

# STATEMENT OF RESPONSE TO AN BORD PLEANÁLA'S CONSULTATION OPINION

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**IN RESPECT OF A  
PROPOSED SHARED LIVING AND NEIGHBOURHOOD USES  
SCHEME AT THE  
HENDRONS BUILDING AND WIDER SITE, 36-40 DOMINICK  
STREET UPPER, DUBLIN 7**

**DECEMBER 2020**

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## DOCUMENT CONTROL SHEET

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## 1.0 INTRODUCTION

1.1 The pre-application consultation opinion from An Bord Pleanála in relation to the proposed strategic housing development at lands to the rear of Hendrons' Building (a protected structure) and wider site was received on the 2<sup>nd</sup> October 2020 (case reference no. ABP-307475-20).

1.2 The opinion states that An Bord Pleanála *"has considered the issues raised in the pre-application consultation process and, having regard to the consultation meeting and the submission of the planning authority, is of the opinion that the documents submitted with the request to enter into consultations constitute a reasonable basis for an application for strategic housing development."*

1.3 Article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017 states:

*'(5) At the conclusion of a pre-application consultation, the Board may do either or both of the following: (b) notify the prospective applicant that specified information should be submitted with any application for permission for the proposed development, including photographs, plans, maps, drawings or other material or particulars and, where the Board considers it appropriate, either or both—'.*

1.4 The pre-application consultation opinion from An Bord Pleanála states pursuant to Article 285(5)(b) that the following specific information should be submitted with any application for permission:

- *"Submission of a statement in accordance with Section 5(5)(b) of the Act of 2016 that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development, and relevant Ministerial guidelines under section 28 of the Act of 2000. In particular, such statement should demonstrate how the proposed development is in accordance with the Z3 Neighbourhood Centre zoning objective as set out in the Dublin City Development Plan 2016-2022, including detailed breakdown of public uses and how public access to such uses will be managed."*
- *The statement should also consider compliance with the building heights policies of the Dublin City Development Plan and, where appropriate, the statement provided for the purposes of subsection (5)(b)(i) shall indicate why, in the prospective applicant's opinion, permission should nonetheless be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000."*
- *"A report that specifically addresses the proposed materials and finishes having particular regard to the requirement to provide high quality and durable finishes which have regard to the surrounding context of the site and proximity of protected structures."*
- *"A detailed design rational for the approach to the massing and height of development on the site, along with additional visualisations / CGS's illustrating the relationship of the proposed development with Western Way."*
- *"A detailed design rational and an Architectural Heritage Impact Assessment addressing the relationship of proposed structures with the Hendron's building, a protected structure, and the proposed additional floor to the protected structure."*
- *"In addition, the information identified in item no. 6 of the planning authority's opinion in relation to conservation matters should be addressed."*

- *"A rationale for the location and means of access to the proposed ESB substation and details of the treatment of any interventions in the boundary wall to Western Way."*
- *"A detailed daylight and sunlight assessment of the proposed development, in accordance with the BRE 209 document "Site layout Planning for daylight a guide to good practice Second Edition -2011" by Paul Littlefair, which shall include all ground and lower ground floor units and all amenity spaces."*
- *"A report specifically demonstrating how the development provides a satisfactory area and quality of open amenity space for future residents having regard to the provisions of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, in this regard."*
- *"A detailed schedule of accommodation demonstrating compliance with the relevant standards set out in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, in relation to Shared Accommodation Developments, including SPPR9, in particular."*
- *"A rationale for the extent of bicycle parking provision and provision for motorcycle parking within the site, which should also address potential expansion to meet increased demand over time."*
- *"A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority."*

1.5 A detailed response to each of the points raised above has been provided within this response report and has been included as part of the planning application documentation.

1.6 The Opinion from the Board also notes that:

*"Pursuant to article 285(5)(a) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is informed that the following authorities should be notified in the event of the making of an application arising from this notification in accordance with section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016:"*

1. Irish Water
2. Minister of Culture, Heritage and the Gaeltacht
3. An Taisce - the National Trust for Ireland
4. Heritage Council
5. An Comhairle Ealaíonn
6. Fáilte Ireland
7. National Transport Authority
8. Transport Infrastructure Ireland

1.7 With reference to the above, the above Authorities have been sent a copy of the SHD application.



## 2.0 STATEMENT OF RESPONSE TO SPECIFIC INFORMATION REQUIRED

2.1 The following sets out how the applicant has addressed the Board's request for additional information in respect of the proposed development.

### 2.1 Item no. 1 – Zoning and Building Heights

2.2 Item 1 of the An Bord Pleanála opinion relates to the breakdown of public uses (other uses) and access as well as building heights in terms of the Z3 neighbourhood centre zoning and Dublin City Development Plan policies.

### 2.3 Item no. 1:

*"Submission of a statement in accordance with Section 5(5)(b) of the Act of 2016 that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development, and relevant Ministerial guidelines under section 28 of the Act of 2000. In particular, such statement should demonstrate how the proposed development is in accordance with the Z3 Neighbourhood Centre zoning objective as set out in the Dublin City Development Plan 2016-2022, including detailed breakdown of public uses and how public access to such uses will be managed."*

2.4 In response to this item, John Spain Associates have included details of the zoning within the Statement of Consistency and Planning Report as follows;

*'The subject site is zoned Z3, with an objective 'To provide for and improve neighbourhood facilities'. Approximately 432.3sqm of publicly accessible neighbourhood uses have been provided as part of the scheme, contained at ground floor level of the Hendrons Buildings, Block A and Block C, as demonstrated in Table 2 below. The Hendrons Building is a protected structure and the proposed uses will reactivate the building, making it accessible to the community.'*

**Table 1 – Proposed Neighbourhood uses within the Hendrons Building**

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

*'The proposed uses will benefit the existing neighbouring residents as well as the future occupants of the scheme. The range of uses is considered suitable given the sites proximity to larger centres such as Phibsborough Key District Centre, the Ilac Centre and Jervis Street Shopping Centres.'*

*The uses are sited at ground floor level across Blocks A and C and the Hendrons Building, all of which have a direct frontage to Dominick Street Upper, creating an enlivened public interface.*

*Outdoor seating is also included adjacent to the proposed gym and café, creating synergies between the two complementary uses.*

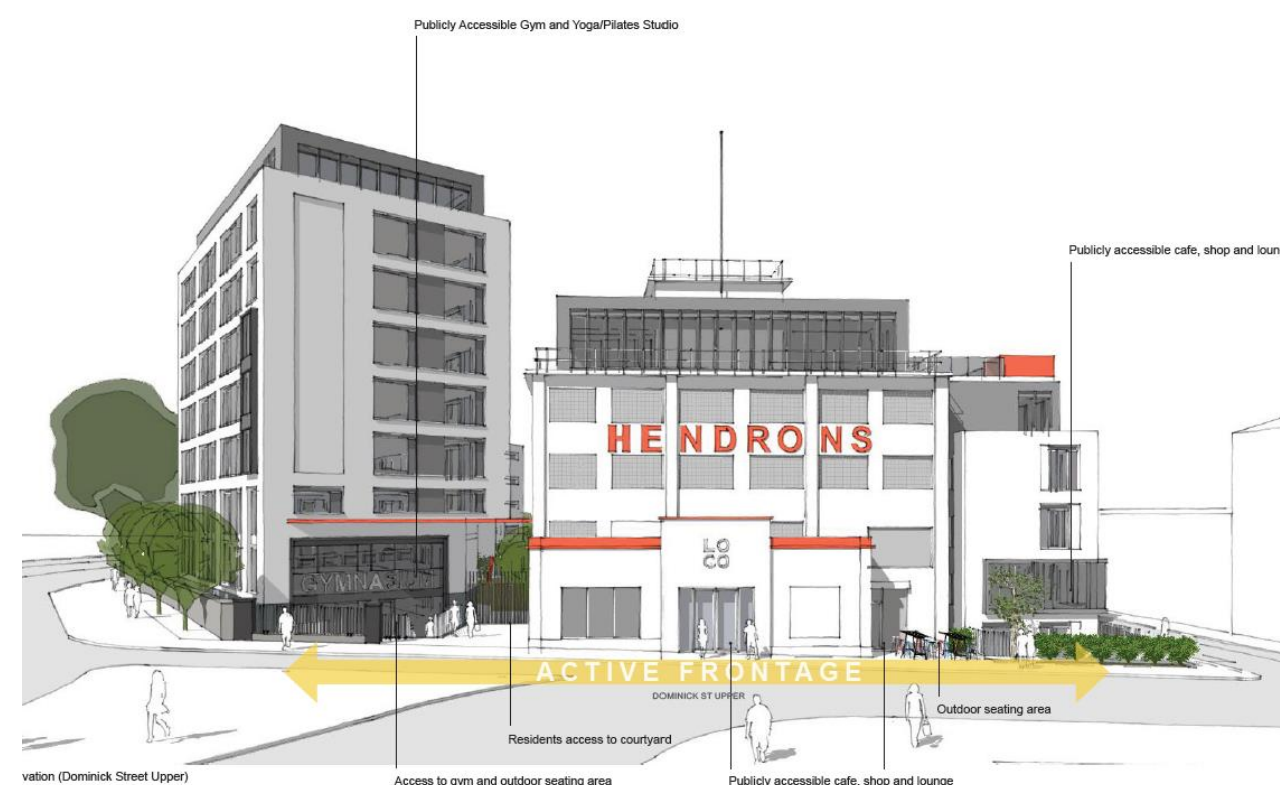
*The re-use and repurposing of the currently vacant Hendrons building is considered a significant benefit to the wider community. The renovation and careful re-instatement of this building for publicly accessible purposes has been carefully considered to form a key focal point of the development.*

*We note that 'Residential' is a permitted use under the land use zoning matrix relevant to the Z3 zone in the Dublin City Development Plan 2016-2022, as are 'restaurant,' 'shop (neighbourhood)' (which include the café/shop), 'recreational building and uses'. Accordingly, the proposed shared living residential component of the scheme is permissible in the zone.'*

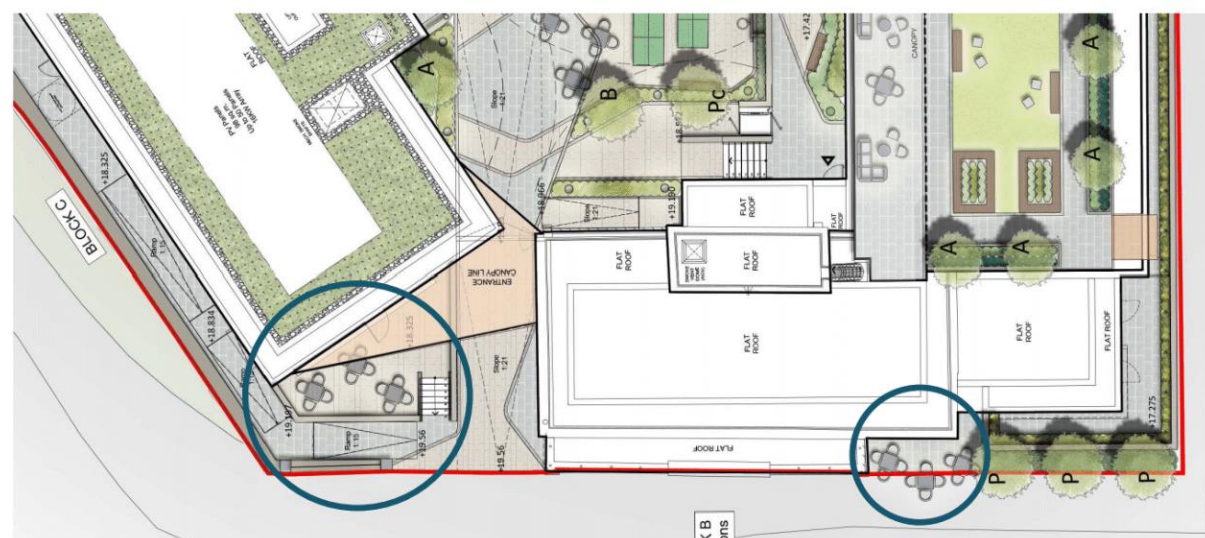
2.5 The proposed development will contribute to the creation of a sense of place by introducing publicly accessible uses to the ground floor of Blocks A, B (the Hendrons building) and Block C. Community spaces will also be provided at the ground floor of the Hendrons building and within Block A after hours. It is anticipated that these spaces will be utilised by local groups and interest to date has been expressed by the Order of Malta and local artists.

2.6 Outdoor seating is also proposed adjacent to both the gym and café to create an active frontage on Dominick Street Upper with synergies expected to develop between the complementary uses on site.

**Figure 1 - Sketch Model of the proposal showing the active street frontage at Dominick Street Upper**



Source: John Fleming Architects

**Figure 2 - Proposed outdoor seating activating the site frontage**

Source: Park Hood Landscape Architects

- 2.7 The application is also accompanied by a Management Plan by City Living. The plan sets out the operational requirements in relation to the ongoing management and use of the development upon completion and occupation. In relation to the operation and of the publicly accessible spaces, the plan states;

*The City Living HendronsLife programme extends further than a unique approach to shared living in the Hendrons building, it extends beyond into the local community. At City Living we are formulating a Hendrons CommunityLife programme designed to engage with all elements of the local community, encouraging as much social interaction cross community as possible. City Living are engaging with the community representative covering the locality of Hendrons. Within the Hendrons building there are facilities that City Living will welcome the local community to use during the day as a local amenity to the local community:*

- *Bookable Area within the Hendrons Lobby area for events and social gatherings.*
- *Hendrons Café will be open to the public between the hours of 8:00 – 18:00. From 18:00 until 23:00, the Hendrons Café and Lobby social area will have bookable sections for group dining, private dining and meetings.*
- *The Hendrons Café will also be bookable by the local community for clubs and societies.*
- *Classes will be run by external tutors (owner business operators) for fitness classes in the TRX studio for the public to participate in.*
- *The Gym will be bookable by the local community all of the time.*
- *City Living will also be offering to the community classes provided by external tutors in the yoga, pilates and Dance Studio. All resident and community participants in the Hendrons facilities will be able to book appointments and classes via the Hendrons Hub. The Hendrons Hub will also be the focal point for all resident and community event marketing as party of the HendronsLife and CommunityLife programme marketing.*

- 2.8 It is also noted that an app will be set up – the Hendrons Hub – to assist with bookings and use of the community spaces. Bookings can also be made via the concierge who will be responsible for the day to day management and maintenance of the spaces. The management plan states;

*‘Visiting members of the public using any of the community facilities within Hendrons building will automatically be notified when initially accessing the WIFI to download and join the Hendrons Hub, creating a wider local Hendrons community as part of the Hendrons CommunityLife programme*

#### *The Concierge*

*Upon entering Hendrons, residents and visitors alike will encounter the concierge desk in the reception area. The concierge will provide support to residents to enhance their experience. For example, the Concierge will assist with greeting building visitors, maintaining the reception communal area and taking delivery of oversized parcels or deliveries requiring signature. An important element of this role is maintaining the schedules for use of the various communal areas and ensuring the areas are ready for Resident’s use and members of the public when booked in advance.’*

- 2.9 The overall objective envisaged includes Hendrons as the centre and focal point of the scheme, accessible to both residents and the general public. It is the applicant’s intention that the scheme will become an integral part of the local community at this location.

*“The statement should also consider compliance with the building heights policies of the Dublin City Development Plan and, where appropriate, the statement provided for the purposes of subsection (5)(b)(i) shall indicate why, in the prospective applicant’s opinion, permission should nonetheless be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.”*

- 2.10 The application is accompanied by a Material Contravention Statement prepared by John Spain Associates. The statement outlines the rationale and justification for the minor departure from the building height requirements as set out in the Dublin City Development Plan 2016-2020 (CDP) in accordance with section 37(2)(b) of the Act of 2000, should the Board consider this departure a contravention of the CDP. The statement concludes;

*‘As set out in Section 37(2)(b) and Section 28(1)(C) of the Planning and Development Act 2018 (as amended), An Bord Pleanála may materially contravene a development plan where national planning policy objectives take precedence. In particular, Section 9(3)(b) of the 2016 Act, as amended, provides that to the extent that they differ from the provisions of the Development Plan or Local Area Plans, the provisions of SPPRs must be applied instead. In the present context, the most relevant of these requirements SPPR 3A of the Building Height Guidelines which applies to the assessment of this application to the Board. It is submitted that the performance criteria under Section 3.2 have been satisfied in this regard by the development as proposed.*

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



## 2.2 Item no. 2 – Materials and Finishes

### 2.11 Item no. 2 seeks:

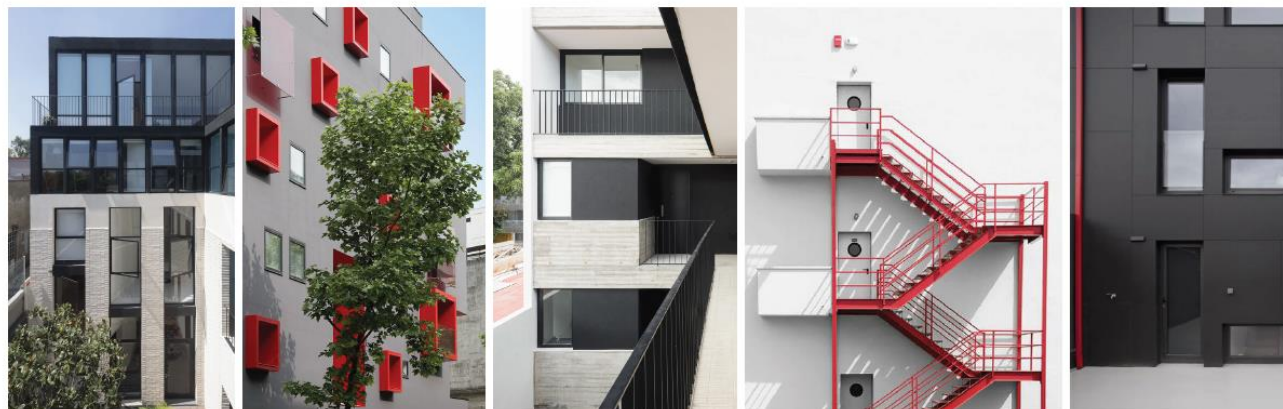
“A report that specifically addresses the proposed materials and finishes having particular regard to the requirement to provide high quality and durable finishes which have regard to the surrounding context of the site and proximity of protected structures.”

### 2.12 Details of the proposed finishes and materials have been addressed within the Architectural Design Statement by John Fleming Architects. The design response is as follows;

*‘The following materials were chosen due to their aesthetic quality, durability and colour. It is our intention that the building will fit harmoniously in the urban scape and that the relationship between these materials will reflect a strategy, visual separation and/or clear contrast between existing and new. Keeping in mind the above goals, the idea is that the majority of the materials respect the selected colour palette: white, dark grey/black and red:*

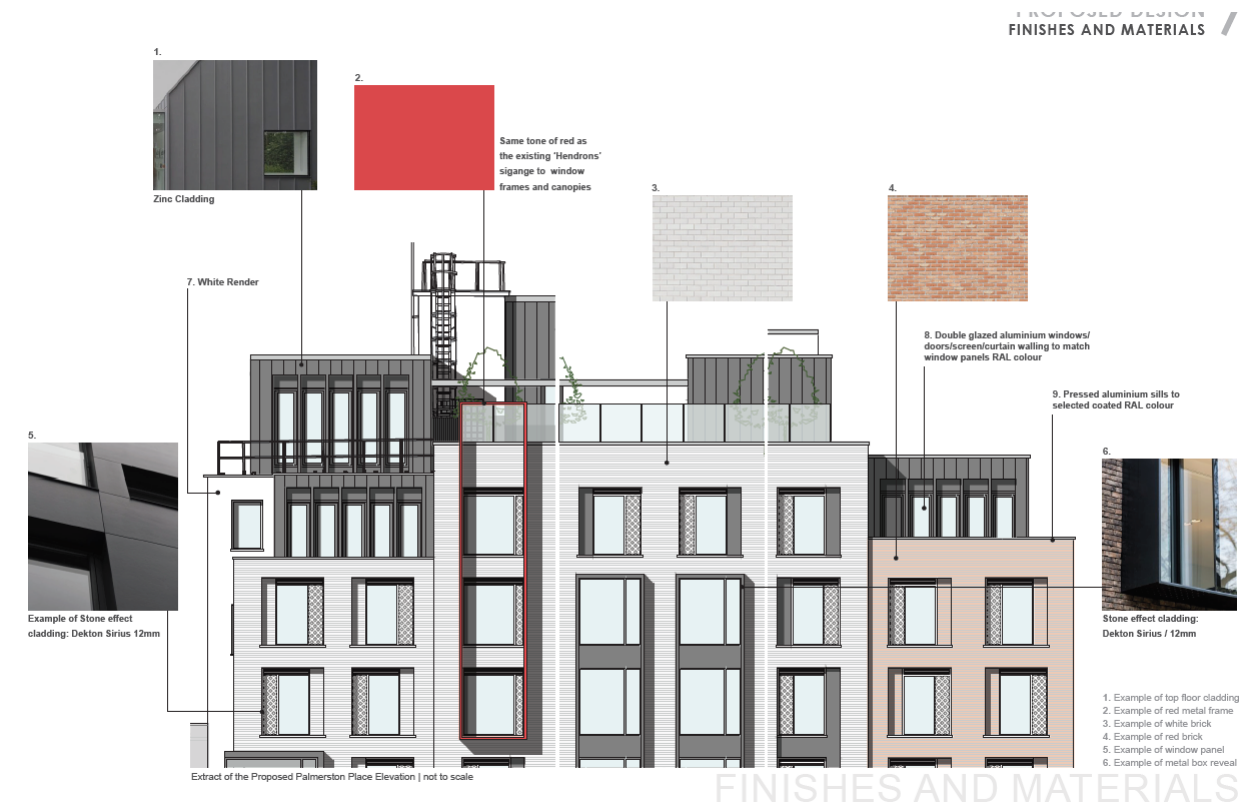
- *The existing concrete Hendrons building will be restored in white render and the predominant material for the rest of the development will be white brick. We chose brick, because it is the main material in the neighbourhood, and the colour white to keep a ‘memory’ of the demolished house and warehouses.*
- *Selected dark grey aluminium and glazed windows/doors/panels and dark grey cladding to set back top floors along Western Way and Dominick St Upper contrasting the building’s ‘base’ tones.*
- *Red brick with light coloured mortar where the building steps down adjacent to Palmerston Place neighbouring houses to avoid an abrupt visual break with the existing buildings.*
- *Dark grey stone effect cladding panels to window frames;*
- *Feature elements in red throughout the facade inspired by the existing ‘HENDRONS’ lettering and front porch parapet colour’*

Figure 3 - Reference images referred to the Architectural Design Statement



Source: JFA

Figure 4 - Extract from the Architectural Design Statement illustrating proposed finishes



Source: JFA

### 2.13 A Conservation Development Strategy has also been prepared by Carole Pollard and accompanies the application. The strategy outlines methods and objectives for retention of built form and fabric throughout the Hendrons Building, including the existing glass blocks, the ‘Hendrons’ sign and methodology for repairs to the existing reinforced concrete structure.

## 2.3 Item no. 3 – Massing and Height

### 2.14 Items no. 3 seeks:

“A detailed design rational for the approach to the massing and height of development on the site, along with additional visualisations / CGS’s illustrating the relationship of the proposed development with Western Way.”

### 2.15 In response, a detailed design rationale and response is included at Section 12 of the Architectural Design Statement provided by John Fleming Architects. This provides details on the design rational for the proposed massing and scale of the development as follows;

*‘the yellow arrows in Diagram 2 represent the three site directions that influenced the proposed building’s footprint. It was decided on this phase of design that the scheme would be composed of three connected blocks: one that would complete the streetscape along Palmerston Place [1], a second one along Dominick Street Upper [2] and a block along Western Way [3] following not only its curving shape, but as well the protect stone wall contour that forms part of the site boundary.’*

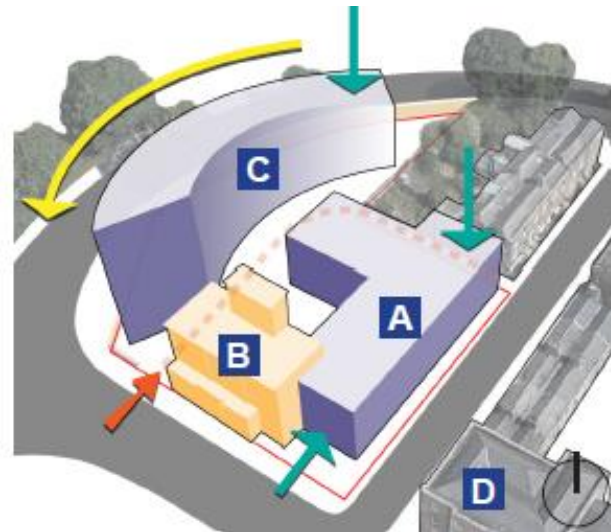


Figure 5 - Diagram 2 - Form and Rationale



Source: JFA

Figure 6 - Diagram 3 - Heights Rationale



*'On the next phase of the design we kept the connection between the new building along Palmerston Place [A] and the Hendrons building [B] but separated the curving building [C] from the rest of the development to accentuate the entrance to the courtyard and expose the existing glass block windows on the northwest facade of the protected building. A lower return wing was added to block A to frame the courtyard. This addition and connection to the Hendrons building was so that the new development would have the same building footprint as the existing house no. 36 and the warehouses to the back.*

*The green arrows pointing down indicate where the lower blocks of the development should be. This is due to their proximity to the three storey houses on Palmerston Place and their gardens. In the majority of its extent the building along Palmerston Place [A] will have the same number of floors as the neighbour building in the opposite corner of Dominick St with Palmerston Place [D].*

*The third green arrow suggests that the new building should setback in the corner to highlight the protected Hendrons building and make it more visible when approaching the site from Dominick Street Upper '*

2.16 As noted above, the full rationale is included at Section 12 of the Architectural Design Statement.

2.17 We also refer to the Verified Views prepared by Digital Dimensions which accompanies the application extracts of which are included in the following images;

Figure 7 - Existing view to the site looking north-west from Dominick Street Upper



Figure 8 - View of the site showing the proposed scheme from the same location





Figure 9 - View of the site looking north showing Block C on Western Way



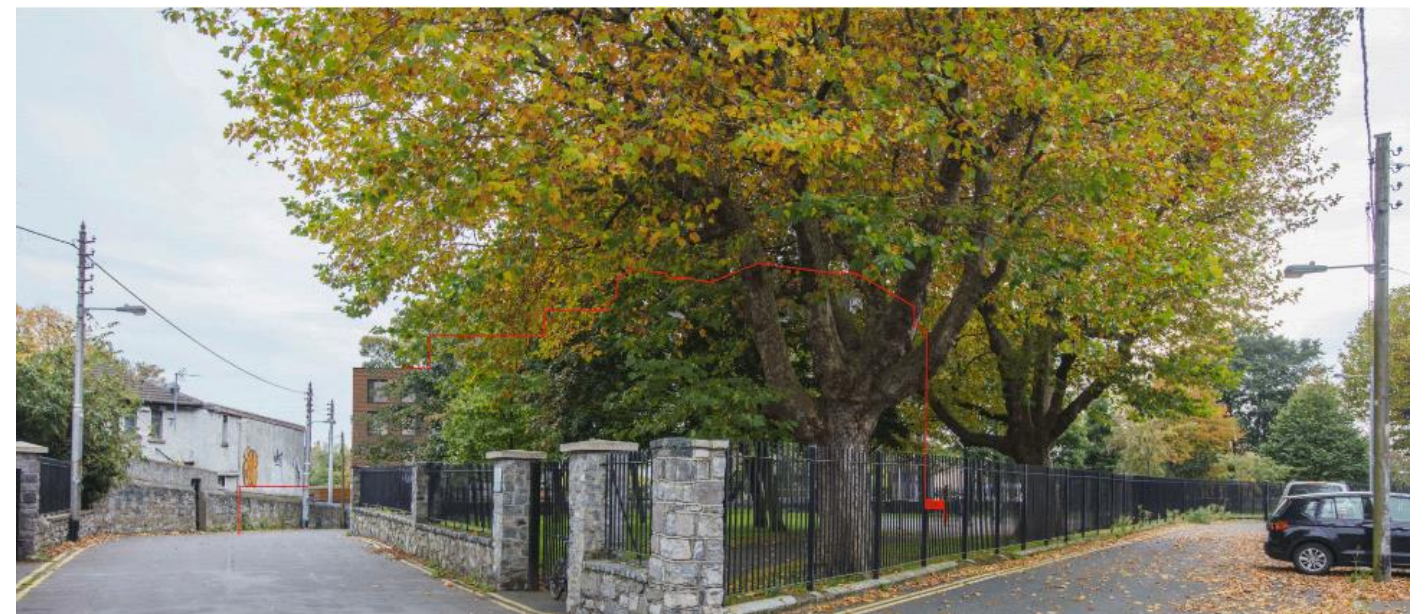
Figure 10 - View of the site looking south from Auburn St illustrating the curve of the building on Western Way



Figure 11 - View of the site looking north showing the curve of the Building at Block C and D



Figure 12 - View 18 from the Royal Canal Bank looking towards Western Way with the building outline in red



2.18 A full assessment of these views (a total of 18 views) is included in the Landscape and Visual Impact Assessment by Chris Kennet Consulting which accompanies the application.

#### 2.4 Item no. 4 – Heritage

2.19 Item no. 4 of the An Bord Pleanála opinion states:

*“A detailed design rationale and an Architectural Heritage Impact Assessment addressing the relationship of proposed structures with the Hendron’s building, a protected structure, and the proposed additional floor to the protected structure.”*



- 2.20 The application is accompanied by an Architectural Heritage Impact Assessment by Historic Building Consultants. In relation to the Hendrons building and its relationship with the proposed new buildings, the assessment states;

*"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"....*

*"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."*

- 2.21 The application is also accompanied by a Conservation Development Strategy prepared by Carol Pollard. The report outlines a detailed strategy for the retention of the Hendrons building and its identified significant features including the glass block windows, the lift-over run and recognised 'Hendrons' signage, all of which will be retained within the current proposal. The report also details required interventions (or new openings) to provide for the re-use of the building as proposed.
- 2.22 The existing building will be retained in its current structural form. The reinforced concrete frame, floor and roof slabs and concrete infill panels are in substantially robust condition and require localised repair only. The proposed methodology for concrete repairs is set out in Part 2 of the Conservation Development Strategy.
- 2.23 All existing non-original signage, shutters, graffiti and other visual clutter on the exterior of the building will be removed. In relation to the proposed additional floor, the strategy states;

*"The proposed additional accommodation floor will be set back from the existing parapet edge and will be 2.3 metres lower than the parapet level of the existing roof tower. This will ensure that the distinctive projecting eave slab and steel handrail will not be obstructed from views."*

*"The additional floor, which contains a sky lounge for the amenity of the residents of the Shared Living Scheme, is set back from the existing parapet edge in order to minimise its impact on the protected structure. The parapet edge is retained, as is the distinctive steel railing which runs around the roof perimeter. The additional floor is proposed to be constructed with glass and metal cladding providing visual and architectural distinction between it and the proposed structure. The existing lift shaft roof tower is being retained and will continue to project up above the proposed additional floor. The existing steel railings and flagpole will be retained."*

- 2.24 The strategy includes an assessment of the proposed additional buildings on the site and their relationship to the Hendrons Building;

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

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

- 2.25 Having regard to the above assessment, it is evident that the proposed design is suitable for the site having regard to the Hendrons Building and its listing on the record of protected structures.

**• In addition, the information identified in item no. 6 of the planning authority's opinion in relation to conservation matters should be addressed."**

- 2.26 The following section provides a response to the items raised by the planning authority at section 6 of their opinion report;

- 6(a) Further details will also be required to illustrate all proposed connections between the Protected Structure and new additions to the rear, to the southeast and the additional storey. Response:

- 2.27 **Response:** We note that the architectural plans prepared by John Fleming Architects provide details of the proposed connections. In addition, the following is an extract from the Conservation Development Strategy in response to item 6(a);

*'At the Detail Design Stage and Construction Stages, all works to the protected structure will be agreed with the Dublin City Council Conservation Officer prior to commencement.'*



- 6(b) A detailed schedule of proposed repairs shall be provided.

2.28 **Response:** The following is an extract from the Conservation Development Strategy in response to item 6(b);

*'The subject report contains a schedule of repairs to be carried out to the existing windows as an example of how condition and repair schedules will be recorded and executed after a full assessment of the structural condition of the Protected Structure has been carried out. The full assessment will take place when the demolitions are complete. Please refer to Demolition Drawings in Appendix C.'*

- 6(c) Details shall be provided of proposed refurbishment of the historic railings and entrance piers.

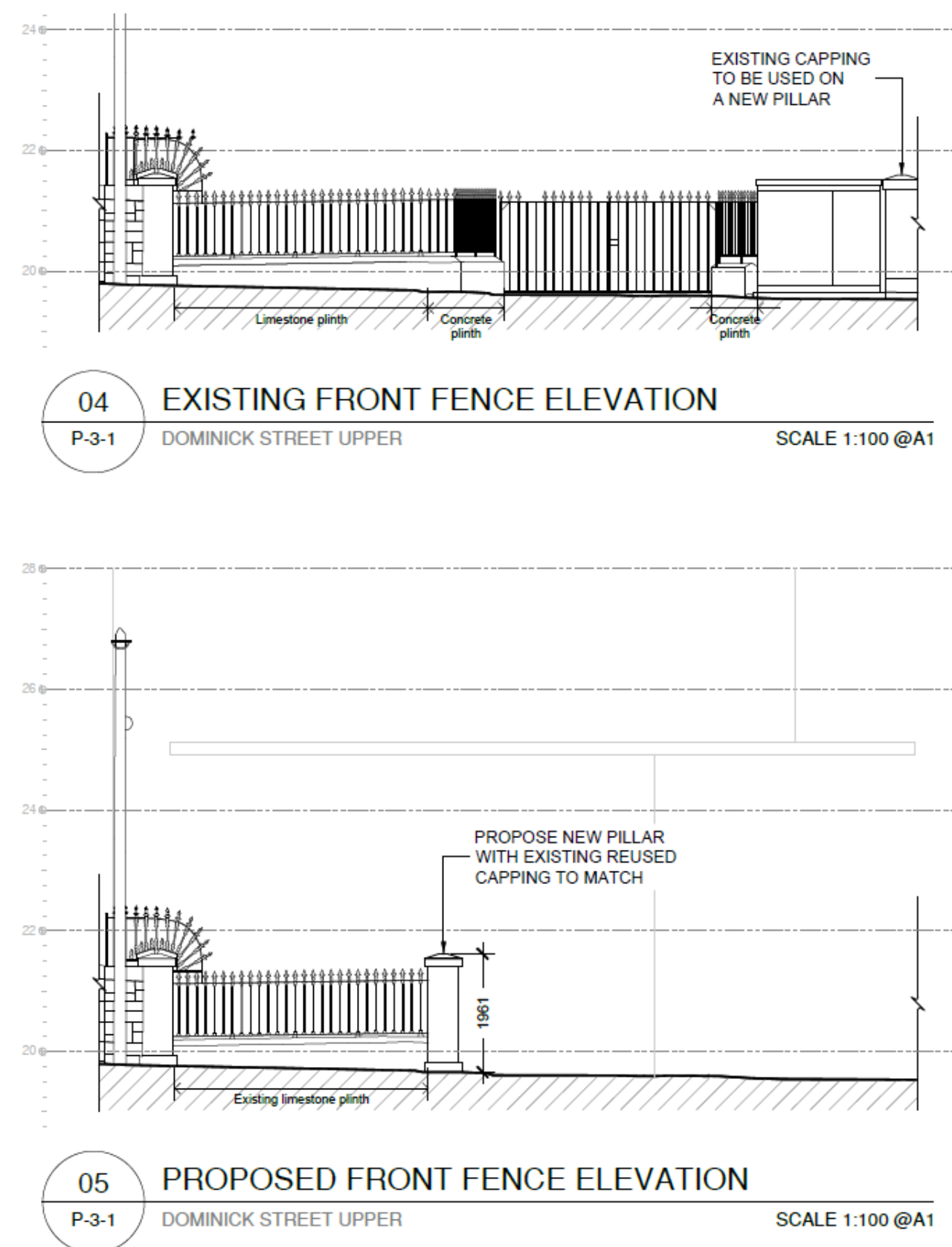
2.29 **Response:** We refer to the Architectural Heritage Impact Assessment Report (AHIA) by Historic Building Consultants in response to item 6(c) which states;

*'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 "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.'*

**Figure 13 - Existing and proposed railings and piers**



Source: John Fleming Architects



Figure 14 - View of the existing gates and railings

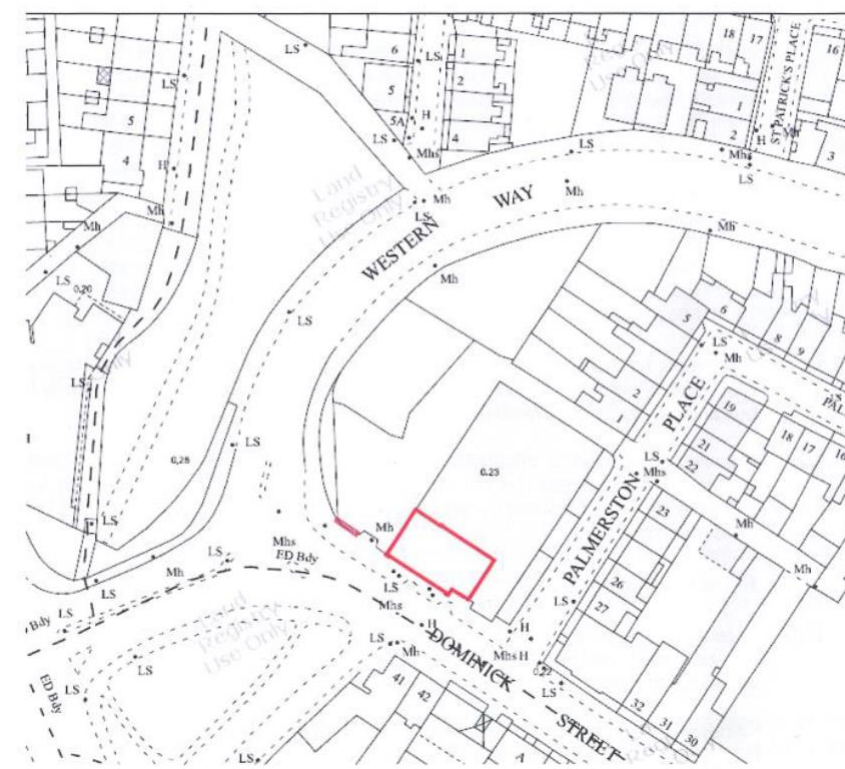


Source: Historic Building Consultants

- 2.30 We also refer to the assistant chief executives report (ref. 38/2020) to Dublin City Council Members dated 22 January 2020 in relation to the listing of the Hendrons Building on the record of protected structures. The report includes and refers to Figure 15 below which indicates that only a section of the existing railings (as described in the AHIA and show in red in Figure 15) are protected. The remaining section adjacent to the gate immediately adjacent the Hendrons Building are non-original.

Figure 15 - Extract from DCC report 38/2020

The proposed protected structure is outlined below in red (Hendrons: Main building and original historic western railings only)



- 6(d) A set of 1:100, 1:50 drawings should be provided of the existing and proposed plans, sections, and elevations of the Protected Structure.

- 2.31 **Response:** Please refer to the Existing Survey Drawings in Appendix B of the Conservation Development Strategy Report by Carole Pollard which provide a suite of existing plans and elevations at a scale of 1:100. We also refer to drawing P-S-0-4 prepared by John Fleming Architects. Given the nature of the building, it is proposed that further detailed plans be provided to the conservation officer at Dublin City Council following detail investigations at the Hendrons Building. It is respectfully requested that a condition be included (should the Board be minded to grant permission) requiring provision of the above details in consultation with the conservation officer.

- 6(e) Any surviving industrial features (such as the winch visible in the rear laneway) should be incorporated where appropriate/possible into the building to reflect the former industrial use.

- 2.32 **Response:** The following is an extract from the Conservation Development Strategy in response to item 6(e);

*'The existing steel trusses and winches which are attached to the warehouse buildings on Palmerston Place (to be demolished) will be retained to reflect the former industrial use of the buildings. In accordance with the Construction Management Plan, the trusses and winches will be secured in place during the demolition works by means of temporary supports. They will remain in the same positions and will be secured to the gable end of the newly constructed Block A.'*

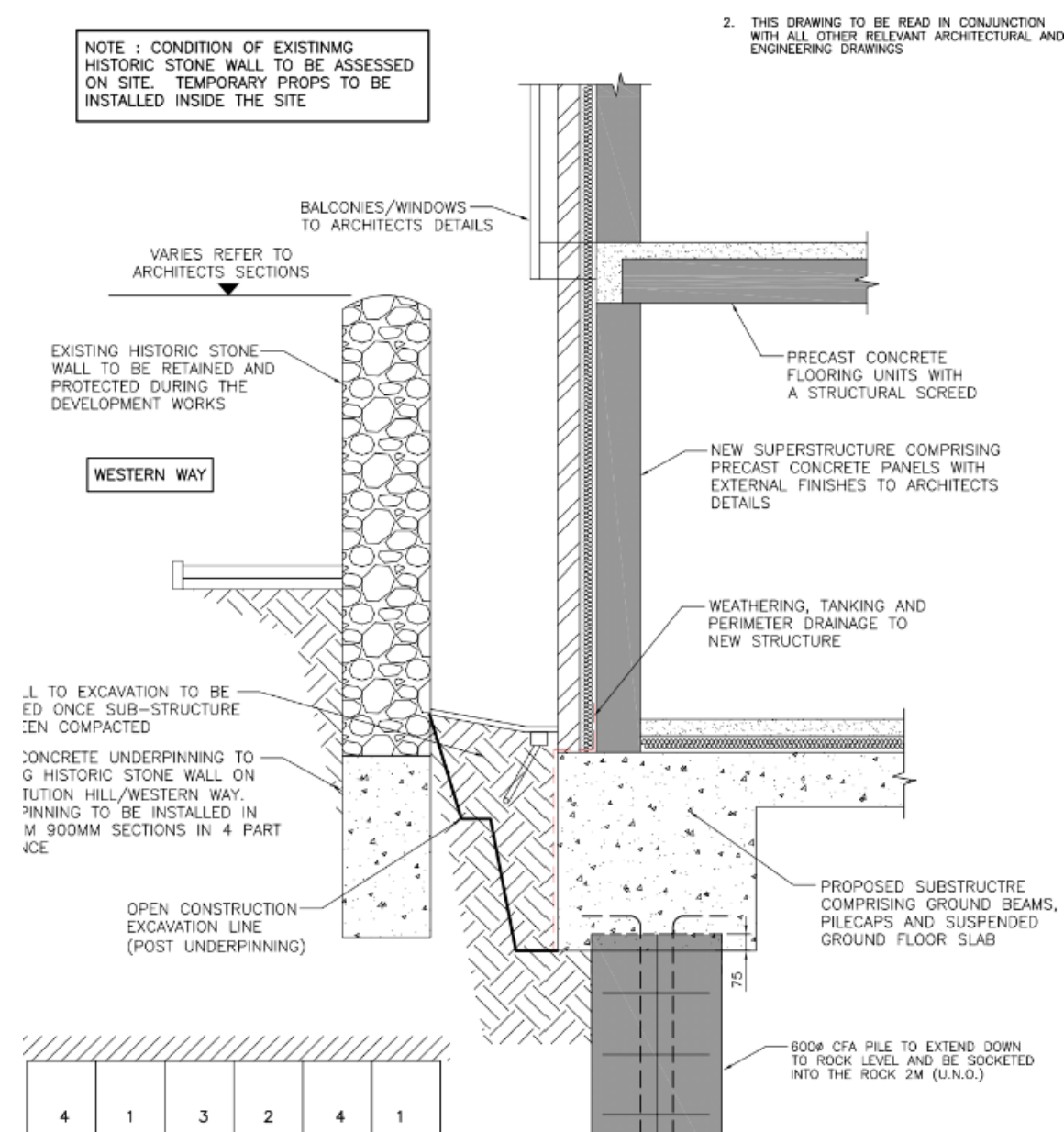


- 2.33 The AHIA further notes;  
*'Very little survives of machinery or other industrial equipment at Hendron's. The only exceptions are winding gear at the rear of the buildings at the access lane from Palmerston Place. Here there is a steel gantry comprised of steel stanchions supporting a steel beam 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.'*

6(f) Detailed sections and structural details shall be provided to illustrate how the new building will be constructed whilst protecting and consolidating the integrity of the boundary wall.

- 2.34 **Response:** We refer to the engineering drawings prepared by Waterman Moylan Consulting Engineers. Drawing no. 310 provides a typical section of the wall in relation to the proposed building adjacent. The methodology proposed demonstrates the retention and protection of the wall during construction.

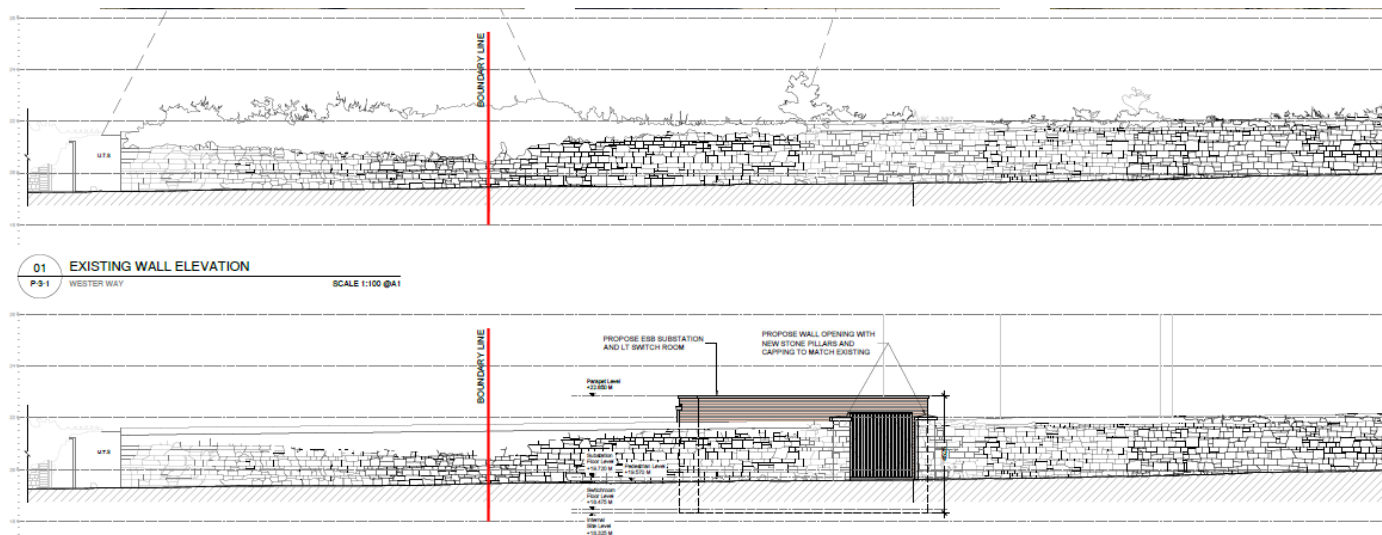
**Figure 16 - Typical section showing underpinning of the boundary wall**



6(g) Details shall be provided of the proposed new access through the wall to the new ESB substation.

- 2.35 **Response:** Access to the proposed ESB substation and switch-room is proposed via Western Way. This will include demolition of a small section of the existing stone wall (c. 2 metres) to facilitate the access point. 24- hour access is required by the ESB to service all substations.

**Figure 17 - Extract showing proposed gate access treatment to the ESB Substation from Western Way**



2.36 In this regard, the accompanying Energy Statement by Waterman Moylan states;

*'The location of the building substation required to provide a power supply to the development has been identified on the architects planning drawings and will comply with the ESB current guidelines to provide uninhibited 24 hour vehicle access from a public road. A formal application cannot be made at this stage but will be made as soon as the planning permission has been granted and the addresses are confirmed'*

2.37 In relation to the impact on the existing boundary wall, the Architectural Heritage Impact Statement by Historic Building Consultants includes the following response;

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

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

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

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

2.38 Given the lack of alternative locations, the circumstances that determine the necessity for opening a gap in the wall are considered exceptional and acceptable in this instance.

6(h) Details to be provided of the external basement area in front of Block A and how it will be landscaped and accessed for maintenance.

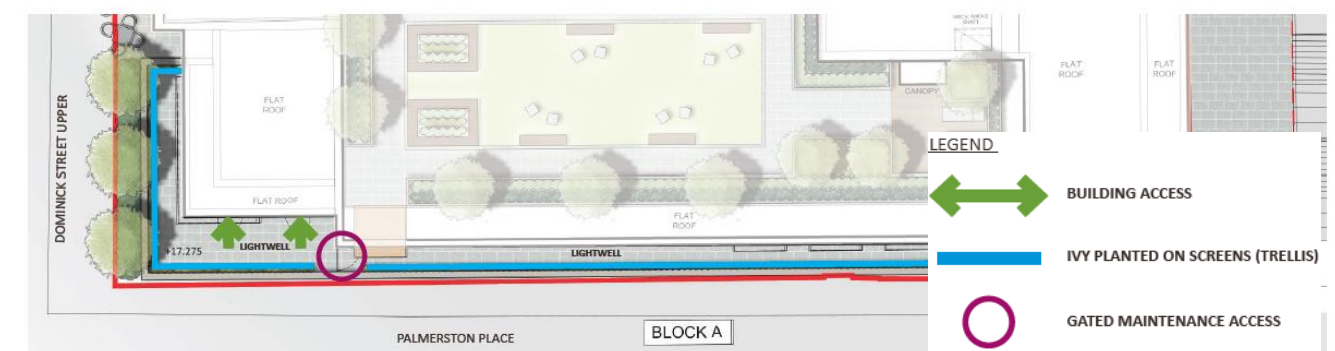
2.39 **Response:** Please refer to the Landscape Masterplan (p27) prepared by Park Hood Landscape Architects. The masterplan states:

*'The landscape design proposes Ivy (Hedera helix) screens to be planted along the wall of the light well in front of Block A. The Ivy will provide year round colour and upright coverage along the wall. Paving in the light well area is proposed to be a similar material to the courtyard.*

*The light well can be accessed by the residents through the LKD on the lower ground floor level. Residents will have access to the light well on the corner of Dominick Street Upper and Palmerston Place.*

*Gated access within the lightwell along Palmerston Place provides access for maintenance/operations. This area will not be accessed by residents. '*

**Figure 18 - Extract showing the treatment of the lightwell adjacent to Palmerston Place**

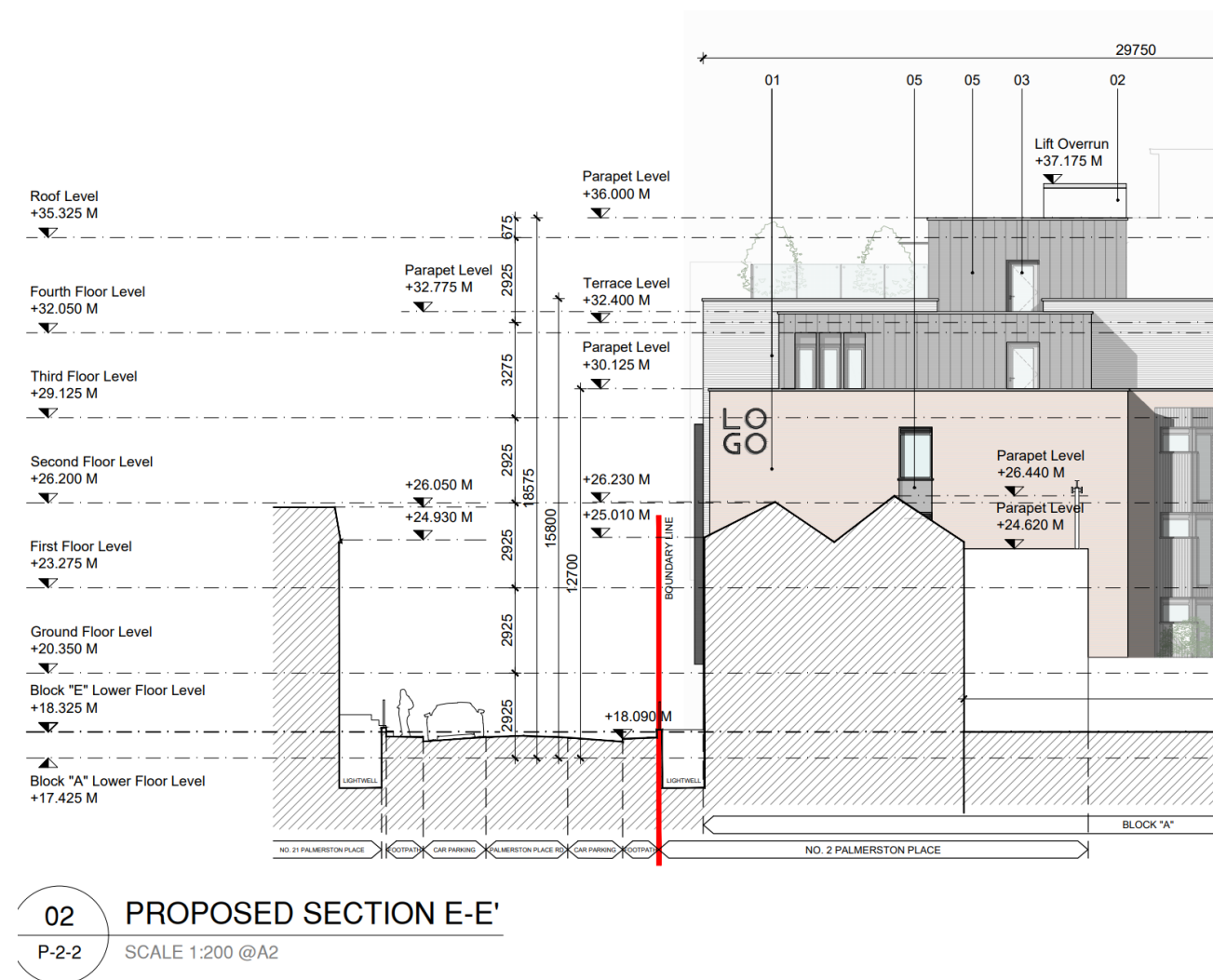


Source: Park Hood Landscape Architects

6(i) Parapet heights indicated on all existing terraced brick houses indicated on section drawings for comparative purposes.

2.40 **Response:** We refer to John Fleming Architects drawing numbers P-2-2 and P-2-1 with extract below showing parapet heights as required.



**Figure 19 - Extract from P-2-2 prepared by John Fleming Architects**

Source: JFA

**6(j) Details of the proposed railings and gate on Palmerston Place.**

2.41 **Response:** We refer to the Conservation Development Strategy by Carol Pollard which states:

*'The existing steel gate on Palmerston Place is not original and has no heritage significance. This is not a conservation matter.'*

**6(k) Details to be provided of proposed repairs to the boundary garden wall with the properties on Palmerston Place.**

2.42 **Response:** The AHIA prepared by Historic Building Consultants states;

*'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'.*

**2.5 Item no. 5 – ESB Substation**

Item no. 5 of the An Bord Pleanála opinion states:

*"A rationale for the location and means of access to the proposed ESB substation and details of the treatment of any interventions in the boundary wall to Western Way."*

2.43 We refer the Board to the detailed response provided in relation to point 6(g) above.

**2.6 Item no. 6 – Daylight and Sunlight**

Item no. 6 seeks:

*"A detailed daylight and sunlight assessment of the proposed development, in accordance with the BRE 209 document "Site layout Planning for daylight a guide to good practice Second Edition -2011" by Paul Littlefair, which shall include all ground and lower ground floor units and all amenity spaces."*

2.44 In response an updated Daylight and Sunlight Assessment has been submitted by Digital Dimensions as part of this application and includes an assessment of all lower and upper ground floor levels as required. In relation to daylight and sunlight access to the proposed development, the report concludes;

*'All relevant rooms on the lower ground and upper ground floor exceed the minimum recommendation for Average Daylight Factor and will have adequate daylight. The proposed development meets the criteria set out in BRE Guidelines and BS 8206 Part 2 Code of Practice for Daylighting.'*

**2.7 Item no. 7 – Open Amenity Space**

2.45 Item no. 7 seeks:

*"A report specifically demonstrating how the development provides a satisfactory area and quality of open amenity space for future residents having regard to the provisions of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, in this regard."*

2.46 High-quality external amenity space is provided throughout the development. The proposal is accompanied by a Landscape Design and Access Statement prepared by Park Hood Landscape Architects and a Schedule of Accommodation by John Fleming Architects. The schedule notes a provision of 1,267.1sqm of external amenity spaces available within the site for resident use. This is provided across 3 key areas including a central courtyard (752.5sqm), a roof terrace at fourth floor level of Block A (303.7sqm) and a roof terrace at seventh floor level (93.2sqm).



Figure 20 - Diagram illustrating the location of external amenity spaces throughout the site



Source: Park Hood Landscape Architects

2.47 In relation to the roof terraces, the Landscape Design and Access Statement states;

*'roof terrace's located on Block A and D provide additional communal amenity space for residents within the development. The roof top gardens are designed with a mixture of hard landscaping, artificial grass, seating, feature multi-stem trees, and low ornamental shrub planting. A canopy on the Block A roof terrace allows for the space to be utilised throughout the year by residents. The trees selected for the roof gardens provide a range of interest throughout the seasons. The roof terraces have been designed to be a 'flexible open space' with moveable furniture and open areas. This allows the roof terraces to be utilised in a variety of ways by the residents (barbecuing, gardening, yoga, relaxing etc.)'*

2.48 The management plan states;

*"Sections of the flat roof have been designed for residents to cultivate their own fruit, vegetables and herbs, giving a real sense of meaning and to further strengthen the long term resident rather than transient dwellers."*

2.49 In relation to the ongoing operation and use of these spaces, the plan states;

*'Use of this area will be managed to ensure use by Hendrons residents doesn't negatively impact the building's neighbours. The property manager will closely monitor and control these areas. Availability being restricted to pre-agreed times.'*

Figure 21 - Plan view of the proposed roof terrace at Block A

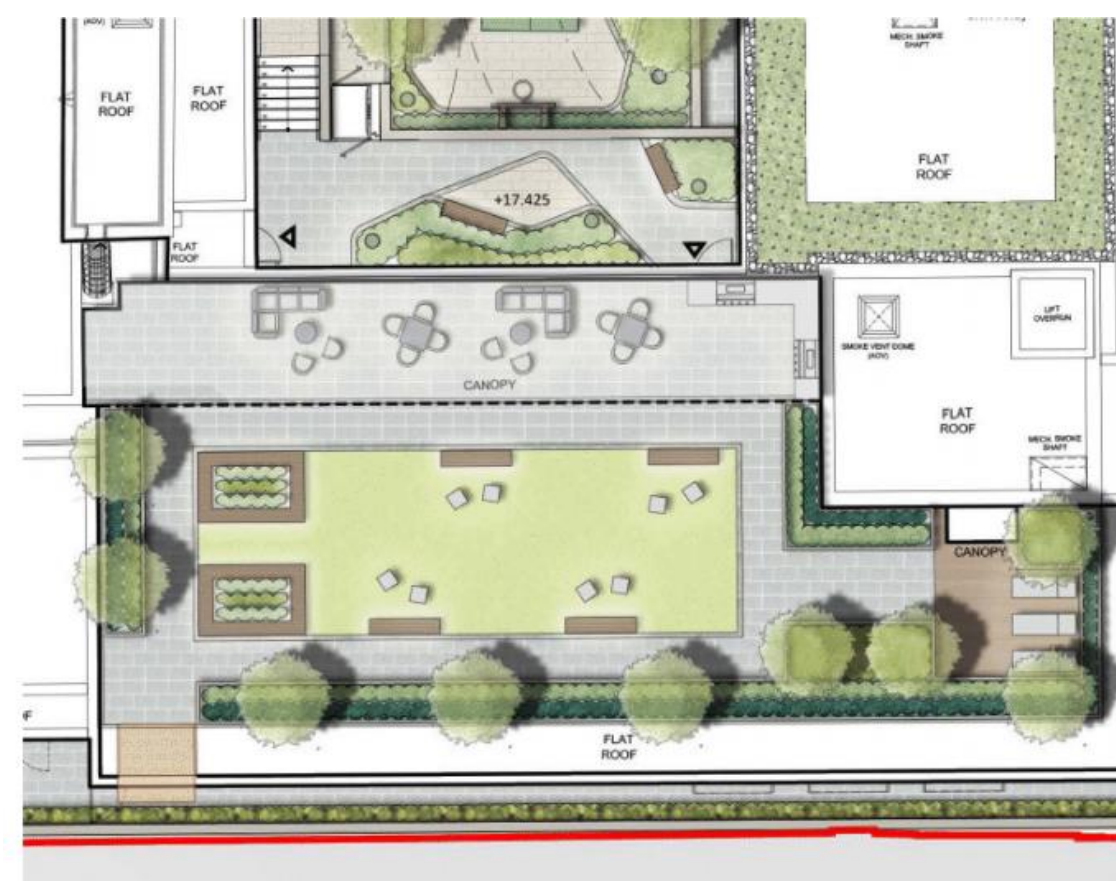


Figure 22 - View of proposed roof terrace at Block D





**Figure 23 - CGI of the proposed roof terrace at Block A**

Source: Park Hood Landscape Architects

## 2.8 Item no. 8 – Development Standards

2.50 Item no. 8 seeks:

“A detailed schedule of accommodation demonstrating compliance with the relevant standards set out in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, in relation to Shared Accommodation Developments, including SPPR9, in particular.”

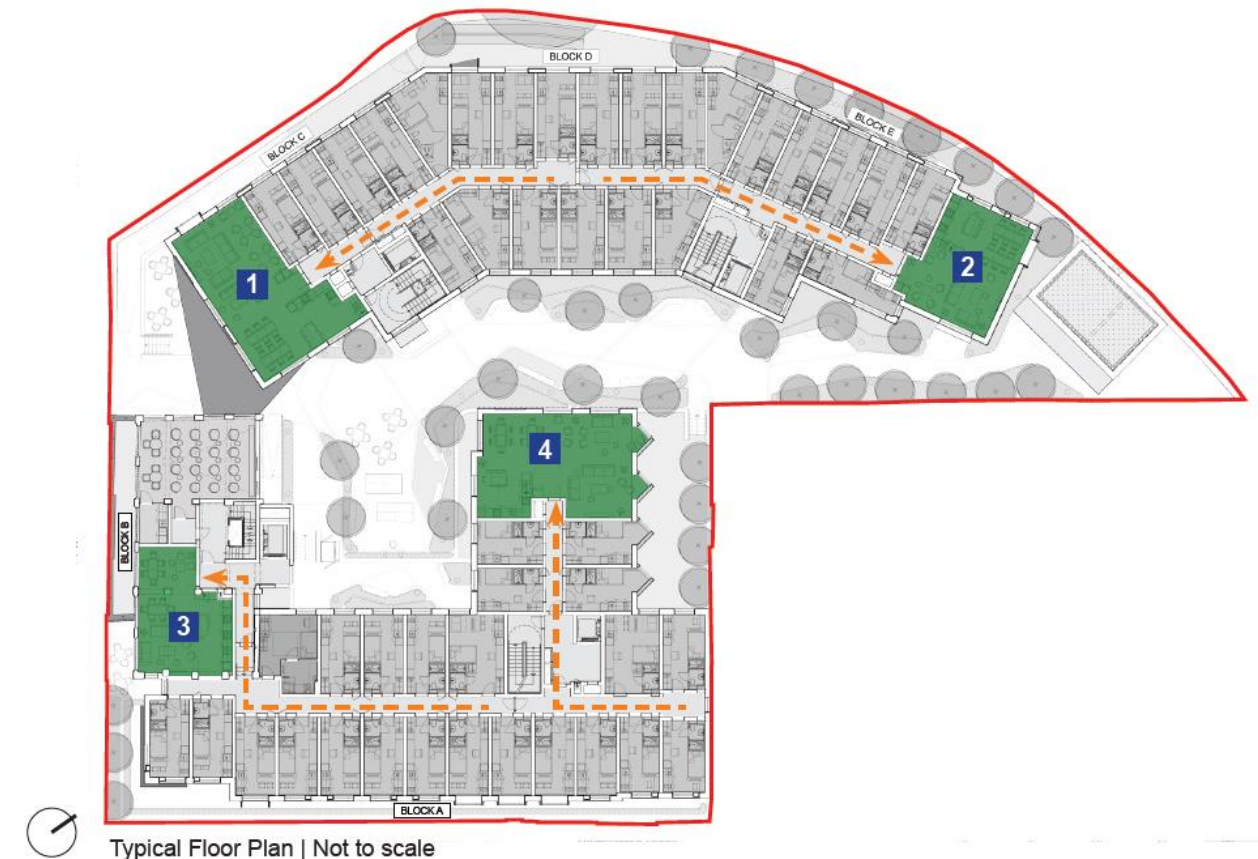
2.51 We refer the Board to the enclosed Statement of Consistency and Planning Report which provides a detailed response to the criteria outlined in relation to Shared Accommodation Developments, including SPPR9 within the *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities*. In addition, a Schedule of Accommodation and a Housing Quality Assessment has been prepared by John Fleming Architects. In addition, the Architectural Design Statement includes a specific response to the above item as follows;

*“The proposed ratio of LKD for the scheme is 6.2 sq.m. per resident (1739.4 sq.m./281 no. residents). For further detail on bedrooms sizes and distribution of the LKD areas on all floor levels please consult floor plan drawings and the “Housing Quality Assessment” submitted as part of this application.*

*It is our intention that the individual LKD units will have different moods/types of spaces to match different residents, such as different age groups. The section of this document “LKD and bedrooms” on page 41 shows a few examples of the environment we hope to achieve on these spaces.*

LKD design and distribution rationale:

- The proposed LKD units are located in areas of the building with great daylight exposure and with views to either the city or into the courtyard;
- The LKD units size on each floor depends on the number of residents they serve. This will balance the proposed ratio of LKD area per resident through the scheme;
- If we use the typical floor as an example to illustrate the previous items (please see image below) it is evident that the LKD rooms in blocks A and B are similar in size to the LKD rooms in blocks C, D and E. LKD-1 and LKD-2 will serve the 25 no. residents on blocks C, D and E, the area of the two spaces is 155.0 sq.m. which represents 6.2 sq.m of LKD per resident. LKD-3 and LKD-4 will serve the 24 no. residents on blocks A and B, the area of the two spaces is 148.2 sq.m. which represents 6.2 sq.m of LKD per resident.’

**Figure 24 – Typical floor plan showing locations of LKD spaces throughout the site**

Source: JFA

## 2.9 Item no. 9 – Bicycle Parking

2.52 Item no. 9 seeks:

“A rationale for the extent of bicycle parking provision and provision for motorcycle parking within the site, which should also address potential expansion to meet increased demand over time.”

- 2.53 Section 3.4 of the Traffic and Transport Assessment by Waterman Moylan includes a detailed response to item 9. An extract is included as follows;

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

*On that basis, it is proposed to provide 1 no. cycle parking space for every 2 no. units. The proposed development includes provision of 112 no. indoor bicycle parking spaces in double racks, located in a bicycle storeroom accessed directly from the courtyard. There are an additional 32 no. bicycle spaces located adjacent to the ESB and switch room at the north of the site, with a canopy above, for a total of 144 no. bicycle spaces (which equates to 1 no. space for every 2 no. units).*

*In addition to these bicycle parking spaces, there are 31 electric vehicle spaces provided within the bicycle storeroom, for Electric Scooters and similar small personal vehicles.'*

- 2.54 On this basis, it can be considered that the proposal meets and exceeds the requirements, providing a range of transport options for future residents.

## **2.10 Item no. 10 – Taking in Charge**

- 2.55 Item no. 10 is seeking:

*"A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority."*

- 2.56 It is not proposed that any areas of the proposal would be taken in charge by Dublin City Council.

## **3.0 CONCLUSIONS**

- 3.1 This document outlines how the items outlined in the pre-application consultation opinion from An Bord Pleanála in relation to the proposed residential development at lands at Hendrons have been addressed in full by the applicant and design team prior to lodgement of the application to An Bord Pleanála.
- 3.2 The document also addresses the specific information requested by An Bord Pleanála and identifies the source or location of the response within the planning submission documentation.
- 3.3 The relevant prescribed authorities identified in the pre-application consultation opinion from An Bord Pleanála have also been notified of the submission of the planning application in accordance with Section 8(1)(b) of the Planning and Development (Housing) and Residential Tenancies Act 2016.
- 3.4 The layout and design changes incorporated into the final scheme will result in improvements to the overall design and layout and will provide a sustainable approach to the development of these lands. It is respectfully submitted that the proposed development is consistent with the proper planning and sustainable development of the area, and is consistent with all relevant national, regional and local planning policies and guidelines and respectfully request that An Bord Pleanála grants permission for the proposed development.