requirements for larger units and visitor parking will be decided on a case by case basis)
Student Accommodation	All zones	1 per 2 pupils

Source: Waterman Moylan Engineers

- 7.47 The accompanying TTA states;

'Typical housing and apartment developments include primarily 2-bed and 3-bed units, with some 1-bed and 4+ bed units. On that basis, it can conservatively be assumed that the requirement of 1 cycle parking space per residential unit equates to 1 or fewer spaces for every 2 residents (rate of 50%). Similarly, the requirement for student accommodation, which often comprises of single occupancy units similar

to the proposed shared living development, is 1 cycle parking space for every 2 residents.

On that basis, it is proposed to provide a total of 175 no. cycle parking (both push-bike and electric bike) spaces for the proposed development. This figure is provided by provision of 112 no. indoor bicycle parking spaces in double racks, located in a bicycle storeroom accessed directly from the courtyard. There are an additional 32 no. bicycle spaces located adjacent to the ESB and switch room at the north of the site, with a canopy above, for a total of 144 no. bicycle spaces.

In addition to these bicycle parking spaces, there are 31 electric vehicle spaces provided within the bicycle storeroom, for Electric Scooters and similar small personal vehicles. The proposed bicycle storeroom also includes 1 no. bicycle repair station. This quantum of bicycle parking equates to 1 no. space for every 1.65 no. units, or a percentage ratio of 61%, well in excess of the recommended rate of c.50%.'

- 7.48 It is therefore concluded that the proposal meets the overall objectives of the CDP in this regard.

Overshadowing, Overlooking and Overbearing

- 7.49 The proposed development has also had particular regard to overbearing and overlooking impacts on the surrounding existing properties. The proposed development adjoins existing residential properties to the east, with neighbourhood uses at ground floor and residential above within existing buildings to the south and further residential uses located to the north, separated by Western Way. The proposed BTR shared living scheme is therefore considered to be suitable and compatible with surrounding land uses.
- 7.50 A Sunlight/Daylight Analysis Report has been prepared by Digital Dimensions and accompanies the application. The sunlight / daylight analysis assessed the level of light access within rear gardens and windows of neighbouring residential properties on Palmerston Place and the following is noted;

Sunlight to Gardens and Open Spaces

'There is no loss of sunlight to any of the rear amenity spaces assessed. The majority will have an increase in sunlight hours over the amenity space. The proposed development meets the BRE guidelines for gardens and open spaces.'

Daylight assessment to adjoining dwellings

'A small number of windows a marginally lower than the recommendations with the majority meeting or exceeding the current levels of daylight availability. The BRE guidelines states that "Where the loss of light is well within the guidelines or only a small number of windows or limited area of open space lose light (within the guidelines), a classification of negligible impact is more appropriate." The proposed development meets the recommendations of the BRE guidelines and any impact will be negligible.'

- 7.51 In this regard, 51% of the windows surveyed (on Palmerston Place and Dominick Street Upper as identified at Section 3.3 of the accompanying report) will result in improved daylight access when the proposal is complete. 4 no. windows will remain unchanged. The remainder meet BRE guidelines as stated above with a small number resulting in a minor impact on existing daylight access.

- 7.52 Where a minor non-compliance is identified, it is noted that the existing situation is an unusual one for an inner-city location with an undeveloped, informal, surface carpark area currently adjoining the existing dwellings on Palmerton Place directly to the rear. In accordance with national policy and the CDP, development of such sites is noted as a key objective, especially in locations (such as the subject site) adjacent to high-frequency public transport. We also note that where a minor loss in daylight is noted, an increase in sunlight to rear gardens is recorded.
- 7.53 It is also noted that proposed Block E is located between 25.6m and 27.4m from the rear of the existing dwellings. The site is noted as being constrained in this regard owing to its brownfield, infill nature, with any proposal developed in accordance with development plan guidelines for the area likely to have an impact on neighbouring properties.
- 7.54 The NPF and Apartment Guidelines signal a move away from rigid design requirements and blanket restrictions on height or separation distances, in favour of quality designed schemes. It is considered that the separation distance proposed is appropriate in the context of the site's inner city location and nature of the brownfield infill site. The proposed siting and design enable the land resource to be optimised.
- 7.55 Given the location of the site and nature of the proposal, the design benefits of the proposed scheme are considered to compensate any impacts upon neighbouring properties to a certain extent. The proposals will regenerate an underutilised brownfield site and implement a sustainable residential BTR scheme which will contribute to achieving national and regional planning policy and guidance. The proposals will contribute positively to the aesthetic quality of the urban environment and optimise the use of a valuable piece of inner city brownfield land.
- 7.56 Impacts upon neighbouring properties has been improved by the replacement of the existing warehouse buildings with a sensitively designed building further setback from the adjoining boundary. This has resulted in improved sunlight access as noted.
- 7.57 The report also assesses the proposed scheme against the BRE guidelines and states;

Daylight Access to Proposed Development

'All relevant rooms on the lower ground and upper ground floor exceed the minimum recommendation for Average Daylight Factor and will have adequate daylight. The proposed development meets the criteria set out in BRE Guidelines and BS8208 Part 2:2008 Lighting for Buildings, Code of Practice for Daylighting.'

Safety and Security

- 7.58 The Development Plan states (16.2.1.4) that "New development should incorporate active frontages to ensure natural surveillance and large areas of blank walls in street façades should be avoided, as they reduce the potential for surveillance.'
- 7.59 The proposed development has been designed in compliance with the Safety Design Guidance in accordance with the Development Plan standards. The proposed development has been designed to ensure that passive surveillance is achieved and the appropriate boundary treatments and lighting throughout the site. Active frontages are provided to Dominick Street upper and windows overlook the street on all other elevations. The site optimises the use of the brownfield land resource and introduces communal open spaces and informal recreational facilities, vastly enhancing the site when compared to its current use.

- 7.60 The development is easily navigable, benefits from passive surveillance from proposed units, with those entering and exiting easily monitored owing to the exclusive pedestrian entrance. The proposed development introduces a scheme of high quality design and material finishes which will significantly improve the visual appearance of the inner city urban infill system.
- 7.61 The building has been sited and designed to allow light access to primary areas of communal open space and ensure adequate levels of amenity throughout. This will be complemented by a lighting scheme to ensure a safe and secure environment exists within the development.

8.0 CONCLUSION

- 8.1 The statement set out herein demonstrates that the proposed development is consistent with the relevant national, regional and local planning policy context, highlighted by the site's highly accessible location with regards to the Luas stop and local employment hubs such as the Mater Hospital and TUD's Grangegorman Campus. In this regard, it is deemed suitable for the proposed shared living use.
- 8.2 At a national and regional level, this statement has demonstrated consistency with the following:
- National Planning Framework (2018);
 - Regional Spatial Economic Strategy – Eastern and Midlands Regional Assembly (2019-2031);
 - Rebuilding Ireland Action Plan (2016);
 - Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (2009), and the accompanying Urban Design Manual;
 - Delivering Homes, Sustaining Communities (2008) and the accompanying Best Practice Guidelines- Quality Housing for Sustainable Communities;
 - Design Standards for New Apartments (2018);
 - Guidelines on Building Heights (2018);
 - Smarter Travel – A New Transport Policy for Ireland (2009-2020);
 - Transport Strategy for the Greater Dublin Area 2016 – 2035;
 - Design Manual for Urban Roads & Streets (2013);
 - Birds and Habitats Directive – Appropriate Assessment.
 - Guidelines for Planning Authorities on *'The Planning system and Flood Risk Management (November 2009)'*
 - Architectural Heritage Protection Guidelines for Planning Authorities (2011)
- 8.3 Consistency is also demonstrated with the policies and provisions of the Dublin City Council Development Plan 2016-2022.
- 8.4 Adaptive reuse of the Hendrons Building a protected structure (main building and original historic western railings only) will provide for publicly accessible neighbourhood uses which will also provide for future residents including a ground floor café/shop/community spaces. The building is the focal point of the scheme.
- 8.5 It is respectfully submitted that the proposed development will provide an appropriate form of high-quality shared living development and neighbourhood uses for this underutilised brownfield site. The development is of quality design and finish, is well related to the scale and nature of adjacent uses and will maximise the use of the Luas stop to the west. It is accessible and ideally located to deliver much needed housing in close proximity to the city centre and employment hubs. This will ensure commuting times are reduced and sustainable

modes of travel are promoted. The proposals comply with the zoning objective for the site and represent a superior land use to that occupying the site at present.

- 8.6 In conclusion, it is submitted that the proposed development is consistent with the proper planning and sustainable development of the area, as well as all relevant national, regional and local planning policies and guidelines and therefore constitutes a reasonable basis for an application.

APPENDIX 1 – SECTION 247 CONSULTATION – 28.05.2020**Attendees**

Mary Conway, Planning, Dublin City Council (MC)
Mary MacDonald, Dublin City Council (Conservation Officer) (MMD)

Denis Boland, Western Way Development Ltd (DB)
John Fleming, JFA Architects (JF)
Claudia Fialho, JFA Architects (JF)
John Spain, John Spain Associates (JS)
Meadhbh Nolan, John Spain Associates (MN)
Alan O' Brien, Western Way Development Ltd (AOB)
Mark Duignan, Waterman Moylan (MD)

- MC noted that the location is appropriate for the use based on public transport, cycle lanes, proximity to city centre and employment areas.
- MC stated there is a renewed need for improved amenity spaces. MC would like to see a more diverse range of amenity spaces for residents to encourage the intent of the shared living concept
- JS noted that ABP have approved schemes with reduced amenity space in the past. MC noted this will not be supported by DCC.
- Further detail is required on the courtyard – how it will be used, solar access and shadow analysis. A landscape plan is required.
- MC is comfortable with Palmerston Place block height, scale and massing.
- MC and MMD requested photomontages and verified views of the 8-storey element next to Hendrons. Kings Inn, Phibsborough Road terraces, other surrounding protected structures all to be considered in visual impact assessment
- Further detail sought on the 'L shaped' wing that extends from Palmerston Place into the courtyard. Impact on Palmerston Place gardens to be addressed.
- MMD sought a survey of the internal layout of Hendrons. Would like to see partition walls shown and detail on walls for retention/demolition.
- The retention of the original stairs was commended and supported.
- Detail on the treatment of the glass block windows was sought and how these spaces will be ventilated.
- A more detailed elevation study was sought for Hendrons.
- JF noted that a review of the proportions of the additional level on Hendrons would be undertaken.
- The revised rear elevation of Blocks C, D and E was supported by MMD.
- MMD noted that the built form on Western Way should be shown in CGIs cognisant of the scale of the lower buildings on the opposite side of the road.

- Details of all materials and finishes was sought.
- MC confirmed a Basement Impact Assessment is not required but flooding etc. to be addressed.