

**WESTERN WAY SHD
36-40 DOMINICK STREET UPPER
DUBLIN 7**

**ARCHITECTURAL HERITAGE
IMPACT ASSESSMENT**

4th December 2020

**Historic Building Consultants
Old Bawn
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Bray**

1085/02

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Background

This report has been prepared for Western Way Developments Ltd as part of the documentation to be submitted with a planning application for a strategic housing development. The report addresses the proposed new development of a shared housing scheme to include 288 shared living rooms and other facilities on a site currently occupied by an industrial building complex known as Hendron's, together with an adjacent house at 36 Dominick Street Upper. The report examines the potential impact of the proposal on the architectural heritage of the area and also includes a methodology for the conservation of a short stretch of railings on the site, the boundary wall to Palmerston Place and other works. While the original Hendron's building is a protected structure this report does not set out a conservation strategy for the building as this is included in a separate report prepared by Carole Pollard and submitted with this planning application.

The site was inspected for the purposes of preparing this report on 27th May and 3rd October 2019 on which occasions the photographs incorporated in the report were taken and the site examined to prepare the descriptions contained therein.

Historical research was carried out on the background history of the property and the results are set down below.

While this report contains comment on aspects of the condition of the buildings it is not a condition report or a structural report and must not be read as such.

This report has been prepared by Rob Goodbody BA(mod), DipEnvPlanning, DipABRC, MA, MUBC, MIPI.

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Historical background

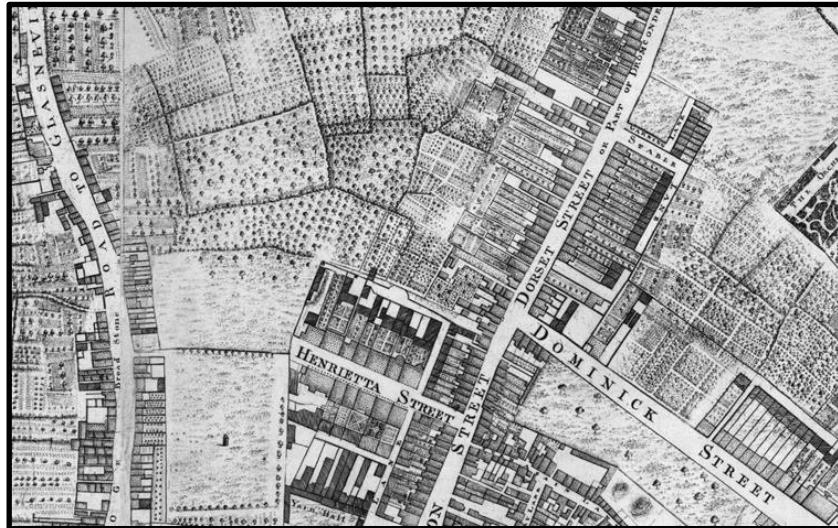


Figure 1: Detail of Rocque's map of 1756

The northern side of Dublin city was slower to develop than the south. The original settlement that formed the core of the city was on the south bank of the Liffey and as it expanded it did so mainly on the southern side. The eighteenth-century expansion of the city began to affect both banks, however, particularly following the laying out of Henrietta Street by Luke Gardiner in the late 1720s. Prior to that Sir Christopher Dominick had built a house to the north of the main road into the city from Clontarf and Howth, now Parnell Street, and in the 1750s, after his death, his widow advertised plots for building along a new street called Dominick Street. This street was depicted on John Rocque's map of the city of 1756.

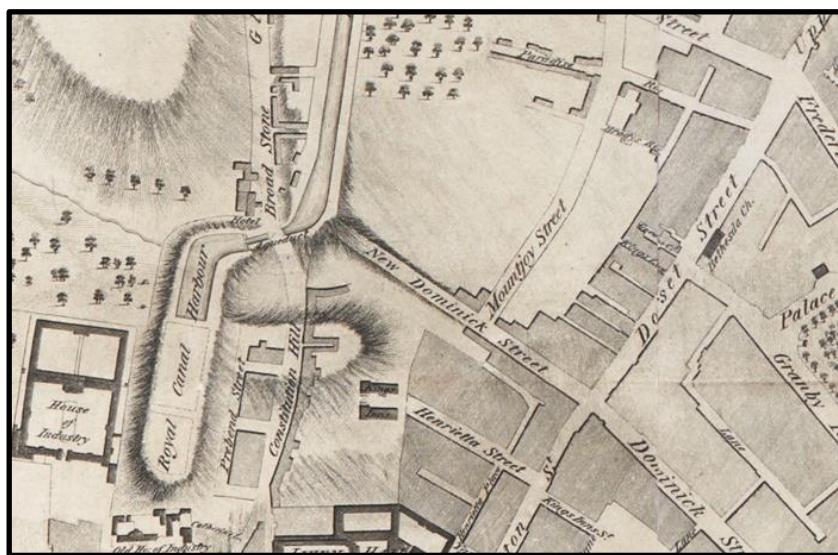


Figure 2: Detail of Campbell's map of 1811

It was not until 1807 that Upper Dominick Street was laid out, probably as a result of the arrival of the Royal Canal, which was under construction at Broadstone at that time. The street and canal were shown on Campbell's map of the city of 1811.

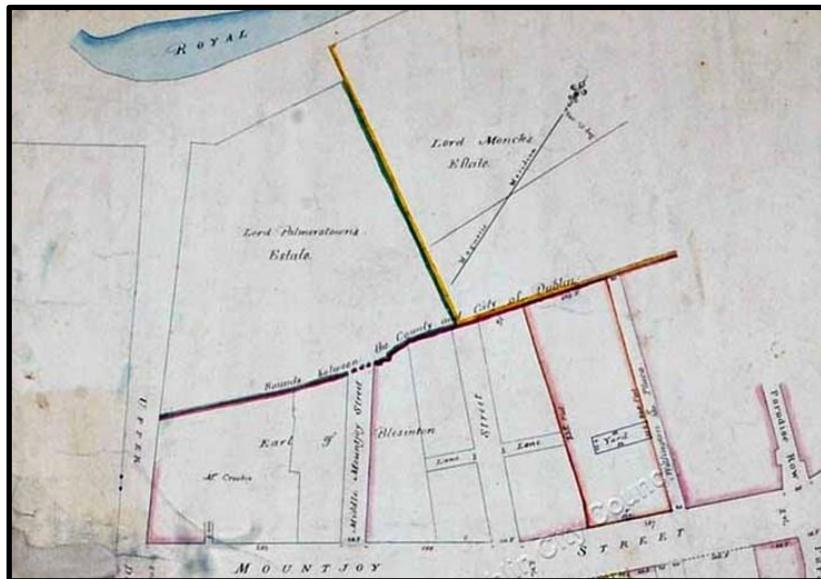


Figure 3: Detail of Wide Streets Commissioners map of 1827

Upper Dominick Street was partly on the property of the Gardiner family, represented by the earl of Blessington, and partly on Lord Palmerston's estate. The two landowners cooperated in the laying out of the street, though by 1827 no buildings had been erected on the northern end of the street, on the land owned by Lord Palmerston. This is seen in a map prepared for the Wide Streets Commissioners at that time, reproduced above and seen at far left.

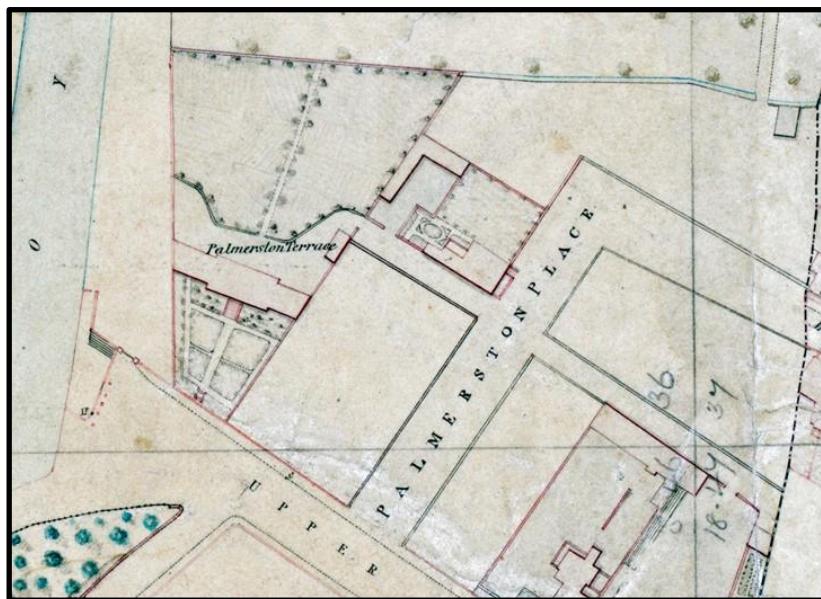


Figure 4: Detail of Ordnance Survey map of 1838-43

The Ordnance Survey prepared a manuscript map of the area in 1838 and revised it in 1843. While it is not always certain which parts of these maps are original and which are the later amendments, a smaller-scale manuscript map prepared around 1838 shows no development on the Palmerstown estate along Upper Dominick Street. The implication is that the development shown on the map extract above, including the building called Palmerston Terrace, was laid out around 1840-42.

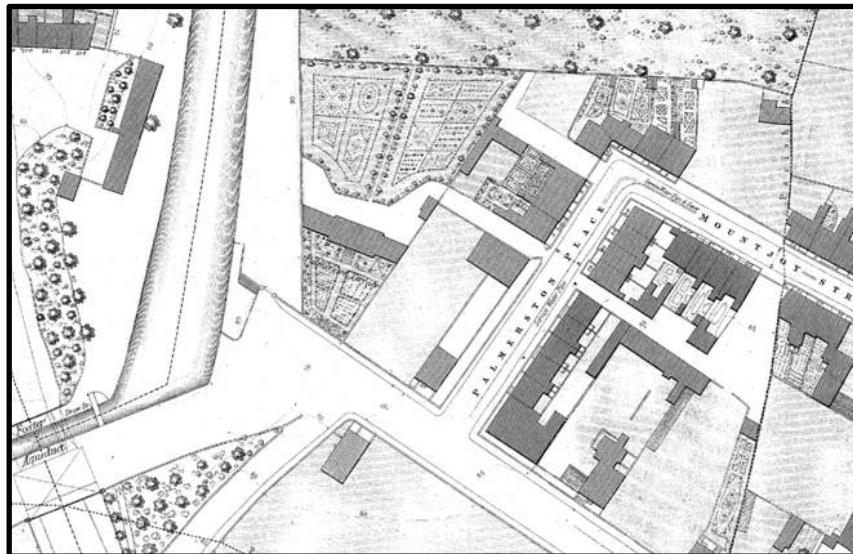


Figure 5: Detail of Ordnance Survey map of 1847

The published version of the map shown in figure 5, dated 1847, shows that by that time a house had been built on the corner of Palmerston Place – now known as 36 Upper Dominick Street. The site between that house and Palmerston Terrace was still vacant at that time, though there was some form of building at the rear of the site, adjacent to the access to Palmerston Terrace. The irregular north-south line near the eastern side of this map extract represents the boundary line between the Palmerston estate and the Mountjoy estate. Many houses had been constructed on both estates along Palmerston Place since the time of the map shown on figure 4, in 1843.

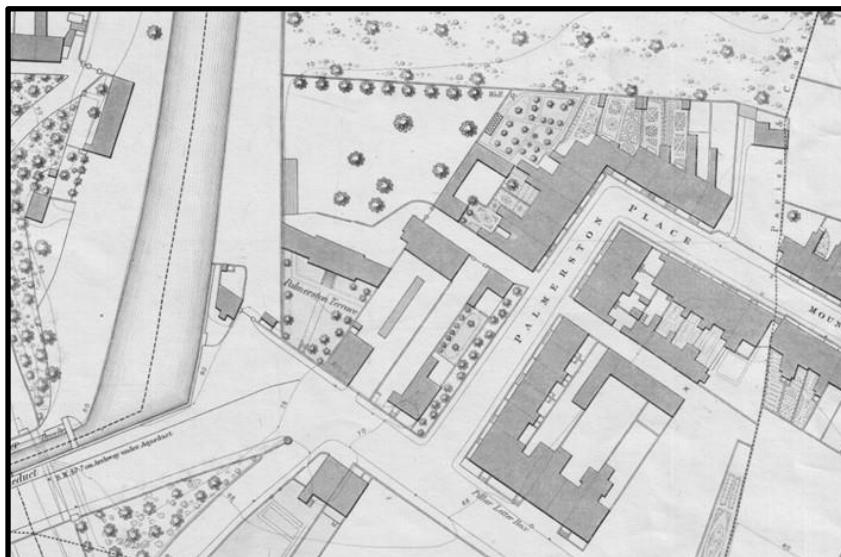


Figure 6: Detail of Ordnance Survey map of 1864

The large-scale map of Dublin was revised and republished in the 1860s and an extract, dating from 1864, is reproduced above. This shows that the site now known as Hendron's had been built upon by then. At that time the land was occupied in part by a builder, part by a brick and flag merchant, while the balance was building ground.

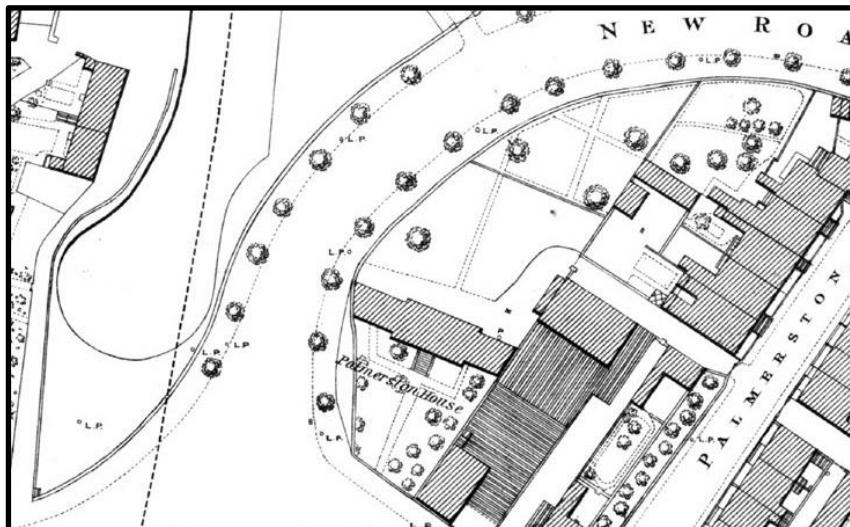


Figure 7: Detail of Ordnance Survey map of 1886

By the 1880s the land adjacent to number 36 Upper Dominick Street was all occupied by the Connelly family, who were building contractors and brick and flag merchants. By this time Palmerston Terrace had become known as Palmerston House and was occupied as a single dwelling. A more major development in this area at the time was the filling in of the Royal Canal harbour at Broadstone, which was allowed on the basis that a new turning area would be provided at the southern end of the canal branch, seen at left in the map above. This was to facilitate the expansion of railway yards and at the same time the railway provided a new private road from Mountjoy Street, running alongside Palmerston House, to give access to the railway terminus. This road is now Western Way.

The site adjacent to number 36 Upper Dominick Street continued in use as a builders' yard and ancillary facilities by Thomas and William Connolly, building contractors, until the 1920s, following which the property was vacant for a period. In 1935 it was acquired by Hendron Brothers, who operated the business as Hendron Brothers, machinery stockists. Francis, Thomas, Henry, Felix and Vincent Hendron were from Belfast and had built up a substantial business in that city before opening in Dublin. The company traded in a wide variety of machinery, some of it salvaged from works that were closing, while other machinery was imported directly from manufacturers, one of which was the Czechoslovakian company, Skoda.

The year after acquiring the property in Upper Dominick Street, Hendron Brothers acquired another site in Little Denmark Street and in 1942 they were served with a compulsory purchase order by Dublin Corporation, which was acquiring land in the Denmark Street and Moore Street area for housing. Following a court challenge the company managed to retain its presence in Denmark Street.

In the mid-1940s, following the end of the Second World War, a Czech engineer, Vaclav Gunzl, came to Ireland on behalf of his employers, Skoda, to work on the installation of machinery at peat-fired power stations in the midlands¹. The company's connection with Hendron Brothers was already well established, as their sole agent in Éire, and Gunzl worked closely with the Hendrons. At the time

¹ I am grateful to Camilla Gunzl, daughter of Vaclav Gunzl, for this information.

Hendron Brothers wanted to build a new multi-storey building on their premises and Gunzl undertook to design the new structure, which was built of reinforced concrete and with glass-block windows.

Over the next few years Hendron Brothers expanded the buildings on the site, adding to the rear of the main building. The construction work was carried out by Hendrons' employees during slack time.

The project was not entirely successful, and Hendron Brothers found themselves in dispute with their neighbours at 36 Upper Dominick Street in relation to alleged damage to their premises. Number 36 Dominick Street Upper was in use as a hotel in 1950 at the time of this dispute and still had a garden at the rear. This garden was built over in the 1950s for industrial use.

The Hendron Brothers company prospered, expanding over time into Richmond Road and the Naas Road, later opening a branch in Cork, while also becoming involved in associated companies such as Summerhill Engineering and Hyrit Limited.

Palmerston House, adjacent to the Hendron site continued in use as a private house until the late 1950s, with varied occupants that included the traffic controller for the Midland Great Western Railway Company and the rector of St Mary's parish. By 1960 the house was vacant and after a time it was acquired by Hendron's. A member of the family occupied the house for a while, following which the company let it in flats. It is probable that Hendron Brothers were more interested in the land at the rear to use in connection with the business.

In 1981 Hendron Brothers made the decision to move from its premises in Upper Dominick Street and relocated to the Westlink Industrial Estate on the Kylemore Road.

The property at Upper Dominick Street was acquired by Robert Ging, wholesale merchant, shortly after being vacated by Hendron Brothers and the house at number 40 Upper Dominick Street, formerly known as Palmerston Terrace, was demolished.

Robert Ging did not last long in the building and by the mid-1980s it was occupied by McKenna, O'Neill, motor traders, with various parts of the premises let to other companies, some in businesses allied to the motor trade, others in a variety of different lines of business.

In 2008 a planning application was submitted for the development of the former Hendrons' site, including the demolition of the buildings. A decision to grant permission was issued by Dublin City Council but following first and third-party appeals permission was refused by An Bord Pleanála.

Conservation context

Record of Protected Structures

The boundary wall of the application site along Western Way is a protected structure, reference 8483. The description is “stone walls enclosing Western Way from the Black Church to Broadstone, and also the railings, plinth walls and gate piers at the eastern end of Western Way”.

On 3rd February 2020 the Hendron’s building was added to the record of protected structures. The address is given as 37-40 Dominick Street Upper, Dublin 7 and the description is “Hendron’s main building and original historic western railings only”. It is noted that this description excludes the warehouses attached to the main building and the house at 36 Dominick Street Upper

Conservation areas

The application site is the area coloured pink at the centre of the map extract below. The site is not within an architectural conservation area, nor adjacent to a conservation area that is denoted on the development plan maps with red hatching. The adjacent residential area to the north-east and east is zoned Z2, which is a residential conservation area.



Figure 8: Detail of development plan map E

National Inventory of Architectural Heritage

The National Inventory of Architectural Heritage has published any survey of the Dublin 7 area and has included the Hendron’s Building within the survey. This rated the building as being of Regional significance for its architectural, historical, social and technical interest. The appraisal concludes that the building

it is a distinctive and well-known landmark in the area, a rare example of twentieth-century vernacular modernism, and a visual reminder of the importance of Hendrons as an agent of change and industrialization in the early days of the State.

Conservation guidelines

The *Architectural Heritage Protection Guidelines for Planning Authorities*² 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:

Architectural heritage impact assessment

6.4.15 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.

Appendix B gives detailed guidance as to the content of an architectural heritage impact assessment. The greater part of that appendix is dedicated to details relating to proposed works to a protected structure rather than to works in the vicinity of a protected structure. The parts of appendix B that are most relevant to an architectural heritage assessment of a proposed development in the vicinity of a protected structure are:

B1.0 Requirement for a Report

B1.1 The requirement for an architectural heritage impact assessment will generally come about for one of two reasons:

- a) as part of a development application in order to provide sufficient information for the planning authority to make an informed decision on the potential impact on the architectural heritage, or
- b) where permission has been granted for works to a protected structure or a proposed protected structure, to record the existing fixtures or features which contribute to its special interest and which would be lost or altered as a result of the works.

B2.0 Scope of the Assessment

B2.1 The detail and extent of the assessment should be appropriate to the nature and scale of the proposed works. The object of the assessment should be to describe how the proposals would affect the character of the protected structure or any part of it. This will normally require a description of the existing structure, a description of the works proposed and a description of how any potential adverse impact on the architectural heritage is to be mitigated.

Impact Assessment

B5.16 The author(s) of assessments compiled to accompany a planning application should be fully appraised of the development proposal. The assessment should contain an evaluation of the quality and importance of the structure. In addition, it should contain a comprehensive assessment of the

² Department of the Environment, Heritage and Local Government, 2004, reissued by the Department of Arts, Heritage and the Gaeltacht, 2011.

implications of the development for the character of the structure and the area in which it is located. This should highlight how the elements of this character (those which contribute to its special architectural, historical, archaeological, artistic, cultural, scientific, social and/or technical interest) would be materially altered by the development.

Recommendations and Conclusions

B5.17 Any recommendations and mitigation measures should be set out in accordance with the conclusions of the impact assessment, including an outline of proposed conservation works for agreement with the planning authority. Any scope of works statement or methodology included should be specifically written for the structure that is the subject of the assessment.

B5.18 It may not always be necessary or desirable to include conclusions or recommendations in the assessment. In some cases, it will be sufficient for the assessment to describe and assess the structure, with clear and relevant illustrations cross-referenced to the text. Such assessments should describe in detail the existing architectural heritage, the impacts of the proposals, and the potential to mitigate any negative impacts in order to allow the planning authority to arrive at its own conclusions regarding the appropriateness of the proposed development.

Development plan policies

The Dublin City Development Plan 2016-2022 includes a number of policies in relation to protected structures and these are cited below.

11.1.5.1 The Record of Protected Structures

The Planning and Development Act, 2000 (as amended) defines 'protected structures' as structures, or parts of structures, which form part of the architectural heritage and which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest.

The Planning and Development Act, 2000 (as amended) requires each planning authority to compile and maintain a Record of Protected Structures (RPS). This record is a mechanism for the statutory protection of the architectural heritage and forms part of each planning authority's development plan. The National Inventory of Architectural Heritage (NIAH) survey may result in further revisions to the RPS.

The purpose of protection is to manage and control future changes to these structures so that they retain their significant historic character. Works which would materially affect the character of the protected structure require planning permission.

It is the policy of Dublin City Council

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

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

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

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.

11.1.5.2 Protected Structures – Policy Rationale

The conservation and protection of the 8,500 (approx) protected structures in Dublin is a key objective of the City Council and this will assist in the delivery of the Core Strategy.

11.1.5.3 Protected Structures – Policy Application

In order to protect the city's protected structures, the City Council will manage and control external and internal works that materially affect the character of the structure. Planning permission is required for any works, including some repairs, which would materially affect the character of the structure or its special interest.

Prior to undertaking works to a protected structure, it is essential to make an assessment of the special interest of the structure and to identify all elements, both internal and external, which contribute to this. An assessment of the special interest of the structure is required as part of a protected structure impact assessment to accompany the planning application. The complexity of the assessment should be proportionate to the overall special interest of the site and the scale and complexity of the proposed works. Proposals for works to protected structures should be supported by detailed drawings, photographic survey and schedules of works and materials. The assessment should outline the impact clearly on all elements of special interest and confirm their retention.

Interventions to protected structures should be to the minimum necessary and all new works will be expected to relate sensitively to the architectural detail, scale, proportions and design of the original structure. This should take into account the evolution of the structure and later phases of work, which may also contribute to its special interest.

Where possible, existing detailing, fabric and features of the structure should be preserved, repaired or, if missing or obscured, should be re-instated or revealed. In almost all cases, the materials used for alterations, extensions or repairs should match the original and the use of non-traditional materials will not normally be

acceptable. Original and historic fabric should be retained and protected, wherever possible.

Any development which affects the interior of a protected structure must 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. The original plan form of protected structures should be protected or re-instated and not compromised by unsympathetic alteration or extension. Proposals for amalgamation between protected structures which compromise the original plan form will be considered unacceptable where they adversely affect the historic integrity and special interest of the structure. Breaches between party walls will not be acceptable in sensitive parts of protected structures.

The city council will require all works, whether they are repair or alteration, to be undertaken in a sensitive manner, under proper supervision and by a specialist with appropriate expertise.

The curtilage of a protected structure is often an essential part of the structure's special interest. In certain circumstances, the curtilage may comprise a clearly defined garden or grounds, which may have been laid out to complement the design or function. However, the curtilage of a structure can also be expansive and can be affected by development at some distance away. The protected structure impact assessment should also include an appraisal of the wider context of the site or structure and the visual impact. The design, form, scale, height, proportions, siting and materials of new development should relate to and complement the special character of the protected structure. The traditional proportionate relationship in scale between buildings, returns, gardens and mews structures should be retained, the retention of landscaping and trees (in good condition) which contribute to the special interest of the structure shall also be required. Any development which has an adverse impact on the setting of a protected structure will be refused planning permission. The removal of rear gardens to permit underground accommodation is permitted only in limited circumstances. A garden size appropriate to that of the structure should be retained. The total removal of historic boundary features or subdivision of rear gardens or original communal front gardens will generally not be permitted. Car parking will be permitted within the curtilage in accordance with policy CHC8 and standards as set out in the development plan, Section 16.10.18.

The historic use of the structure is part of its special interest and in general the best use for a building will be that for which it was built. However, on occasion the change of use will be the best way to secure the long-term conservation of a structure. Where a change of use is proposed, the building should be capable of being converted into the new use without harmful extensions or modifications, especially if the change of use would require new openings, staircases and substantial subdivisions to the historic floor plan or loss of historic fabric. Issues such as fire protection, sound proofing, servicing and access will also require detailed consideration. In finding the optimum viable use for protected structures, other land-use policies and site development standards may need to be relaxed to achieve long-term conservation. In some circumstances, short-term uses may provide a way to help keep a building weather-tight and in use pending long-term solutions.

Historic fixtures and fittings are at risk of damage or theft when buildings are vacant, undergoing building work or on the market. The protected structure impact assessment should outline how proposals will manage this risk. If architectural features are damaged or stolen, they must be re-instated; this is likely to require a new planning application.

The planning authority will encourage the sensitive upgrading of protected structures to improve environmental performance and create inclusive access, further advice is set out in the retrofitting and design principles and policies section.

Given the high concentration of protected structures in Dublin city, it is important to refer to the further detailed guidance on protection, repair and alteration of protected structures as set out in the Guidelines for Planning Authorities on Architectural Heritage Protection published by the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (2011).

It is a Policy of Dublin City Council:

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.

Building survey

Hendron's Building



Plate 1: Street frontage of Hendron's building

The original part of the Hendron's Building fronts on to Upper Dominick Street. It is four-storey and six-bay with the ground floor projecting out to the back edge of the footway, providing a shop frontage to the street. For the most part the windows are large, rectangular, horizontal and of glass block, though some windows have been replaced with other styles of window. The building is of mass concrete and painted white. The roof is flat, with a steel railing around the margin and a tower rises from near the rear of the roof.



Plate 2: Hendron's Building, seen from Constitution Hill

The building is on a prominent site at the junction of Western Way and Upper Dominick Street and it is clearly visible from Constitution Hill and Broadstone.



Plate 3: Rear and western side of main building

The rear of the main building rises above the structure to the rear. This side is not pained and has steel windows with a mix of opaque glass and clear glass. The reinforced concrete framing is visible on this side and nibs project from just below slab level on each floor, as if prepared for the building to be extended to the rear.



Plate 4: Western section of roof at rear

To the rear of the main building there are lower structures projecting towards the rear of the site. These are in three sections. The western section, seen in the photograph above, is flat-roofed in the part immediately to the rear of the main building, while behind that the large part of this section has an A-roof, clad in profiled steel, with panels of profiled Perspex.



Plate 5: Central section at rear, with eastern section to the right

The central section of the structures at the rear is flat roofed, with a felt covering. In three places there are raised sections that are clad with corrugated steel and it is likely that these were roof lights originally. To the east of this is the third rear section, which runs along the western side of Palmerston Place. This is lower than the central section and is also flat roofed with a felted finish.



Plate 6: Western elevation of building at rear

The building to the rear is constructed with mass concrete. The western part is seen in the photograph above and has an irregular array of windows on the upper level, most of which are stopped up, while some small windows are glazed with glass block. The greater part of the building is constructed with mass concrete, rendered and painted, while part of it is built with concrete blockwork.



Plate 7: Eastern elevation, seen from the south

At the south-eastern corner of the site is number 36 Upper Dominick Street, which is described below. To the rear and built on what was originally the rear garden of number 36 is a two-storey, ten-bay addition to the rear of the commercial building, though the northernmost bay is wider than others. This structure is of reinforced concrete with horizontal steel windows and is set back from the street frontage to Palmerston Place, with a high concrete-block wall at the back of the footway. The roof is flat, as noted above. In the centre of the eastern façade, at first-floor level, is a doorway, outside which is a steel platform and stairway.



Plate 8: Eastern elevation, seen from the north

The building to the rear is in poor condition, with extensive spalling on the face of the concrete, revealing the reinforcing bars.



Plate 9: Gantry crossing access from Palmerston Place

Very little survives of machinery or other industrial equipment at Hendron's. The only exceptions are winding gear at the rear of the buildings at the access lane from Palmerston Place. Here there is a steel gantry comprised of steel stanchions supporting a steel beam that runs above the lane some remnants of winch gear survive at one end of the beam. Close to this another beam crosses from the building to a stanchion and also has some winch gear remaining. These elements cannot be said to have any industrial heritage or architectural heritage significance.



Plate 10: Winch gear on gantry



Plate 11: Winch gear at rear of building



Plate 12: Eastern elevation, seen from the north

The yard adjacent to the Hendron's building on the north-western side is enclosed on the road frontage by a low plinth wall and iron railings. The entrance to the yard from Dominick Street Upper interrupts this railing and the only original stretch is the section seen in the photograph above, away from the main building and running to the corner of Western Way. Here the railings terminate at a masonry pier with a rendered finish. The railings are of wrought iron with cast-iron bosses and finials and rise from a plinth wall of dressed calp limestone with a limestone capping.



Plate 13: Twentieth-century replacement railings at gateway

The original railing terminates a little to the west of the return towards the gates and the section flanking the gateway is a twentieth-century replacement, with mild steel railings with finials and without bosses, mounted on a mass concrete plinth wall. The junction between the historic and the later railings is clear to see, where the later mass concrete plinth wall adjoins the original limestone wall.

Interior – Hendron's Building

The descriptions below show a sample of rooms and spaces within the building.



Plate 14: Interior of shop at front of building

To the front of the building, facing on to Upper Dominick Street, there is a shop unit, as an integral part of the Hendron's Building. This has a concrete floor, with a concrete ceiling crossed by concrete beams. The walls are plastered and painted.



Plate 15: Rear of shop

To the rear of the shop is a simple concrete staircase that rises in short flights around a central lift shaft. The lift is small in size, with concertina doors, seen at rear in the photograph above. The two-storey tower on the roof accommodates the stairway rising to the roof, with the lift mechanism above



Plate 16: Typical space within the Hendron's Building

Within the main building the building is divided up into smaller spaces, many of these being of comparatively late date, with plasterboard partitions to create working areas for artists or smaller businesses. Through most of the building these spaces are lit by large areas of glass block.



Plate 17: Typical space at rear of Hendron's Building

As was noted above in the survey of the exterior, the rear elevation of the building has steel-framed windows with conventional glass. Some of this glass is obscure glazed, as seen in the example above.

Interior – structures at rear*Plate 18: Interior of western section of rear buildings*

The buildings at the rear are partly mass-concrete and partly concrete blockwork, while some of the structures have concrete roofs and one large area has a steel-truss roof with a covering of profiled steel. The floors are concrete.

*Plate 19: Interior of eastern section of rear buildings*

The rear sections have been subdivided in places, much of it of late date. The quality of the buildings is poor, as is described in more detail in the assessment section below.

36 Upper Dominick Street



Plate 20: 36 Upper Dominick Street

Number 36 Upper Dominick Street is a three-storey, two-bay building with a rendered and painted façade topped by a parapet with stone copings. The windows on the first floor are one-over-one timber sashes with horns and are replacements, while the windows on the top floor at the front are of uPVC. A shopfront projects to the front on a concrete base. The remnants of the original ground floor are faced with render in imitation of ashlar. The panelled door has a fanlight over.



Plate 21: Side elevation

The side elevation is rendered and painted with uPVC windows.

Interior – 36 Upper Dominick Street*Plate 22: Upper floor bedroom*

The interior of number 36 Upper Dominick Street is in very poor condition. Ceilings have been replaced with plasterboard and walls replastered with modern hard-wall plasters. There has been a significant amount of water penetration and ceilings have collapsed in places. Some features survive consistent with an 1840 date of construction, including shutters and architraves and some decorative cornicing in the entrance hall. The staircase has a hardwood handrail supported on turned balusters, many of which are missing.

*Plate 23: Chimneybreast on upper floor*

Boundary wall to Western Way



Plate 24: Boundary wall to Western Way, seen from within the site

As was noted above in the historical background, Western Way was laid out by the Midland Great Western Railway in the 1880s. Part of this development included the construction of substantial boundary walls and as the new road was at a higher level than the adjacent properties these are retaining walls. It was also noted above that the boundary walls to Western Way are protected structures. The wall is constructed with squared calp limestone, brought to courses, though the quality of the stone and the detailing of the construction varies from place to place.



Plate 25: Rise in wall at end of Palmerston House

Where the wall passed the end of Palmerston House it rose up to cover the gable end of the house, which was single storey at this location. The wall is capped with semi-cylindrical limestone copings.



Plate 26: External view of wall at rear of site

The wall to Western Way where it passes the rear of the site is comprised of squared calp limestone rubble in irregular blocks and brought to courses of approximately 300mm. The wall is capped with sand and cement on a rounded profile.

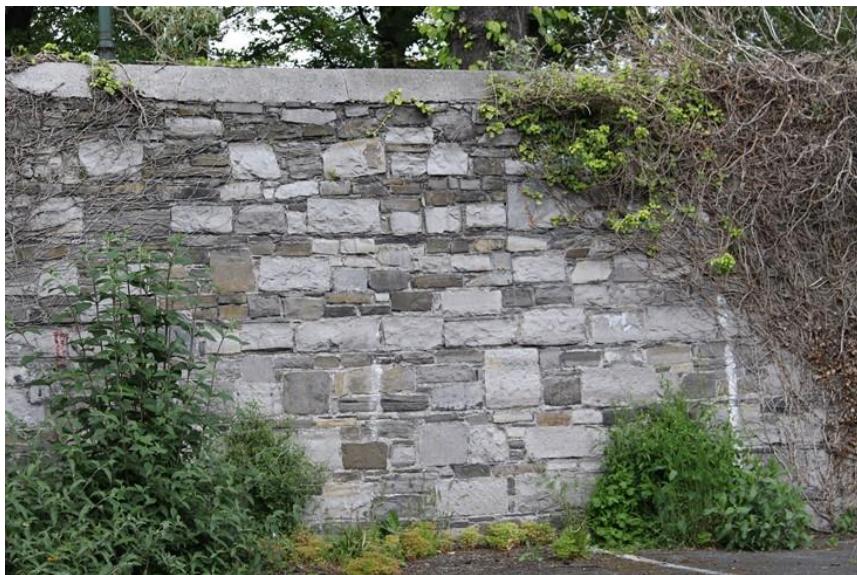


Plate 27: Internal face of wall at rear of site

The inner face of the wall at the rear of the site has a distinct band of blocks of calp limestone of better quality than found in much of the rest of the wall, though these blocks are not surface dressed and are not of equal height or length. This band probably denotes the top of the retaining wall, while the masonry above is the boundary wall at the side of Western Way.

Boundary wall to Palmerston Place



Plate 28: Rear wall at Palmerston Place

The houses at numbers 1 to 5 Palmerston Place back on to the rear of the application site and the boundary is marked by a stone wall approximately 1.5 metres in height. The wall is constructed with calp limestone rubble, brought to courses of about 300mm and it is capped with sand and cement in which is bedded broken glass. Parts of the wall have a covering of ivy and there is also buddleia and other vegetation in places. The wall that runs alongside the access to Palmerston Place has some brick in the masonry. At the rear of number 1 Palmerston Place the wall has been raised with three courses of concrete blocks, while at the corner with the access lane the wall has been repaired with areas of mass concrete.



Plate 29: Corner of boundary wall to Palmerston Place

Protected structures in the vicinity

Broadstone Station



Plate 30: Broadstone Station, seen from the roof of Hendron's Building

Broadstone Station is a granite-faced station building designed by John Skipton Mulvaney and built in the 1840s as the terminus of the Midland Great Western Railway line to Galway. The building faces south-south-east, away from the application site, from which it is separated by a distance of 115 metres. The station building is on raised ground, with a significant drop to the adjacent road.



Plate 31: View of Hendron's Building from Broadstone

The photograph above shows the Hendron's Building as seen from the Broadstone Luas stop, to the front of Broadstone Station.

The Black Church

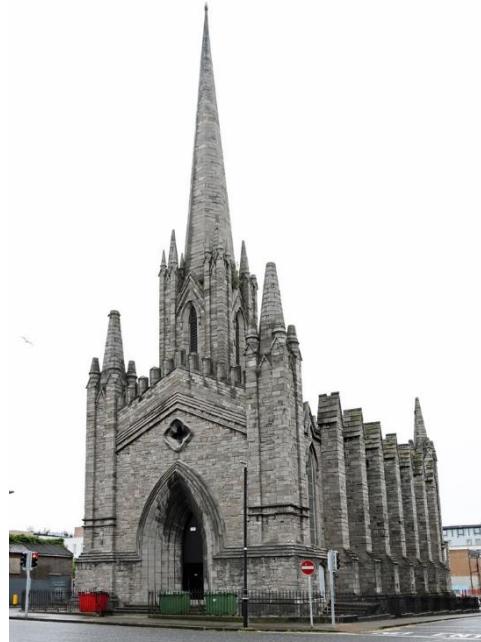


Plate 32: *The Black Church, Mountjoy Street*

The Black Church, correctly St Mary's Chapel-of-Ease, is in St Mary's Place, with its western doorway opening onto Mountjoy Street. Western Way, laid out in the 1880s, is centred on the church at its eastern end. The church is approximately 190 metres from the application site and is on an island site with buildings surrounding it on the opposite sides of the streets that run around the church.

St Mary's was built in 1830 to the designs of the architect John Semple, who had his own unique brand of the Gothic style. The church was closed in 1884 but reopened in 1894 for use as a mission church, which role it played until its closure again in 1962.



Plate 33: *View of the Black Church from the roof of Hendron's*

Kings Inns



Plate 34: King's Inns, Constitution Hill

The King's Inns is a substantial building opening to the north onto Henrietta Street, while on the side facing Constitution Hill it appears to be a freestanding building set in large grounds. The building lies due south of the Hendron's building at a distance of approximately 140 metres. The gardens associated with the building extend westwards to Constitution Hill and wrap around the building to the north, with between 55 and 60 metres between the King's Inns and the northern boundary. Within that area there are many mature trees, seen in the background at far left in the photograph above.



Plate 35: View towards the Kings Inns from the roof of Hendron's

Assessment

As the National Inventory of Architectural Heritage (NIAH) has stated, the Hendron's Building "is a distinctive and well-known landmark in the area, a rare example of twentieth-century vernacular modernism". However, a distinction must be drawn between the original four-storey building and the later additions to the rear. Of those buildings at the rear the one that is closest in design to the main building at the front is the section on the eastern side, adjacent to Palmerston Place – however, that building was not built until some years later, as it covers the rear garden of number 36 Upper Dominick Street, which was not acquired by Hendron's until the 1950s. These points are reflected in the addition of the main Hendron's building to the record of protected structures, while not including the later additions.

Building condition

The NIAH entry for the Hendron's Building recounts that the building "was built by Hendrons' own employees, one floor at a time", further commenting that the Hendrons' staff "were not construction professionals". These comments relate mainly to the buildings at the rear and it is seen in the standard of construction. Sixty years on from the time of construction, the buildings to the rear of the main Hendron's Building are showing significant signs of poor construction. There is extensive spalling of the concrete where the mix is poor, and the steel reinforcing bars are close to the surface. In place it is evident that the concrete was not adequately tamped down during pouring, revealing significant voids in the mix.

In the western of the three structures to the rear there is charring on the timbers in places, arising from a fire in the building at some time in the past. There is also a significant crack through the concrete floor slab, and it appears that this crack is gradually widening.

Number 36 Upper Dominick Street is also in very poor condition. There are significant signs of settlement in the front façade, including a severe degree of movement in the front doorcase, where the left-hand side of the door opening has descended by a significant amount. There is cracking in the façade, with tell-tales installed to monitor the continuing movement of the façade. The interior of the property is in poor condition and seems to have been extensively refitted inside, following which little has been done to maintain it in good order. Severe damp and water ingress have left their mark throughout the building and there have been collapses in the ceilings.

A report on the existing buildings is attached to this report as Appendix 2.

Previous assessments

As noted above, a planning application was submitted in 2008 for the redevelopment of the Hendron's site; a decision to grant issued from Dublin City Council, but this was overturned by An Bord Pleanála on appeal. The report of the city council's Conservation Officer was quoted in the report by the council's planner at that time as follows:

After 1939 only selected buildings of outstanding quality and character are normally listed. From this period a body of exemplars should be built up. This 1940s building would not be considered an exceptional exemplar of this style and is extended with poor quality extensions on all sides. This office is unlikely to recommend its inclusion on the RPS [record of protected structures] based on its architectural quality".

Critically the conservation report states, "The openings in the wall and loss of the 19th house are considered acceptable within the context of proposals to provide a reasonable redevelopment of unkempt-looking waste space

The conservation report submitted with that planning application argued that the Hendron's Building should be retained and that breaches in the boundary wall as then proposed would have a negative conservation impact.

The planning authority's decision to grant permission made no stipulation in relation to the retention of any of the Hendron's Building, the conservation references in the condition applying only to the boundary wall to Western Way, which is a protected structure.

The inspector appointed by An Bord Pleanála to assess the proposal noted in her report that

The demolition of the Hendron building has given rise to much debate with differing opinions from professionals in the field of architecture and conservation. It is important to highlight that the building is not protected and that an attempt by DoCoMoMo to get it added to the record of protected structures of the Dublin City Development Plan on the basis of it being an example of mid-century "vernacular modern architecture" was unsuccessful.

The recommendation of the inspector was that the front and side walls of the Hendron's Building be retained.

Having considered the report of the inspector, the decision of An Bord Pleanála was to refuse permission for the development then proposed and the first reason for refusal stated that:

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.

This reason for refusal is discussed below in the assessment of the proposal.

Proposed development

The present proposal would retain the Hendron's Building, while removing the additions to the rear and also the house at 36 Upper Dominick Street. The proposed development would provide 288 shared living rooms and other facilities in buildings with proposed heights ranging from four-storey to nine-storey.

The potential impact on the Hendron's building and on protected structures in the vicinity is considered below.

Curtilage

The architectural protection guidelines state that:³

By definition, a protected structure includes the land lying within the curtilage of the protected structure and other structures within that curtilage and their interiors. The notion of curtilage is not defined by legislation, but for the purposes of these guidelines it can be taken to be the parcel of land immediately associated with that structure and which is (or was) in use for the purposes of the structure.

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.

Demolitions

It is proposed to retain the main landmark Hendron's building, which fronts on to Dominick Street Upper. The lesser parts of the building, including the lower structures at the rear and the adjacent house at 36 Dominick Street Upper would be removed. The buildings were inspected by Waterman Moylan Engineering Consultants in September 2019 to assess their condition and a copy of the report of this inspection is attached as Appendix 2 of this architectural heritage assessment report.

Warehouse buildings

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

³ *Architectural Heritage Protection Guidelines for Planning Authorities*, Department of the Environment, Heritage and Local Government, 2004, reissued by the Department of Arts, Heritage and the Gaeltacht, 2011, p. 191.

construction that have led to severe deterioration in the mass concrete, while other flaws are evident, together with fire damage.

The report prepared by Paul Arnold Architects⁴ in 2008 remarks, on page 30, that:

The demolition of the rear sheds and side extension is of little consequence in conservation terms, as these buildings have undergone significant ad hoc alterations since their construction and are of no architectural merit, providing the demolition process is carried out to minimise any impact on the front block to be retained.

The Waterman Moylan report 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.

36 Dominick Street Upper

In relation to the house adjacent to Hendron's, the 2008 report by Paul Arnold states (on page 23) that:

Although a fair amount of historic fabric survives within No. 36, the building is in poor condition and has suffered significant water ingress through the roof fabric leading to the deterioration of lath and plaster fabric and structural timbers on the upper floors. Unsympathetic cementitious paint has obscured much of the modest plaster detailing and little joinery survives with the exception of the stair balusters and handrail and a number of isolated architraves and panelled window shutters. Architectural features on the front elevation are inclined towards the adjoining Hendrons' Front Block suggesting movement in the past.

In the nine years since that report was prepared there appears to have been no repair work carried out on the house and as a result its condition has deteriorated significantly. In the report prepared by the city council in January 2020 the opinion of this building was summarised as follows:

During the internal inspection last October it was noted that the architectural character of No. 36 had deteriorated over some time, with some loss of detail, partial collapse of plasterwork to the upper floor and stairwell, along with unsympathetic alterations to window opening, loss of original windows and some use of inappropriate finishes. Unsightly and crude external additions and alterations at ground level to the front and side detract from the character and appearance of the building.

The Waterman Moylan report appended to this document as Appendix 2 lists a number of serious defects in the building and concludes that:

⁴ *Architectural Heritage Impact Assessment for a Proposed Development at Hendrons, Dominick Street, Dublin 7*, p. submitted with planning application, Dublin City Council reference 3938/08, An Bord Pleanála reference PL.29N.233677, and available on Dublin City Council website, at <https://webapps.dublincity.ie/AnitePublicDocs/00240683.pdf>

No. 36 is in an advanced state of structural decay and unviable for restoration. The building is to be removed in the proposed development and we believe the condition of the building is such that removal is a public safety requirement. In addition, 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 the site.

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.

Hendron's building

Internal works to building

The proposal would involve the retention and refurbishment of the main Hendron's building, bringing it into use to provide recreation and amenities for the residents. The proposal would also involve adding a floor to the top of the building, set back from the facades so as to ensure that the original building retains its dominance.

The proposals for this building are considered in detail in the report by Carole Pollard that is submitted with this application. These include the retention of the majority of features in the building, including the stairs, lift shaft with its accordion doors, call bells and pull handles, the Hendrons sign, the glass block windows on the north-western and south-western elevations and the steel railings on the parapet. The steel windows at the rear would be retained, with some transferred to the new building at the rear. The reinforced concrete frame and external walls of the building would also be retained, along with most of the original internal walls.

It will be necessary to make some changes in order to facilitate the change of use of the building and this will include the removal of some of the internal concrete panels at ground floor level to allow for movement within the building and to accommodate a community café. On the upper floors some minor infill panels would be removed to facilitate circulation so as to comply with current building regulations and the non-original timber partitions would be removed throughout.

These changes are necessary in order to provide for the change of use of the building, in the light of its obsolescence for its original purpose as an industrial building. The building is not suitable for use for industrial purposes under modern conditions and in accordance with best conservation practice as set down in the Venice Charter that the best means of ensuring the protection of a historic building is to ensure it has a socially useful purpose. That can only be achieved if a certain limited amount of modification to the building is undertaken and the modifications now proposed are limited in scope and would not have a significant impact on the essential character of the protected structure.

It is good conservation practice to respect earlier interventions to a building where these are of interest. Some minor alterations have been carried out in the Hendron's Building in the past, but these are insignificant and of no merit and hence are not of sufficient interest to warrant being respected and retained. Non-

original internal partitions will be removed and where windows have been inappropriately repaired or replaced, this will be remedied as set out in the Conservation Development Strategy submitted as part of this application.

Provision of openings in the external walls

The ground floor café will provide community facilities for meetings and gatherings, reinstating the building as a focal point in the community. In order to facilitate this use, it is proposed that some existing internal partitions will be removed or modified:

- Openings will be formed in the ground floor party wall between the protected structure and proposed Block A (currently 36 Upper Dominick Street) to increase the capacity of the proposed café and to activate the ground floor corner at Upper Dominick Street and Palmerston Place. (Refer to 1(iii) below)
- Openings in the ground floor entrance portico of the protected structure will have minor realignment to enhance the circulation of the proposed ground floor facilities
- Openings will be formed in the southeast gable wall of the protected structure at first, second and third floor to enable connection between the protected structure and the accommodation in proposed Block A.
- An opening will be formed in the rear wall of the protected structure at ground, first, second and third floor to provide access to the proposed new lift shaft
- New openings will be formed at ground floor northwest gable of the protected structure to provide access to the ground floor café and to activate the proposed new public plaza at the entrance the proposed community gym and the Shared Living Scheme

The removal of small portions of original fabric as described are essential in order to convert the building for a new and viable use and these alterations will not have a detrimental effect on the integrity or character of the protected structure, but rather enable and enhance the future use of the building.

Where it is proposed to remove or alter small sections of the original fabric of the protected structure this will be carried out under the supervision of a conservation specialist and in consultation with the Dublin City Council Conservation Officer.

Impact on setting of building

The new buildings on the site would include four blocks, designated blocks A, C, D and E, block B being the Hendron's building. Block A would be attached to the rear of the protected structure and would be five storeys high, which would be lower than the Hendron's building with its proposed additional level. Blocks C, D and E would range along the boundary with Western Way and would not be attached to the Hendron's building. Blocks C and D would be up to seven storeys in height, plus a lower ground floor and a penthouse that would be set back from the facades. These blocks would be higher than the Hendron's building, however, the

Hendron's building is very distinctive, with its bright white façade and would continue to be prominently visible. The principal viewing points from which Hendron's are seen are in a relatively narrow arc to the west, from the Broadstone Luas stop and its vicinity. The protected structure would continue to be prominent in this view notwithstanding the additional height of the new building adjacent.

There is a secondary angle from which the Hendron's building is seen, which is from Dominick Street Upper, viewed from the south. This is seen in view 10 of the photo montages submitted with the application, which demonstrates that the building would still be viewed in the same way, with the higher building to the rear appearing as a backdrop, but not detracting from the appreciation of the Hendron's building.

Railings on frontage

As noted above, a short stretch of nineteenth-century railings survives on the frontage to Dominick Street Upper, close to the junction with Western Way and these were formerly part of the boundary of Palmerston House/Palmerston Terrace. The railings are included in the record of protected structures, the wording being "original historic western railings". These railings stop about 600mm from the point where the railings turn towards the entrance to the yard. The junction between the original stone plinth wall and the later concrete plinth wall is directly beneath the point where the later mild steel railing is attached to the earlier wrought iron and a difference may also be seen in the style of the finials and the lack of bosses in the later railings.

It is proposed to remove the later railings and plinth wall while retaining and refurbishing the originals. The paint is flaking off the railings and the plinth wall and this will be cleaned back to remove it from the limestone and to prepare the iron railings for repainting. Prior to removal of the paint from the plinth wall test will be carried out on limited areas to determine the optimum method of removal that would not harm the stone beneath. The railings are to be primed with an anti-rust paint suitable for wrought iron and cast iron and repainted.

Where the later railings are removed it is proposed to provide a masonry pier to match the existing pier at the end of the railing and which is seen in plate 12 above. The preferred option is to remove the other pier, which is adjacent to the Hendron's building and relocate it to form the termination of the original railings, rather than to erect a new pier.

Surviving industrial features

As was noted in the survey section above, little remains of machinery or other industrial features on the site. The exception is a free-standing steel gantry and a second steel gantry that is attached to the rear of the building. Both gantries span the access laneway from Palmerston Place, and each has remnants of winches that would have facilitated the moving of goods into and out of the premises.

These features could not be considered to have any particular industrial heritage significance or architectural heritage significance and are not worthy of retention. Furthermore, the gantry structures that support the winch gear are attached to the rear of the buildings that are proposed for demolition and they could not be retained in their present position. It is not proposed to retain these features.

Boundary wall to Palmerston Place

It was noted above that the boundary between the application site and the rear of residential properties in Palmerston Place is marked by a stone wall. It is proposed to repair this wall to bring it up to a high standard of conservation, though it is noted that this is a party wall and the extent of works to be carried out must be determined jointly with the adjoining owners.

Two elements can be undertaken without requiring consent of the adjoining property owners, namely the removal of vegetation and the repointing of the masonry on the side of the wall facing the application site. The removal of vegetation is to be carried out with care to ensure that no damage is caused to the masonry. This will require the application of appropriate herbicides, particularly to the ivy and the buddleia, each of which can cause damage to the masonry of the wall. Once the vegetation has died back it may be cut back to the roots, though without pulling it, as this may dislodge stonework. Repeated application of herbicide may be necessary to ensure that the vegetation does not regrow from the remaining roots.

Repointing of the wall is to be carried out in accordance with a detailed method statement to be compiled prior to the works. This will include the use of a mortar of similar composition and strength to the existing mortar in the wall and the method statement will determine the nature of the joints and the finish of the pointing.

Subject to agreement with the adjoining landowners it is intended to remove the sand and cement capping from the wall, with its embedded broken glass. The wall would be recapped using a suitable hydraulic lime-based mortar. The removal of the sand and cement will be carried out in accordance with a method statement that will take into account the hardness of the existing capping and the degree to which it is attached to the masonry.

The removal of the concrete blockwork from part of the wall may be possible, though it is thought to have been erected by the owner of the house adjoining the application site and the rights of the owner to retain this blockwork would need to be respected. Subject to agreement, it is hoped that the removal would be possible and that the wall could be recapped to match the work to be carried out on the other parts of the wall.

Western Way 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. It will also be necessary to underpin the wall over short distances in the vicinity of the corners of the proposed buildings. This will be carried out in accordance with the requirements of the engineer as shown in the drawing prepared by Waterman Moylan Engineering Consultants and attached to this report as Appendix 1.

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 with stone piers 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 and details can be agreed with Dublin City Council's Architectural Conservation Officer.

Potential impact on nearby protected structures

The reasons for refusal by An Bord Pleanála of the previous proposal for this site expressed concern about the development being "in the vicinity of a number of significant protected structures, including Broadstone Railway Station and Kings Inns", to which may be added the Black Church at the other end of Western Way, though it is at a much greater distance. The reason for refusal stated that "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 [and] would seriously injure the visual amenities of this sensitive area". In the light of that reason for refusal the potential impact of the development now proposed on those buildings needs to be examined. It should be noted that the development proposed under the previous application included a substantial tower fourteen storeys in height, plus a penthouse level.

Broadstone

The former station building at Broadstone is at a distance of 115 metres from the application site and is separated by Phibsborough Road, which is at a significantly lower level than both the station and the application site. The station building is prominent on high ground commanding the local area, while not directly addressing the adjacent street.

The separation between the Broadstone station building and the application site is such that there will not be any adverse impact on the character or setting of the protected structure.

The Black Church

As was noted above, the Black Church is at a distance of 190 metres from the application site and the intervening space is occupied by buildings. The church is

on an island site and its setting is defined by the surrounding roads, the frontage onto Mountjoy Street and the way in which it terminates the vista along Western Way and St Mary's Place. The present application site is at too great a remove to have any impact on the character or setting of the church, even given the proposed nine-storey element of the proposal.

The Kings Inns

The Kings Inns and Registry of Deeds is a building with two very contrasting frontages. The eastern side terminates Henrietta Street, in a very urban setting, the approach being uphill along the street with high Georgian buildings on either side. The Kings Inns closes the end of the street with a screen wall pierced by large vehicular gates flanked by pedestrian gateways. The proposed buildings would not impinge on this vista.

On the western side the Kings Inns faces onto a large area of parkland with an ample scattering of mature trees. This tree cover will ensure that the character and setting of the western side of the Kings Inns is not adversely impacted by the proposed development.

Potential impact on Palmerston Place

The houses in Palmerston Place are within an area that is zoned Z2 in the Dublin City Development Plan 2016-2022, the objective of which is "to protect and/or improve the amenities of residential conservation areas". Residential conservation areas are not architectural conservation areas (ACAs) and have not been subject to the level of analysis and are not subject to the same legal protection as ACAs. However, development plan policy reflects the high quality architectural and historic quality of these houses and seeks to ensure that it is not compromised in any way.

The proposed development would replace the present industrial building on the northern side of the street with a new building that will improve the appearance of the street. The part of the new building adjacent to the houses is to be finished in brick and will have windows with a vertical emphasis to reflect the nature of the historic houses. The height of the new building is to step up, with a single floor above the level of the houses initially, stepping up by a further floor at a distance to the west.

At the rear of the houses that back on to the application site the rear gardens extend back approximately 22 metres from the rear walls of the houses. The minimum distance to the proposed building is to be about 4 metres, though generally a greater distance. The nearer part of the new building would be four storeys, rising to five storeys to the rear of numbers 1 and 2 Palmerston Place, where the separation distance is slightly greater.

In view of the separation between the proposed building at the rear of the houses and the design, height and facing materials of the building adjacent to the houses there would be no significant impact on the character of the residential

conservation area. The removal of the present unsightly industrial building would be a positive change adjacent to the residential conservation area.

Conclusion

There is a significant body of opinion that seeks to ensure the retention of the Hendron's building and the building has recently been added to the record of protected structures. The present proposal respects that opinion and has incorporated the Hendron's building within the development. Opinions in relation to the buildings at the rear are not so evident and the principal argument put forward to date for the retention of the main building – the report by Paul Arnold Architects in 2008 – concludes that the buildings to the rear are not worthy of retention. This opinion has been reflected in the more recent decision by Dublin City Council to add the Hendron's building to the record of protected structures, which has specifically excluded the ancillary buildings from the protection.

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.

Number 36 Dominick Street Upper is mentioned in some quarters as being of significance and the survival of some original elements is cited in support of its retention. Further support for its retention is cited as is its former use as a hotel in the 1920s, being a link to the former canal harbour at Broadstone. However, the canal harbour was infilled long before the 1920s. There are many buildings in Dublin that retain some original features, but which are not protected, and the condition of number 36 is such that its retention is not practicable.

While the Hendron's building is relatively close to a number of important buildings, notably the former Broadstone Station, the Black Church and the Kings Inns, the assessment has shown that there would be no adverse impact on these buildings arising from the proposed development. The reason for refusal of the previous application that expressed concern about the impact on those buildings was addressing a proposed development fourteen storeys high, plus penthouse, while the present proposals includes buildings that would be considerably lower

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.

APPENDIX 1

Outline construction details
for underpinning wall
to Western Way

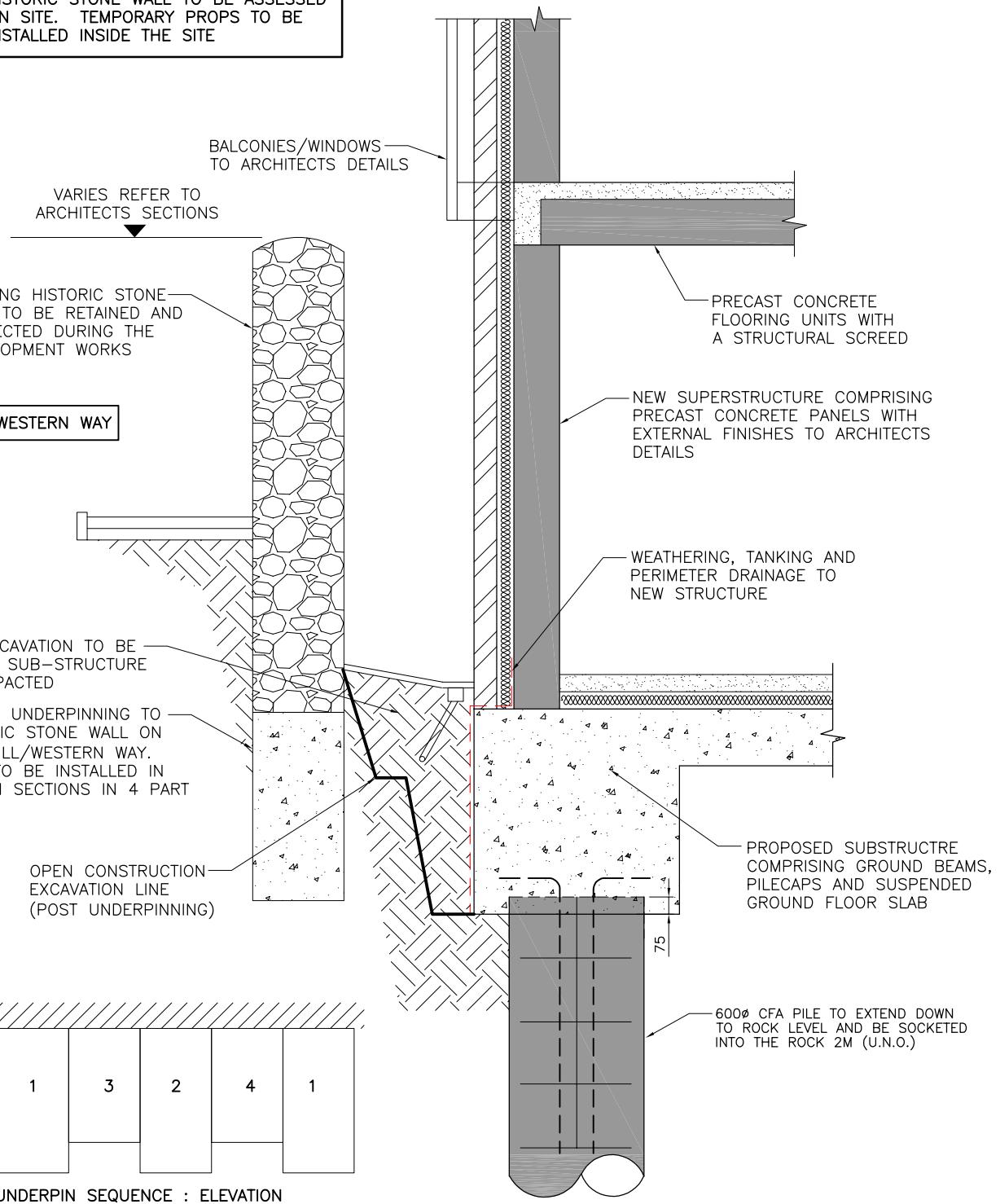
by

Waterman Moylan Engineering Consultants

NOTES

1. DO NOT SCALE. USE FIGURED DIMENSIONS ONLY.
2. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT ARCHITECTURAL AND ENGINEERING DRAWINGS

NOTE : CONDITION OF EXISTING HISTORIC STONE WALL TO BE ASSESSED ON SITE. TEMPORARY PROPS TO BE INSTALLED INSIDE THE SITE



WESTERN WALL WAY SECTION WITH PROPOSED STRUCTURAL WORKS

REV. DATE	DRN APP.
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CAD REF. M:\Projects\18\18-039 - Constitution Hill, Dublin 7\Drawings\Waterman Moylan\Structure\Planning\Autocad Drawings\

STATUS
PLANNING

CLIENT	WESTERN.WAY.DEVELOPMENTS.LTD	TITLE	WALL SECTION & OUTLINE CONSTRUCTION DETAIL			
ARCHITECT	JOHN FLEMING ARCHITECTS	DRWN.	DESIGNED	APPROVED	DATE	
PROJECT	WESTERN WAY SHD	SF	MC	RO	NOV.2020	
SCALE	NTS	JOB NO.	18-039	DRG. NO.	310	REVISION

 **Waterman Moylan**
Engineering Consultants

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APPENDIX 2

Report by
Waterman Moylan Engineering Consultants
on
Hendron's Building,
warehouses at rear and
36 Dominick Street Upper

Our Ref : 18-039.010B
Your Ref :
E-mail : m.conneally@waterman-moylan.ie
Date : 30 November 2020

Western Way Developments,
2 Washington Street,
South Circular Road,
Dublin 8.

Re: Hendron's Complex Buildings, Constitution Hill, Dublin 7.
Structural Engineering Scheme Appraisal Report.

To Whom It May Concern,

We refer to the inspection of the Hendron's site located at the corner of the Constitution Hill and Dominick Street Upper carried out on September 30th, 2019. The inspection was carried out by Michael Conneally and Alessandra Aurondi of Waterman Moylan Consulting Engineers with the Property Owner, Mr Eugene Carlyle. The purpose of the inspection was to access the condition of the buildings on the site in terms of their suitability for use in the proposed development. Our appraisal of the building in this context is presented here.

The three main buildings on the site were examined in the course of our inspection, specifically;

- 1) The Hendrons Building,
- 2) The workshop/storehouses fronting onto Palmerston Place, and
- 3) The residence at Number 36 Upper Dominick Street (No. 36).

During our inspection we were able to access the entirety of the properties. Information on the recent building history was given by Mr. Eugene Carlyle who has been in possession of the site for some time. The effects of the works to install the Luas line adjacent to the property appear to have been particularly detrimental to a number of buildings on the site.

The inspection was of a visual nature only with no opening up works undertaken. The inspection related only to structural aspects of the property. The primary purpose of this inspection was to establish the structural condition of the buildings and form an opinion on the adequacy of these structures for inclusion in the proposed scheme.

This report presents Waterman Moylan's findings based on these works and we must note from the outset our most serious concerns over the condition of buildings 2 and 3 (above). We have observed both these buildings to be seriously structurally compromised in elements that make up their primary stability systems. The specifics are discussed below for each case and we would recommend that access to these buildings be restricted to essential Personnel familiar with the necessary precautions for works on dangerous buildings.

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1. The Hendron's building

This is the centrepiece building on the site. It is intended to retain this building as part of the planned development of this site with the building repurposed into an amenities and accommodation block. The proposed scheme includes the conversion of the existing roof area to floor area with a new roof constructed above this new floor space. The existing roof currently houses a stair access core to the existing roof and an elevated plant support level located above the stair, which are to remain in place.

The Hendron's building was constructed circa 1940 and it is a 4-storey over partial basement concrete frame construction. The building was designed as an industrial building and the sizing of the structural elements reflect this intent. The columns, beams and the slab elements are large for the spans involved indicating that a relatively heavy floor loading was considered in the design. The repurposing of the building proposed represents a reduction of the imposed load acting at each of the existing floor levels. The building features glass block windows to the front elevations and an entrance foyer proud of the main building footprint.

Structurally the Hendron's building is in good condition. The building is robust in design with stability provided by means of concrete frame action and the shear walls of the stair and lift core. The proposed development does not involve modification of the primary structure, there are some infill wall panels to be removed at ground floor; internally and at the gable interface with No. 36 that are non-loadbearing elements and will have no impact on the structural integrity of the building. Throughout the building there will be non-structural loadbearing walls removed that were later additions to the buildings and therefore do not contribute to the structure.

There are some instances of surface spalling of the structural concrete at the external façade. These occur primarily to the underside of window heads and while they are not insignificant, they are limited in extent and are treatable using relatively commonplace methods of concrete repair. Internally the structure shows very little evidence of damage or deterioration.

The beams, columns and slab elements appear to be adequately sized for the original function of the building. The proposal to add floor area to the building involves extending the covered floor plates of the roof access core to cover the majority of the area of the building plan as it now exists for level 1,2 and 3. The new structure will be of lightweight construction – steel frames with insulated cladding wall panels. Given the additional flooring is of relatively lightweight construction and the reduction in the design loads on the existing floors our initial calculations indicate the that overall increase in loading on the columns will be of the order of 5 to 7 percent.

From our initial review based on the element sizes and conservative estimates of concrete strength and reinforcement levels there appears to be ample capacity in the building structures to accommodate the additional floor. An invasive concrete survey of the building is to be undertaken involving compression testing of retrieved samples, carbonation testing and ferro-scanning of the structural elements to confirm the reinforcing bar sizes and arrangement. On completion of the survey the structural capacity will be confirmed.

The repurposing of the building will require additional services to be installed throughout;

- Vertical penetrations for service risers or individual ducts will occur in slab elements. The relatively short spans and high design load allowed mean there will be reserve capacity in the slab that will allow the formation of service penetrations or risers. The maximum riser size will depend on the structural arrangement at the location in question and all slab openings will be

reviewed on receipt of the ferro-scan survey. Any penetration that may compromise the slab action can be supplemented by steel beams between the existing concrete downstand beams which will not compromise clear heights.

- Horizontal opening in the structure will be of the form of individual cored penetrations through the beams. The sizing and separation of the opening is dependent on the depth of the beam downstand. In general, permissible openings will be a maximum of 1/4 of the beam depth on the centre line, occurring within the mid-third of the beam at a separation of 3 times the larger diameter. Waterman Moylan will work with the mechanical and electrical contractors to ensure all penetrations are documented and reviewed prior to coring works.

Following the formation of any penetration to the existing structure any exposed reinforcing bars will be treated with a corrosion inhibitor and cementitious paint coatings. The individual penetrations required will be reviewed on receipt of ferro-scan information to confirm the slab or beam adequacy on an individual basis.

An area of concern regarding the Hendron's building relates to the interfaces with the adjoining buildings. The weathering of the interface to the rear workshops is poor and will require remediation. This issue is similar but more severe at the interaction with building at No. 36 Upper Dominick Street (No. 36).

No. 36 predates the Hendrons building and it appears that the structural frame was cast directly against the No. 36 north gable wall, creating a bond between the two structures. It appears that movement has occurred in the interim whereby the stronger Hendrons Building has damaged the structure at No.36 due to the bond at the interface. The damage to No. 36 is significant and is discussed further in the following section.

Consequently the weathering at the roof line along the interface has failed and significant water has entered the Hendrons Building along the interface line. This has resulted in damage to the concrete structure locally and some corrosion of the steel reinforcement is likely to have occurred. This can only be effectively assessed and repaired with the removal of the gable wall as direct access to the embedded reinforcing steel is required. The issues is similar at the interfaces of the warehouse buildings.

Summary; *The structure of the Hendrons Building is in good condition with local damage that can be remediated using standard concrete repair methods. The building is a reinforced concrete frame with lateral stability provided by means of shear walls and frame action. The geometry of the building indicates that the building is robust with reserve capacity in the slab, beam and columns elements. The addition of additional floor area to the top of the building results in minor increases in column loading: our preliminary calculations indicate that the columns have ample capacity to accommodate this increase. The local penetrations required to service the building in its repurposed role will be formed in slab and beam elements by coring and subsequent cutting. Our preliminary review indicates that suitable openings can be achieved with minimal requirement for supplementary steelwork. Invasive concrete surveys are to be carried out in the Hendron's building that will provide the information to allow the structure capacities to be confirmed. The buildings adjoining the Hendron's building currently impede essential repair works to the Hendron's structure however the scheme involves the demolition of the adjoining buildings which will allow the repair works to be carried out.*

On completion of repair works it is our belief that the Hendron's building will be suitable for the repurposing proposed under this scheme and can accommodate the structural interventions required.

2. Number 36 Dominick Street Upper.

The property at No.36 is a three storey domestic residential building constructed circa 1840. As described above the building has been detrimentally affected by the construction of the Hendrons Building. The negative effects on the building have been exacerbated by the Luas construction works on Upper Dominick Street in the years 2015 to 2018 which imparted significant vibrations into the building for a prolonged period. We understand that Dublin City Council Dangerous Buildings Representatives have recently issued advice to cordon off the portions of the front of the building where the public can approach the building, due to concerns over stability and safety. It is not proposed to retain this building in the proposed development, we believe its removal will be of benefit to the Hendron's building as it will allow effective repairs to be carried out to the concrete frame.

The building is now in a state of advanced decay. The construction is masonry walls and timber floor, stairs, roof and lintels. The timber elements exhibit decay in the form of rot throughout the building and there is widespread water damage internally. The water ingress has damaged the feature covings throughout the building. The fabric of the wall plaster is damaged beyond salvage. The exposed portions of walls revealed relatively good construction methods but significant loss of mortar integrity and rotting of timber lintels. The remediation of this building would involve the total removal of all timber elements and replacement with new, all wall and ceiling plaster would similarly need to be removed and is beyond salvage due to moisture ingress. The windows and doors are warped due to structural movement and vibration and no longer function. It may be possible to salvage some wall elements, however we estimate that the replacement of original fabric necessary would be of the order of 80% which would not constitute a restoration project.

We must emphasise that this building is displaying evidence of structural distress that indicate the failure of load-paths and materials. Specifically;

- There is an extensive lattice of structural cracks to the front elevation with portions of the building fabric not unsecured.
- The parapet structure is cracked and unstable with loose capping stones.
- There are full height structural cracks to the visible gable wall.
- Bowing of walls and significant movement of the structure. Indicating overloading, excessive movement and failure of restraining elements.

Summary; No. 36 is in an advanced state of structural decay and unviable for restoration. The building is to be removed in the proposed development we believe the condition of the building is such that removal is a public safety requirement. In addition, 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 the site.

3. Warehouse Buildings.

The warehouse building is a two storey over basement linear industrial building fronting onto Palmerston Place. The structure is a reinforced concrete frame building with cast insitu slabs that dates back to 1958. These buildings were built to service the main Hendrons building functionally but it is apparent that the concrete quality does not match that of the Hendrons building. At 70 years of age this building is now beyond its design life and has failed in some locations. It is not proposed to retain this building in the proposed development, we believe its removal will be of benefit to the Hendron's building as it will allow effective repairs to be carried out to the concrete frame.

The building exhibits significant damage to the structure to the elevations. There is widespread spalling with large amount of reinforcing steels exposed. The spalling is so severe that some rebar elements observed are entirely corroded. The level of corrosion is not possible to remediate as it will have spread through the reinforcing steel and possibly into connected members. The easternmost corner of the building appears to have lost column integrity with associated loss of plumbness of walls and slabs internally are off level.

Internally there is evidence of water penetrating the slabs. Portion of the slab soffit have spalled extensively which is indicative of widespread reinforcing steel corrosion. The slabs do not retain their ability to span between beams if the reinforcing steel integrity is lost.

There was a beam-column joint failure observed within the building. In a frame building of this type the integrity of the joints is essential for stability and a small number of such failures can cause an overall building failure.

Summary: The overall structural stability of this building 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 in this 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 the site.

Following our inspection and preliminary structural appraisal of the buildings on the site we feel that the proposed development offers the best-case outcome for the retention of historic buildings on the site. The building proposed for demolition are beyond salvage while the Hendron's building (which is to be retained) has sufficient robustness and capacity to be repurposed into the new role proposed.

I trust this is sufficient for now. Please feel free to contact me if there is anything further you require.

Yours sincerely,



Michael Conneally
Associate
Waterman Moylan

Att'd: Photographic Record Appendix

18-039.010B Appendix: Engineering Inspection Record Photographs



Figure 1. Lattice at cracks at front of No.36



Figure 2. No.36: Window cill broken



Figure 3. No.36: Parapet failure



Figure 4. No.36: Structural cracks to gable



Figure 5.No.36/Sheds interface: Structural cracks



Figure 6. No.36 Internal: Water damage to features



Figure 7. No. 36: Vertical movement across door frame



Figure 8. No. 36: Water damage to plaster features



Figure 9. No. 36: Roof - Significant decay



Figure 10. No. 36: Water ingress floors



Figure 11. No.36: Water damage to ceiling



Figure 12. Hendrons: Water damage at No.36 gable



Figure 13. Workshop Building: Water ingress through slab/damage



Figure 14. Workshop Building: Concrete column spalling

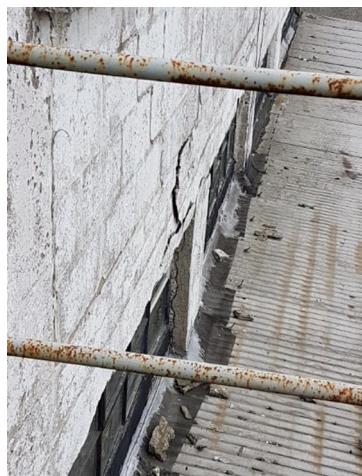


Figure 15. Workshop Building: Structural damage



Figure 16. Workshop Building: Beam/Column joint failure



Figure 17. Workshop building: Water ingress through slab



Figure 18. Workshop Building: Column steel exposed/corroded