

Report on SHD Planning Application

Plan No:	SHD0027/20
Location:	Hendrons Building, 36-40 Dominick Street
Applicant:	Western Way Ltd
Proposal:	The development will consist of the provision of 280 No. bedrooms in a shared accommodation facility with neighbourhood uses on the site of the Hendrons Building and wider site including dwelling at No. 36 Dominick Street Upper
Application Type:	Strategic Housing Development

Site Location and Description

The site has a stated site area of 3,285sqm and is currently vacant. The site is split into four parts: the Hendrons Building, the adjacent warehouse buildings, a large car parking area and No.36 Dominick Street Upper. There is a stone wall boundary between the site and the Western Way.

The Hendrons Building was built 1946-59 and is a six-bay four storey former showroom. The building was built by former employees, one floor at a time. The building has influences of International Modernism with flat roof, white render walls and modern materials. This building is a distinctive and well-known landmark in the area and a rare example of twentieth-century vernacular modernism and is a protected structure.

No.36 Dominick Street Upper is a 3-storey dwelling house connected to the Hendrons building. The house was a former boarding house and is vacant and in very poor condition.

The warehouses to the rear of the site are 1950's 2-storey 10-bay workshops which were formerly used in connection with the Hendrons Building.

To the north of the site is a traditional residential area of one and two-storey houses and the Blessington Street Park and Basin. To the south of the site is the Kings Inns and to the east of the site there are higher density residential areas including 4-6 storey apartments along Dominick Street.

The site is approximately 100m from the Broadstone DIT Luas stop and the Broadstone Station building.

Proposed Development

The proposed development is described in the public notices as follows:

The development, which ranges from 4 to 9 no. storeys across 2 no. buildings (described as Blocks, A, B, C, D and E [Blocks A and B over basement]) provides for the retention and re-use of the Hendrons Building, to include the addition of an extra storey and adaptive works and the extension of the building to provide a development of c. 11,384sqm, including 10,951sq.m of Build-to-Rent Shared Living Accommodation (inclusive of amenity space), 280

no. units [281no. bedspaces], c. 433sq.m of other uses including a gym, café/shop and yoga studio.

The development will consist of:

- Demolition of the existing vacant warehouses and boundary wall fronting Palmerston Place and the existing dwelling at no. 36 Dominick Street Upper (c. 2,362.8sqm) and the construction of Build-to-Rent Shared Living accommodation on site the including; Block A fronting Palmerston Place (4 – 5 no. storeys), Block B, the Hendrons Building (5 no. storeys including 5th floor setback), Block C on the corner of Dominick Street Upper and Western Way (9 no. storeys), Block D fronting Western Way (7 – 8 no. storeys) and Block E fronting Western Way (5-6 no. storeys);
- Adaptive re-use of and related works to the existing Hendrons building, a protected structure under RPS Ref.: 8783; for use for shared living accommodation and a café/shop; including retention of existing 'Hendrons' signage, the construction of an additional storey (resulting in a 5 no. storey building [Block B]), involving alterations and additions, including removal of original and non-original internal dividing walls, construction of openings within the original walls on the north-west, south-east and rear elevations to accommodate new doors and windows; removal of 2 no. external emergency exit stairs, reinstatement and restoration of original window openings on all façades and retention and repair of the existing glass blocks, original railings, stairs and lift shaft;
- Block C will accommodate a gym, yoga/Pilates studio and changing rooms (c.260 sqm) at lower ground floor level; Block B will include café/shop (c. 173sqm) upper ground floor;
- Resident internal amenity space is provided within the upper levels of the Hendrons Building (Block B) and throughout the scheme including; living, kitchen dining areas, co-working spaces, a sky lounge, laundry, cinema room, games room, waste management facilities, bicycle repair station, storage and lounge areas (2,186sqm), bicycle spaces (175), 3 no. motorcycle spaces and plant at basement level;
- External amenity space (total c. 1267.1sqm) is provided in the form of 2 no. roof terraces at Block A (fourth floor level – Palmerston Place 303.7 sq. m) and Block D (seventh floor level – Western Way 93.2 sq.m) [levels include upper and lower ground floor] and within a central courtyard and outdoor seating areas (870.2 sqm);
- Provision of an ancillary single storey ESB substation and switch-station including access via Western Way (and removal of a section (c.2m) of the boundary wall (protected structure no. 8483) to accommodate this;
- Provision of site wide landscaping including pathways, lighting, sedum roofs and all ancillary site development works including boundary treatments.

Planning History

The following history files are considered to be of relevance:

3938/08/ABP PL29N.233677 Permission refused following a third party appeal for:

Development of a mixed-use scheme on a site of 0.3444 hectares, approximately, principally identified as the site of the 'Hendron's' building, located to the east of the junction of Western Way and Dominick Street Upper, Dublin 7. The site is bounded to the north and west by Western Way, to the south by Dominick Street Upper and to the southeast partially by Palmerston Place and partially by the rear gardens of nos. 1-5

Palmerston Place. The site contains a stone wall which is a protected structure (Dublin City Council RPS no. 8682), extending along the site's boundary with Western Way. The overall proposed development will consist of: the demolition of the existing building on site (3,130 sq.m) and the construction of a mixed use scheme with a total gross floor area of 11,466 sq.m. The proposed development ranges in height from single storey to 14 storeys over 1 no. basement level and comprises: 48 no. residential units (5 no. 1 bedroom apartments, 33 no. 2-bedroom apartments and 10 no. 3 bedroom apartments); 4 no. live/work units (3 no. 3 bedroom live/work units and 1 no. 4-bedroom live/work unit); 32 no. apart-hotel units (2,505 sq.m); offices (1,532 sq.m), a neighbourhood shop (675 sq.m); an artists gallery/studio (511 sq.m) and restaurant (334 sq.m). The proposed development also comprises works to the existing stone boundary wall (RPS no. 86825) fronting Western Way (which will be retained and incorporated into the proposed development), including the creation of openings in the wall of various sizes to form pedestrian entrances to the development, and the removal of the existing ashlar stone piers, plinth and cast iron railings to Upper Dominick Street. The proposed development comprises 3 no. building elements arranged around a central landscaped courtyard at ground floor as follows:

The first element comprises a block ranging in height from 4 to 14 storeys extends from site's south-western corner at the junction of Western Way and Dominick Street Upper to the site's southern corner at the junction of Palmerston Place and Dominick Street Upper. This element will comprise a neighbourhood shop at ground floor level (657 sq.m); offices extending from ground floor level to fourth floor level inclusive (totalling 1,532 sq.m); 20 residential units extending from first floor level to fifth floor level inclusive (5 no. 1-bedroom apartments, 10 no. 2-bedroom apartments, and 5 no. 3-bedroom apartments); a restaurant at fifth floor level (334 sq.m) and 32 no. apart-hotel units extending from sixth floor level to thirteenth floor level inclusive (totalling 2,505 sq.m).

The second element is a primarily residential block ranging in height from single storey to 6 storeys and is located to the north of the first element. It extends along part of the western site boundary fronting Western Way. This element will comprise 15 no. residential units in total extending over each floor level (12 no. 2-bedroom apartments, 3 no. 3-bedroom apartments); 4 no. live/workunits extending from ground floor level to second floor level (3 no. 3-bedroom live/work units, 1 no. 4-bedroom live/work unit); and a gallery/studio facility at ground floor level (511 sq.m).

The third element is a primarily residential block with a height of 5 storeys (with a partial set-back at fifth floor level nearest the existing residences to the north of the site) which extends along part of the eastern site boundary fronting onto Palmerston Place. This element includes 13 no. residential units in total spread over each floor level (11 no. 2-bedroom apartments and 2 no. 3-bedroom apartments). The development also includes 1 no. basement level principally comprising: 68 no. car parking spaces; 60 no. bicycle parking spaces; plant rooms; private residential storage; and bin storage. The proposed development will provide pedestrian access/egress points along Western Way, Dominick Street Upper and Palmerston Place. Vehicular access to the basement level will be provided from the site access road off Palmerston Place. The proposed vehicular access arrangement will involve reversing the existing one-way circulatory regime along Palmerston Place so that all traffic must enter at Dominick Street Upper and exit at Mountjoy Street. In addition the section of Palmerston Place between the proposed access and Dominick Street Upper will be opened up to two-way traffic. The proposed development will result in the removal of 7 no. existing pay and display parking bays along the western kerb line of Palmerston Place. The

proposed development also includes changes in level; boundary treatments; all hard and soft landscaping; balconies and terraces; vehicular access points; internal roads and pathways; pedestrian access points; site services and all associated site development works above and below ground.

Reasons for refusal:

1. *Having regard to the location of the site, in an elevated, prominent position near the top of Constitution Hill, in the vicinity of a number of significant protected structures, including Broadstone Railway Station and Kings Inns and adjacent to a residential conservation area, it is considered that the proposed development, notwithstanding the revisions proposed on appeal, would, by reason of its design, height, scale and mass, be visually obtrusive, would seriously injure the visual amenities of this sensitive area and would constitute overdevelopment of this site. Furthermore, the Board is not satisfied that the quality of the design of the proposed development would justify the demolition of the 'Hendron' building, a building of some architectural character. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*
2. *Having regard to the height, scale and mass of the proposed development, it is considered that the proposal would seriously injure the residential amenities of the area by reason of overshadowing, overlooking and would be visually overbearing. Furthermore, the proposed development would not provide adequate amenity for future residents, given the extent of overshadowing of the communal courtyard. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area and the amenities of property in the vicinity.*
3. *Having regard to the restricted width of Palmerston Place and Middle Mountjoy Street and the right angle bend on Palmerston Place, the Board is not satisfied that the location of the proposed vehicular access is the optimal for this site, in the absence of an assessment of alternative locations. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

Pre-Application Consultations

Section 247 consultations were held under Section 5 of the Planning and Development (Housing) and Residential Tenancies Act 2016:

- Meetings with Planning Authority on 28th May 2020.
- Tripartite meeting with An Bord Pleanála on 16th September 2020

Central Area Committee

A presentation of the application was made to the Central Area Committee on the 13th January 2021. Minutes of these meetings are attached as Appendix 1 of this report.

Observations

Seventy five third party submissions have been received in relation to the proposal.

The issues raised in the submissions include the following:

- Overdevelopment of the site that due to the scale and height of the proposal.
- Negative impact on setting of the protected structure and negative impact on Palmerston Place streetscape.
- Insufficient car spaces.
- Development will create traffic congestion.
- No contribution to neighbourhood or diversity of use in the Z3 zone.
- Lack of natural light will be an issue to occupants.
- Small accommodation will cause wellness and mental health issues.
- Shared living poses dangerous virus health environment.
- Co-living will not help to alleviate the current family housing crisis.
- Development is contrary to the de-facto ban on Co-living.
- Contrary to new Apartment Guidelines due to overconcentration of similar developments in the area.
- Negative impact on the established communities in this area.
- Co-living is no longer accepted as good standard of housing in accordance with current government policy.
- Not enough activity frontage.
- The proposed development would intrude into established views of Broadstone Station, the King's Inns and the Black Church on Montjoy Street.
- Overlooking of gardens on Palmerston Gardens.
- Inaccuracies in the submitted Daylight and Sunlight Impact report.
- Negative impact on the Hendrons building, a protected structure.
- Inappropriate choice of finishes.
- No consultations with the local residents prior to lodgement of the application.
- Negative impact on, and proposed removal of some of the protected Western Way Boundary Wall.
- Lack of internal green space.
- Previous reasons for refusal at this site still apply.
- Overconcentration of shared living and "temporary/transient" accommodation in the area.
- Communal courtyard deprived of light.
- Height and bulk of building along Western Way.
- Need for social and affordable housing in the area.
- Lack of transition between proposal and the existing houses along Palmerston Place.
- The development will have a negative impact on the TUD Grangegorman development.
- No provision for public access to green spaces.
- Landmark character of Hendrons Building subsumed into overbearing new development.
- Retention of No.36 Dominick Street Upper not adequately explored by developer.
- The proposed development is a flawed short-term response to a serious housing shortage.
- Impact on the water pressure of the area.
- Proposal blurs the line between the heritage structure and new build.
- The proposed layout is inflexible and will not allow for future different uses.
- Removal of existing artist studios.
- The units will not be affordable.
- The development will not contribute to the community.
- Proposal for booking community spaces not open to all.
- No provision for Part V Social Housing.
- The return wing of block A will overwhelm both internal and external outdoor amenities.

- Co-Living is poor quality housing.
- Over-concentration of transient living accommodation in the area.
- Overdevelopment having regard to the Z3 Zoning Objective.
- Negative noise impacts arising from the elevated external amenity areas.
- Inadequate Bicycle Parking proposals.
- Question of the validity of the bat survey.
- Negative impact on property values.
- Proposals would have significant impact on the environment.
- Lack of cultural space.
- Impact of the services on the Protected Structure.
- Development does not integrate with the surrounding Residential Conservation Areas.
- Lack of public participation at pre-application stage.
- The proposed material contravention in relation to height is not lawful.
- Application is a breach of the spirit of emerging national policy which is to prohibit co-living developments.
- Submitted 'Shared Accommodation Demand Report' is unsatisfactory.
- The proposed development does not meet planning requirements for sustainable communities.
- Noise created from development would detrimentally effect residents in the area.
- The setting of the protected structure would be negatively impacted by the proposed development.

External Consultees/Interested Parties

The following provides a summary of the main points raised:

Irish Water: No objection subject to conditions.

Transport Infrastructure Ireland: No objection subject to conditions.

Inland Fisheries Ireland: No objection subject to conditions

Department of Tourism, Culture, Arts, Gaeltacht, Sports and Media: No object subject to conditions relating to archaeology and Nature Conservation.

Arts Council: States that the proposal does not take sufficient account of the historic and cultural status of the existing buildings. They state that the distinct, detached, articulated form of the Hendrons' Building will be compromised and that the scale of the proposed development appears to overwhelm the size, scale and proportion

Interdepartmental Reports

Transportation Planning: No objection subject to conditions

Drainage Division: No objection subject to conditions

Parks and Landscaping: No objection subject to conditions

Archaeology: No objection subject to conditions

Environmental Health Officer: No objection subject to conditions

Waste Regulation: No objection subject to conditions.

Conservation:

No objection subject to conditions.

Zoning

The entire site is zoned Z3 the zoning objective is: “To provide for and improve neighbourhood facilities”)

The subject site contains two protected structures:

- The Hendrons Building RPS ref.8783
- The boundary wall along Western Way RPS ref.8483

National and Local Policy

National Planning Framework

The National Planning Framework (NPF) which together with the National Development Plan forms Project Ireland 2040, the government’s vision for how to develop the country over the coming decades, was published on 29 May 2018. The NDP sets out a strategic framework for shaping the future growth and development of the country up to the year 2040 in order to accommodate an additional one million people in addition to hundreds of thousands of new jobs. It is an objective of the NPF (NPO2a) that at least half of future population and employment growth will be focused on the five existing main cities and their suburbs. This development should take place in well serviced urban locations, particularly those served by good public transport and supporting services, including employment opportunities. NPO3b is the delivery of at least half of new homes within the main cities within their existing built-up footprints.

Other objectives of the NPF include: (NPO4) ensuring the creation of attractive, liveable, well designed, high quality urban places, which are home to diverse and integrated communities enjoying a high quality of life and wellbeing; (NPO5) developing cities and towns of sufficient scale and quality to compete internationally and to be drivers of regional growth, investment and prosperity; (NPO6) to regenerate and rejuvenate cities, towns and villages of all types and scales as environmental assets, which can accommodate changing roles and functions, increased residential population and employment activity and enhanced levels of amenity and design quality. Building height is seen as an important measure for urban areas to deliver and achieve compact growth as required.

NPO 13 is that:

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

Urban Development and Building Heights Guidelines for Planning Authorities December 2018

In December 2018 the Department of Housing, Planning and Local Government issued statutory guidelines for planning authorities on Urban Development and Building Heights. The guidelines note that, in determining planning policy and making planning decisions in relation to appropriate building heights, the planning process has to strike a careful balance between enabling long term and strategic development of areas and ensuring the highest standards of urban design, architectural quality and place making. It is noted that the guidelines should be considered in conjunction with other policy guidelines, including the Design Manual for Urban Roads and Streets (DMURS) (2013), the Retail Design Manual (2012) and the Urban Design Manual (2009).

The Guidelines state that, in order to meet the objectives of the National Planning Framework, significant increases in building heights and overall building densities need to be not only facilitated but actively sought out and brought forward by the planning process, particularly at local authority and An Bord Pleanála level, with increasing building heights having a critical role to play in delivering more compact growth in urban areas.

Section 2.7 of the guidelines states that, in order to give effect to these broad policy directions and a more active land management centred approach as set out in the NPF, the preparation of development plans, LAPs and SDZ planning schemes and their implementation must become more proactive and more flexible in securing compact urban growth, through a combination of facilitating increased densities and building heights, while also being mindful of the quality of development and balancing amenity and environmental considerations. In identifying areas suitable for increased density and height, planning authorities will need to consider the environmental sensitivities of the receiving environment as appropriate.

In identifying locations suitable for additional height, issues to be taken into account are:

- Central and accessible locations and intermediate urban locations;*
- Potential contribution to the development of new homes, economic growth and regeneration in line with the compact urban growth principles as set out in the NPF and Project Ireland 2040;*
- Reliance of locations from a public access and egress perspective in the event of major weather events or emergencies;*
- Ecological and environmental sensitivities of the receiving environment;*
- Visual, functional, environmental and cumulative impacts of increased building height.*

Sustainable Urban Housing: Design Standards for New Apartments 2018

Shared accommodation is to be considered as a subset of BTR accommodation.

SPPR 9 provides as follows: Shared Accommodation may be provided and shall be subject to the requirements of SPPRs 7 (as per BTR). In addition,

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

- (ii) (ii) The overall unit, floor area and bedroom floorspace requirements of Appendix 1 of these Guidelines shall not apply and are replaced by Tables 5a and 5b;
- (iii) Flexibility shall be applied in relation to the provision of all storage and amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities. The obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;
- (iv) (iv) A default policy of minimal car parking provision shall apply on the basis of shared accommodation development being more suitable for central locations and/or proximity to public transport services. The requirement for shared accommodation to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures.

Section 5.13 describes shared accommodation as follows: ... professionally managed rental accommodation, where individual rooms are rented within an overall development that includes access to shared or communal facilities and amenities. Section 5.15 adds: "One format of Shared Accommodation which is proposed by these guidelines is a residential unit comprising of 2-6 bedrooms, of single and/or double occupancy with a common shared area within the residential unit for living and kitchen facilities."

Section 5.22 also states: "Shared accommodation formats may be proposed other than the format outlined in paragraph 5.15 above. For example, such proposals may be related to the accommodation needs of significant concentrations of employment in city centres and core urban locations such as major national level health campuses or similar facilities. Innovative formats may also be proposed to provide shared accommodation within protected structures in order to ensure their long-term rehabilitation and to address sensitive architectural constraints of the subject building."

Section 5.23 also states: "The granting of planning permission for other shared accommodation formats from those outlined in paragraph 5.15 above will be at the discretion of the planning authority. In assessing such proposals, planning authorities should ensure that sufficient communal amenities are provided in accordance with the specified standards in Table 5b above and that the scale of the development is appropriate to the location/buildings involved and to the specific role that the development of the shared accommodation sector should play in the wider urban apartment market."

Section 5.16 provides quantitative standards for bedroom sizes and communal space floor areas.

Section 5.17 states: "A key feature of successful Shared Accommodation schemes internationally is the provision of wider recreation and leisure amenities as part of the overall development. Residents enjoy access to sports and recreation facilities that are dedicated for use by the residents only and have the opportunity to experience a shared community environment among residents of the scheme."

Sections 5.18 and 5.19 provide guidance on suitable locations for shared accommodation schemes. The prevailing context of the proposed site is to be considered, with city centres being the appropriate location for such developments.

Section 5.18 states: “In this regard the obligation will be on the proposer of a shared accommodation scheme to demonstrate to the planning authority that their proposal is based on accommodation need and to provide a satisfactory evidential base accordingly. Where there is a failure to satisfactorily provide such a basis permission should be refused by the planning authority.”

Revised Sustainable Urban Housing: Design Standards for New Apartments 23rd December 2020.

Specific Planning Policy Requirement 9

There shall be a presumption against granting planning permission for shared accommodation/co-living development unless the proposed development is either:-

(i) required to meet specific demand identified by a local planning authority further to a Housing Need and Demand Assessment (HNDA) process;

or,

(ii) on the date of publication of these updated Guidelines, a valid planning application to a planning authority, appeal to An Bord Pleanála, or strategic housing development (SHD) planning application to An Bord Pleanála, in which case the application or appeal may be determined on its merits.

Section 28 Ministerial Guidelines

The following is a list of section 28 Ministerial Guidelines considered of relevance to the proposed development. Specific policies and objectives are referenced within the assessment where appropriate.

- ‘Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas’ (including the associated ‘Urban Design Manual’)
- ‘Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities’ 2018
- Urban Development and Building Height, Guidelines for Planning Authorities, 2018. Other relevant guidelines include:
 - Rebuilding Ireland: Action for Homelessness
 - Guidelines for Planning Authority, Appropriate Assessment, NPWS

Dublin City Development Plan 2016-2022

Dublin City Council’s policy regarding such developments is set down in the Dublin City Development Plan 2016-2022 and the following sections, amongst others apply:

QH1: *To have regard to the DoEHLG Guidelines on ‘Quality Housing for Sustainable Communities – Best Practice Guidelines for Delivering Homes Sustaining Communities’ (2007); ‘Delivering Homes Sustaining Communities – Statement on Housing Policy’ (2007),*

'Sustainable Urban Housing: Design Standards for New Apartments' (2018) and 'Sustainable Residential Development in Urban Areas' and the accompanying Urban Design Manual: A Best Practice Guide (2009).

QH6: To encourage and foster the creation of attractive mixed-use sustainable neighbourhoods which contain a variety of housing types and tenures with supporting community facilities, public realm and residential amenities, and which are socially mixed in order to achieve a socially inclusive city.

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

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

QH20: To ensure apartment developments on City Council sites are models of international best practice and deliver the highest quality energy efficient apartments with all the necessary infrastructure where a need is identified, to include community hubs, sports and recreational green open spaces and public parks and suitable shops contributing to the creation of attractive, sustainable, mixed-use and mixed-income neighbourhoods.

Dublin City Development Plan 2016-2022 Chp16.4 (Density Standards) states

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

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

Dublin City Development Plan 2016-2022 Chp16.5 (Plot Ratio) states,

"Plot ratios can determine the maximum building floor space or volume on a given site, but on their own cannot determine built form. The same area or volume can be distributed on a site in different ways to generate very different environments

Consequently plot ratio standards need to be used in conjunction with other development control measures including site coverage, building height, public and private open space, and the standards applied to residential roads and parking provision"

The policy for infill development is set out in Section 16.10.10 of the Dublin City Development Plan 2016-2022 as follows:

Having regard to policy on infill sites and to make the most sustainable use of land and existing urban infrastructure, the planning authority will allow for the development of infill housing on

appropriate sites. In general, infill housing should comply with all relevant development plan standards for residential development; however, in certain limited circumstances, the planning authority may relax the normal planning standards in the interest of ensuring that vacant, derelict and under-utilised land in the inner and outer city is developed.

Infill Development;

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

Appropriate Assessment

An Appropriate Assessment Screening Report has also been prepared for the proposed development. This is a matter for An Bord Pleanála to consider, as the competent authority for this application.

Environmental Impact Assessment

The Planning Authority notes that an Environmental Impact Assessment Screening Report has been submitted as part of the application. This is a matter for An Bord Pleanála to consider, as the competent authority for this application.

Planning Assessment

The proposed Strategic Housing Development comprises of the demolition of the existing warehouse buildings and no.36 Dominick Street while maintaining the Hendrons Building. The scheme includes a proposed gym, café/shop and 280 no. shared living units and ancillary amenity facilities over 5 blocks ranging in height from 4no.storeys to 9no. storeys, all on a site of 0.33ha.

The proposed use of the Hendrons Building will include publicly accessible neighbourhood area including a café/shop on the ground floor. A gym and exercise studio in the lower ground floor level and amenity spaces including co-living spaces and area for public use.

The proposed development includes 1,739.4sqm of shared living/kitchen/dining spaces and 1,267sqm of external amenity space, including 2 roof terraces and a central courtyard. A proposed of 447sqm of internal residential amenity and support services are proposed. These include co-living space, a cinema room, games room, sky lounge, laundry, bicycle repair station, an administration suite and reception and storage areas.

Principle of Development

Under the Dublin City Development Plan 2016 – 2022 the site is zoned Z3 the zoning objective of which is “To provide for and improve neighbourhood facilities”

For the purposes of SHD, shared accommodation is defined as ‘residential’ development under the *Planning & Development (Housing) and Residential Tenancies Act, 2016*. On this basis, it is considered that the proposed shared accommodation is permissible with the

relevant zoning objectives on the site. The proposal also includes a public accessible shop, café, co-working spaces, gym and a yoga/TRX studio are also permissible uses in this zone.

An Bord Pleanála's Consultation opinion required the applicant to submit a statement demonstrating 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. This has been submitted. It is stated that proposed development will allow for a shop/café/community space (173sqm) on the ground floor of the Hendrons Building and a gym and a yoga/Pilates studio on the lower ground floor of block C and D. These are to be open to the public. A management plan has also been submitted. The operators state that the lobby area and café will be open to the community to book for events and social gatherings. The gym is to be open to the wider public at all times and the operators will be offering to the community classes provided by external tutors in the exercise studio.

Neighbourhood centres provide an essential and sustainable amenity for residential areas and the development plan recognises that they should be maintained and strengthened where necessary. In a number of the submissions concerns have been raised relating to the lack of neighbourhood uses proposed in the development. The applicant states that the range of uses is considered suitable given the sites proximity to larger centre such as Phibsborough Key District Centre, the Ilac Centre and Jervis Street Shopping Centres. While the site is centrally located and neighbourhood uses are proposed it is considered that if permission is to be granted a condition be attached requiring an additional unit such as a small shop or hairdresser with a street frontage, be accommodated within the scheme.

Compliance with Design Standards for New Apartments 2020

Specific Planning Policy Requirement 9 of the

'There shall be a presumption against granting planning permission for shared accommodation/co-living development unless the proposed development is either:-

(i) required to meet specific demand identified by a local planning authority further to a Housing Need and Demand Assessment (HNDA) process;

or,

(ii) on the date of publication of these updated Guidelines, a valid planning application to a planning authority, appeal to An Bord Pleanála, or strategic housing development (SHD) planning application to An Bord Pleanála, in which case the application or appeal may be determined on its merits'.

As the Strategic Housing Application was lodged before the date of publication of the above guidelines the proposed development will be considered its merits having regard to the standards contained within the Design Standards for New Apartments 2018.

Compliance with Design Standards for New Apartments 2018

Chapter 5 of *Design Standards for New Apartments - Guidelines for Planning Authorities* (March 2018) refers to Build-to-Rent and Shared Accommodation Sectors. Section 5.18 of the Apartment Guidelines states that shared accommodation is only appropriate where responding to an identified urban housing need at particular locations. It is not envisaged as an alternative or replacement to the more conventional apartment developments.

In assessing proposals for Shared Accommodation, the Guidelines state that the Planning Authority shall therefore have regard to:

- (i) *The need for such a type of accommodation in an area with reference to the need to cater for particular employee accommodation needs.*

The guidelines also note that the obligation will be on the proposer of a shared accommodation scheme to demonstrate to the planning authority that their proposal is based on accommodation need and to provide a satisfactory evidential base accordingly. Where there is a failure to satisfactorily provide such a basis permission should be refused by the planning authority.

A *Shared Accommodation Demand Report* has been submitted as part of the application. The report notes that there are a range of employment opportunities in close proximity of the site, with numerous transport connections to the wider city. The report lists the significant concentrations of employment centres in close proximity such as Grangegorman TUD Campus (300m), the Mater public and private (800m), the Rotunda Hospital and the legal precinct at the Four Courts (1km). The report states that the number of employees for the above hubs total approximately 12,000. These employment hubs are within 1km of the proposed site.

Having regard to the above and the location of the proposed development within 1.4km of the O'Connell Bridge, it is considered that there is a need for different accommodation types in the area to cater for different accommodation needs of employees.

- (ii) *The prevailing context of the proposed site shall also be considered with city centres being the appropriate location for such developments.*

The site is located within walking distance of the city centre, and is within 100m of the Broadstone DIT Luas stop and within cycling distance to a range of employment centres. The Mater Hospital is c.0.7km, DIT Grangegorman is c.0.4km, Phibsborough 0.7km and St James c.2km from the subject site. It is therefore considered an appropriate location in principle for a shared living development having regard to its location close to the employment hubs and services and well connected via a range of modal choices.

- (iii) *Appropriate development monitoring exercises are required to be undertaken by the planning authority to avoid an excessive proliferation of shared accommodation developments to the detriment of the supply of quality urban apartment development advocated in these guidelines.*

Permission has only been sought for a small number of such developments in the city council area with no such schemes in current operation close to the site. It is noted that there is a live Strategic Housing Development for 321bed shared living accommodation scheme at the Phibsborough Shopping Centre.

As this is an underutilised site containing no existing residential it is considered that the proposal would not be to the detriment of the supply of quality urban apartment development and would add to the varied residential offering in the area.

Design, Height, Plot Ratio and Impact on Visual Amenity

Plot Ratio and Site Coverage

The indicative site coverage and plot ratio standards are set out in the Dublin City Development Plan 2016-2022. Site coverage standards are 60% for Z3 lands and the plot ratio standard is 1.5- 2.0.

The site coverage for the proposed development is stated as 66% and the stated plot ratio for the development is 3.47:1.

Dublin City Development Plan 2016-2022 Chp16.4 (Density Standards) states *“Sustainable densities promoting the highest quality of urban design and open space will be sought by the City Council in all new developments. The density of a proposal should respect the existing character, context and urban form of an area and seek to protect existing and future residential amenity. Public transport capacity will also be used to determine the appropriate density allowable.”*

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

Dublin City Development Plan 2016-2022 Chp16.5 (Plot Ratio) states,

“Plot ratios can determine the maximum building floor space or volume on a given site, but on their own cannot determine built form. The same area or volume can be distributed on a site in different ways to generate very different environments. Consequently plot ratio standards need to be used in conjunction with other development control measures including site coverage, building height, public and private open space, the standards applied to residential roads and parking provision”

The 2016-2022 Dublin City Development Plan, therefore sets no actual upper unit density limit for any zoned lands, including Z3, with each proposal to be assessed on its own merits as per the assessment criteria above. The application site has good levels of connectivity to public transport links to the Broadstone Bus and Luas stops as well as a number of bus stops along Constitution Hill. Given the central location of the subject site combined with numerous public transport facilities, which are situated in close proximity, it is considered that the subject property represents an underutilised site and therefore a higher plot ratio is deemed acceptable in this instance, subject to an appropriate design response and protection of the surrounding residential amenities.

Building Height and Massing

Block C of the proposed development has a total height above ground of 26.825m. Section 16.7.2 of the City Development Plan 2016, sets out building heights for the city and identifies building heights in the inner city to up to 24m (residential) as being appropriate. The proposed development is approximately 2.82 above the development plan requirement.

As required by An Bord Pleanála's Consultation Opinion the applicant has submitted a Statement of Material Contravention with the Dublin City Development Plan.

It is noted that SPPR1 of the Urban Development and Building Heights Guidelines 2018 states

that a Planning Authority “*shall not provide for blanket numerical limitations on building height*”, Notwithstanding the building height provisions set out in Section 16.7.2 of the City Development Plan 2016- 2022, a full assessment of the proposal against provisions of the building height guidelines has been set out below;

At the scale of the relevant city or town, the new guidelines require the following criteria to be used in the assessment of new development:

- Site to be serviced with high capacity, frequent and well connected public transport.

As outlined in the report above, subject site is well serviced with public transport connections and is also within walking distance of the city centre. The site is therefore suitable for a high density of development in accordance with the principles established in the National Planning Framework.

- Proposals, including proposals in architecturally sensitive areas, to successfully integrate into and enhance the character and public realm of the area, with a landscape and visual assessment to be undertaken.

A Landscape and Visual Assessment has been submitted with this planning application. It has been set out by the applicant that the proposed development is designed with regard to the existing context and the setting of the area and has taken account of the neighbouring properties. The Statement of Material Contravention notes that due to the separation distance between the Broadstone station building and the site there will not be any adverse impact on the character or setting of the protected structure.

It is considered that the redevelopment of this site and the conservation and reuse of the Hendrons building will enhance the character and the public realm at this location.

- On larger urban redevelopment sites, proposed development to make a positive contribution to placemaking, incorporating new streets and public spaces and using massing and height to achieve the required densities, but with sufficient variety in form and scale to respond to the scale of adjoining developments and create visual interest.

The application site comprises of a 0.328ha infill site and therefore does not have the scope to deliver significant changes to the wider public street network. The length of the elevation of adjoined blocks C,D and E facing onto Western Way is alleviated by the change in the orientation of the façade of each block. In this regard it is considered further design work is required. The variation in the parapet heights will create visual interest to the development along Western Way. The retention of the existing Hendrons Building along with the new building will contribute positively to placemaking.. It is also proposed to create outdoor seating/ dining areas in front of the Hendrons Building and adjacent to the gym which potential to both create visual interest and contribute to placemaking at this junction.

Criteria at the scale of the district, neighbourhood and street include:

- Proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.

The planning authority accepts that the subject site is an under-utilised site, which is suitable for comprehensive redevelopment that is of a scale substantially more intensive than the existing site condition. The proposed development would be a considerable step change from the current situation, however given the prominence of the site in close proximity to the Luas line, the Luas station and the Broadstone Station Building it is considered that the development has the potential to make a positive contribution to the urban neighbourhood.

It is noted in the Statement of Material Contravention that as the majority of the site is currently devoid of any substantial planting that the proposed landscaped courtyard area will provide an improved outlook from the existing dwellings and will reintroduce planting to this industrial site. It is considered that there is scope for an increase in the landscaped courtyard area which will add to the positive contribution to the natural environment and neighbourhood. This will be discussed later in the report.

- Proposal is not monolithic or overly horizontal and materials are well considered.

As stated above the changes in orientation of blocks C,D and E and the variation in the parapet heights along the Western Way façade has the potential to create visual interest however it is considered that there additional design work is required to reduce the potential for Blocks C,D and E to appear monolithic or overly horizontal.

- Proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/marine frontage, thus enhancing a sense of scale and enclosure while being in line with requirements in relation to flood risk.

The proposed retention of the Hendrons Building and the public use of the ground floor for the public accessed area, including a café, shop and co working space will provide an active frontage to the recently upgrades public realm in front of the building. The corner of block C which also faces on to this area of public realm is to accommodate a kitchen/dining living room and the gym at lower ground floor level will also provide an active frontage. In this regard, the development has the potential to enhance the urban design context for public spaces.

- Proposal improves legibility through the site or through the wider urban area and integrates in a cohesive manner.

The development site is an infill site surrounded by well-used thoroughfares and while the proposed development will not provide any additional public routes through the site it will not harm the existing legibility of the area.

- Proposal contributes to mix of uses and building or dwelling typology in the neighbourhood.

In this regard, the main uses proposed use would be residential with public uses such as café, co-working and leisure. The proposed co-living units will provide an additional dwelling typology in the neighbourhood.

At the scale of the site or building, the criteria are:

- Form, massing and height to be carefully modulated so as to maximise access to natural daylight, ventilation and views and to minimise overshadowing and loss of light.
- Appropriate and reasonable regard to be had to quantitative performance approaches to daylight provision (e.g. BRE guidelines).
- Where a proposal is not able to meet all of the daylight provisions, this must be identified and a rationale for any alternative compensatory design solutions must be set out, having regard to local factors, including site constraints, and the need to achieve wider planning objectives such as the securing of comprehensive urban regeneration.

Daylight, Sunlight and Overshadowing:

A Potential Daylight and Sunlight Impact Study has been submitted to quantify the impact of the proposed development on the surrounding properties, along with providing an assessment of the levels of daylight by the proposed development.

Shadow Analysis:

The overshadowing impact of the proposed development upon the properties No.1-5 Palmerston Place situated to the north of the application site, as well as the communal open spaces and public realm within the proposed development, has been assessed.

In terms of shading on the amenity areas of the properties on Palmerston Place the report concludes that all of the amenity areas tested would be improved if the proposed development were to proceed. It is stated that in this regard the proposed development would meet the BRE guidelines.

The report has also assess the available sunlight entering the ground floor amenity space and the two roof terraces. While the roof terraces would meet the required BRE guidelines, only 23% of the ground floor amenity area would receive at least 2 hours of sunlight on March 21st. While it is recognized given that this is an infill site, full compliance with the guidelines may be difficult to achieve, this reduction in the standard needs to be assessed having regard to the quality of the amenity proposed. This will be discussed later in the report.

Daylight Analysis:

In respect of the impact of the proposed development upon the surrounding the submitted report provides an assessment of property on Palmerston Place, Dominick House and

Dominick Street Upper within the immediate vicinity and concludes that “A small number of windows are marginally lower than the recommendations with the majority meeting or exceeding the current levels of daylight availability.’ It should be noted that 5no. windows out of the 38no. windows measured do not meet the standards by varying amounts.

Average Daylight Factor:

The report has sets out that as requested by An Bord Pleanala all of the ground and lower ground floor living rooms of the proposed development were assessed that all of them achieve the required Average Daylight Factors (ADF) value in line with BRE guidelines. Given that these lower round floor rooms are likely to receive the least light in the development it appears that the proposed development meets the BER guidelines for Average Daylight Factor. This is especially relevant as the vast majority of the rooms are single aspect.

Sunlight to proposed living spaces

The potential Daylight and Sunlight Impact also assessed the annual probable sunlight hours to the main living areas. In this regard it concludes that one of the living spaces meets the criteria for summer sunshine hours only and three do not meet the target criteria for both summer and winter. It should be noted that all four of these spaces are the living areas in the section of Block A protruding into the amenity space.

In some of these cases, specific assessments may also be required, to include:

- Assessment of micro-climatic impacts such as downdraft, to include mitigation measures and an assessment of the cumulative impacts where buildings are clustered.

The proposed development at up to nine storeys, is not considered to be of sufficient height as to result in significant microclimatic impacts.

- Impact on sensitive bird or bat areas.

A Bat Assessment has been submitted with the planning application, the report states that there is no evidence of bats within the existing building however there are major feeding and commuting area with the site. The report states that there will be a permanent moderate negative impact on bat species due to light disturbance from the development. The report also states that there will be a permanent slight negative impact due to reduced feeding. If permission is to be granted the Parks Department recommend a condition be attached relating to the protection of bats.

- Assessment of whether the proposal allows for retention of important telecommunications channels and maintains safe air navigation.

The proposal is not considered to have the potential to impact on telecommunications channels or microwave links. As the proposed building is less than 45 meters in height, the proposed is not considered to potentially impact upon safe air navigation.

- An urban design statement, to include the impact on the historic built environment, where appropriate.

A Conservation Assessment has been submitted with the documentation. An Archaeological Desk Study has been submitted. There are no recorded monuments within the application site and the site is not included in a Zone of Archaeological Potential.

- Relevant environmental assessment (EIA, AA etc.).

A screening for Appropriate Assessment and EIA has been submitted with planning application.

Appearance, Architectural Design and Layout

The proposed development contains three main elements, the refurbishment of the Hendrons Building, Blocks C, D and E that face onto the Western Way and Block A that is attached to the Hendrons Building and facings onto Palmerston Place. There is an area of internal open space between these elements.

Section 16.2.2.2 for the City Development Plan 2016, sets out the overall design approach in relation to Infill Development and recognises the importance of new development to respect and enhance its context and is well integrated with its surroundings, thereby ensuring a more coherent cityscape. The City Plan continues to state that the council shall “*ensure that infill development respects and complements the prevailing scale, architectural quality and the degree of uniformity in the surrounding townscape*”. It is further noted the City Plan in certain instances facilitates independence of form and design to create new compositions and points of interest where a proposed development is situated within an area of varied cityscape.

In the Consultation Opinion An Bord Pleanála required the applicant to submit ‘*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.*’ This has been submitted with the planning application.

Block A has a variety of finishes with a four storey brick section adjacent to the existing brick properties on Palmerston Place. The main section of this block is to be clad in a white brick finish with double glazed aluminium windows with dark stone effect cladding panels surround feature windows.

At the corner with Dominick Street, a section of the Block A now has a brick finish, A red metal frame detail is used on this block which reflects the ‘Hendrons’ sign on the protected structure.

The majority of Block C,D and E are to be clad in white brick with a change in colour for the section to the east. Again, dark stone effect panels are to be use in certain areas between the windows. The setback floors are to be clad in selected steel wall cladding. A red feature frame and a red entrance canopy linking Block C to the Hendrons Building is proposed.

The design architect states in the submitted report that the materials were chosen due to their aesthetic quality, durability and colour. It is their stated intention that the building will fit

harmoniously in the urban space. It is considered that the proposed finishes, subject to approval will complement the Hendrons building and will have regard to the surrounding context of the site and proximity of protected structures.

In the Consultation Opinion An Bord Pleanála required the applicant to submit ‘*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.*’ The architect has submitted a design rational for the proposed development. While it is considered that the design principle of a curved block with the protected stone wall along Western Way is acceptable further layer of detailing and visual separation is required to reduce the potential for the block to appear monolithic when travelling along Western Way.

Block A contains a five storey element that projects into the amenity open space. The planning authority have concerns that this element will have a detrimental effect on the amenity value of the open space and would reduce the amenity area to an unacceptable level, especially having regard to the sunlight entering this space. It is considered that this element should be omitted which will also reduce the apparent bulk of the proposed development when viewed from 1-5 Palmerston Place.

An additional set back floor is proposed for the Hendrons building. This is considered acceptable subject to detail approval on finishes. A number of design options were discussed at pre planning meetings and it is considered the present proposal in the planning application of one additional storey to be the most respectful of the Protected Structure.

Save for the concerns highlighted above it is considered that in principle, the design approach taken is acceptable and the proposed development has the potential to the overall design to respect and enhance its context and to create new compositions and points of interest within this area of varied cityscape.

Shared Accommodation:

As stated above the Design Standards for New Apartments - Guidelines for Planning Authorities (March 2018) have been used as a guide in assessing the proposed development on its own merits.

Chapter 5 of Design Standards for New Apartments - Guidelines for Planning Authorities (March 2018) refers to Build-to-Rent and Shared Accommodation Sectors.

“One format of Shared Accommodation which is proposed by these guidelines is a residential unit comprising of 2-6 bedrooms, of single and/or double occupancy with a common shared area within the residential unit for living and kitchen facilities

Each of the provided bedrooms is required to be ensuite and to be of floorspace size per Table 5a below. The minimum floorspace extent of the common shared area for living and kitchen facilities will be calculated on a per bedroom basis per the table below:

Shared Accommodation – minimum bedroom size

<i>Single*</i>	<i>12 m2</i>
<i>Double/twin*</i>	<i>18 m2</i>

**Including ensuite*

Table 5b: Shared Accommodation – minimum common living and kitchen facilities floor area

<i>Bedrooms 1-3</i>	<i>8m2 per person</i>
<i>Bedrooms 4-6</i>	<i>Additional 4m2 per person</i>

Overall, Shared Accommodation units would have a maximum occupancy of 8 persons calculated on the single or double occupancy of the bedrooms provided (e.g. 2 x double bedrooms [4 persons] + 4 x single bedrooms [4 persons] = 8 person total occupancy)."

Paragraph 5.15 of the Guidelines states that,

"One format of Shared Accommodation which is proposed by these guidelines is a residential unit comprising of 2-6 bedrooms, of single and/or double occupancy with a common shared area within the residential unit for living and kitchen facilities."

Paragraph 5.22 States:

"Shared accommodation formats may be proposed other than the format outlined in paragraph 5.15 above.

For example, such proposals may be related to the accommodation needs of significant concentrations of employment in city centres and core urban locations such as major national level health campuses or similar facilities. Innovative formats may also be proposed to provide shared accommodation within protected structures in order to ensure their long term rehabilitation and to address sensitive architectural constraints of the subject building."

Paragraph 5.23 states *"The granting of planning permission for other shared accommodation formats from those outlined in paragraph 5.15 above will be at the discretion of the planning authority. In assessing such proposals, planning authorities should ensure that sufficient communal amenities are provided in accordance with the specified standards in Table 5b above and that the scale of the development is appropriate to the location/buildings involved and to the specific role that the development of the shared accommodation sector should play in the wider urban apartment market."*

The Applicant has proposed a shared accommodation model, which is different to the “cluster” arrangement.

The proposed development comprises of 280 no. shared accommodation units. All of the units are single occupancy save for one twin room.

The proposed development provides for studio units only. The proposed studio units provide for bedroom space, living space with kitchenette and ensuite bathroom attributed to each unit. The proposed studio units range in size from 16.4sqm to 32.3sqm.

The Applicant has stated, based on the “cluster” arrangement stipulated in the Shared Accommodation Guidelines, that there is a requirement for 8sqm of common living and kitchen/dining (LKD) facilities floor space per person for the first 1-3 bedrooms and an additional 4sqm per person based on the remainder 4-6. In this regard, the development should provide an average of 6sqm of common living and kitchen facilities floor area per person. In total 1740sqm of LKD space is proposed this equates to 6.2sqm per person. A maximum number of 18 residents will have to share one kitchen/Living/Dining.

The proposed resident support facilities include a laundry, linen store, refuse storage and bicycle repair station on the lower ground floor and a concierge area and parcel store on the ground floor.

Proposed residents services and amenities include a gym and studio on the lower ground floor, the public accessed café/co-working area, shop and lounge on the ground floor and a co-working open space on the first floor, cinema/sports space with kitchenette on the second floor, an indoor games room on the third floor and a sky lounge with access to a roof terrace on the proposed fourth floor of the Hendrons Building. It is considered that adequate resident support facilities, services and amenity have been proposed.

Paragraph 5.17 of the Guidelines states:

“A key feature of successful Shared Accommodation schemes internationally is the provision of wider recreation and leisure amenities as part of the overall development. Residents enjoy access to sports and recreation facilities that are dedicated for use by the residents only and have the opportunity to experience a shared community environment among residents of the scheme.”

In the consultation opinion An Bord Pleanála recommend that the following be submitted with the application: *‘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 Landscape Design and Access Statement has been submitted with the application. It notes a provision of 1,267sqm of external amenity spaces available within the site for residential use.

While it is recognized that indoor recreation and leisure amenities have been internally the planning authority have serious concerns relating to the outdoor amenity spaces proposed.

It is recognised that two-roof terraces are proposed and that these will have a recreational amenity value. In the landscape report it is stated that sections of the terraces have been designed to cultivate their own fruit, vegetables and herbs. It is also stated that these areas will be managed to ensure use of these terraces doesn't negatively impact the building neighbours.

However there are concerns relating to the quality of the central ground floor amenity area. As stated above the amount of sunlight entering the ground level amenity area is insufficient. Aside from two table tennis tables and limited seating areas the courtyard is considered to be of limited recreational/amenity value being only an access way and not providing the opportunity to experience a shared outdoor community environment. It is still considered that the omission of the section of Block A that projects into the courtyard would provide possibilities for increased exercise and amenity areas in a higher quality outdoor space. This will also reducing the impact of the proposed development on the properties on Palmerston Place.

Heritage and Conservation

In the Consultation Opinion An Bord Pleanála required the applicant to submit:

‘ 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.'*

An Architectural Heritage Impact Assessment by Historic Building Consultants. With regard to this the Council's Conservation Planning Section in their report, state:

‘A number of proposals were considered for extending the Protected Structure – I consider the present proposal of one additional storey to be the most respectful of the architectural character and setting of the Protected Structure.

The proposed refurbishment in accordance with best conservation practice and reuse of the main Hendron's Building to accommodate the proposed shared 'neighbourhood' facilities is acceptable in principle, as the building is relatively robust and flexible. The retention of the existing industrial lift and staircase is welcomed. The extent of demolitions within the building are noted.

Whilst the Architectural Heritage Impact Assessment and Conservation Development Strategy provide a comprehensive overview of the works that will be carried out to the Protected Structures, further detailed information will be required to fully describe the detailed works, as indicated in the commentary below. The applicant has submitted survey drawings of the Protected Structure as requested in pre-planning feedback.

It is indicated in the Conservation Development Strategy that detailed drawings and specifications will be submitted for the written agreement of the Conservation Section of the Planning Authority at Detail Design Stage and following the demolition works. Detailed drawings shall be submitted for the written agreement of the Conservation Section of the Planning Authority to indicate defects and making good following demolition works and all conservation repair works to the building, including to windows and doors, and include floor, wall and ceiling finishes throughout.

A photographic record has been submitted of the existing windows in the Protected Structure. The proposed retention and refurbishment of glass block windows is supported, as these form an intrinsic part of and contribute to the architectural character of the historic fabric of the Protected Structure. It is noted and welcomed that matching glass blocks have been sourced at Seves Glass Block Company in the Czech Republic, and that it is possible to fabricate new pivot windows within slim steel frames that incorporate glass blocks for ventilation purposes. I am concerned that the Conservation Development Strategy indicates that none of the plain steel windows will be retained/refurnished – these will be replaced by new steel windows with an improved thermal performance. Whilst it is acknowledged that these steel windows may be later additions, clear justification shall be provided as to why these windows cannot be successfully refurbished.

All repairs and modifications to facilitate the proposed ventilation strategy and new coordinated services routes shall be submitted for the written agreement of the Conservation Section of the Planning Authority.

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.

Notwithstanding their modest significance, the surviving industrial features (such as the winch visible and gantry in the rear laneway) should be incorporated where possible into the proposed development to reflect the former industrial use of the building. (ref. page 4 Conservation Development Strategy) 1:50 drawings 1:10 details to be provided.'

With regard to the protected boundary wall to Western Way and the railings the Conservation Planning Section require, by condition, detailed drawings indicating all proposed repairs/new interventions of proposed refurbishment of the historic railings and entrance piers, new entrance gates on Palmerston Place (though not directly adjoining the Protected Structure, all such interventions will serve to contribute to the quality of the proposed new development and thus the setting of the Protected Structure), conservation repairs to the boundary wall to Western Way and the boundary wall to the rear gardens of the terraced houses on Palmerston Place, new entrance from Western Way Wall (a Protected Structure) into the ESB Substation.

With regard to the new build elements of the proposed development and the impact they will have on the protected structures the Conservation Planning Section Report states:

'I am concerned that the proportion/height of the top floor glass and metal clad extension above the Hendrons Building is overly dominant relative to the proportions of the principle Hendrons Building, and recommend that this is reconsidered and either reduced in height or modified in another manner to reduce its impact.

As previously noted, I am very concerned that the proposed 5-storey block on Palmerston Place is approximately double the height of and will overwhelm the 19th century terraced 2-storey-over-basement brick houses on the east side of Palmerston Place (Nos. 23 – 27 inclusive). I suggest that this impact is removed by block by omitting 1 storey from the northern 2-bay block on Palmerston Place and thus reducing the impact on the adjacent terraced houses commencing at No. 1 Palmerston Place.'

If permission is to be granted it is recommended that conditions be attached addressing these concerns.

Transportation

The proposed development has been reviewed by Transportation Planning Division.

The site is well served by public transport and is highly accessible by walking and cycling and is in close proximity to the city centre, centres of employment and third level institutions. However, the report raises concerns with regard to onsite cycling facilities, site servicing and operation and need for a Construction Traffic Management Plan and consultation with TII.

Concern has been raised in a number of the submissions relating to the lack of car parking on the site. In this regard the report of the Transportation Planning Division states:

'The site is well served by public transport and is highly accessible by walking and cycling and is in close proximity to the city centre, centres of employment and third level institutions. However, this report raises concerns with regard to onsite cycling facilities, site servicing and operation and need for a Construction Traffic Management Plan and consultation with TII.'

With regard to a Construction Management Plan and consultation with TII the report of the Transportation Planning Division states:

'The supporting documentation does not reference communication with Transport Infrastructure Ireland (TII). Owing to the proximity of the site to the Luas route, consultation with TII is particularly important in respect to the CTMP, construction related servicing arrangements and post-construction servicing access arrangements, to ensure that the proposed works do not impact on the safety, operation or infrastructure of the Luas light rail system and that the development complies with TII's "Code of engineering practice for works on, near, or adjacent the Luas light rail system". Should a grant of planning is forthcoming, this Division recommends that a CTMP is agreed in writing with TII and the Planning Authority prior to commencement of works onsite. The CMP should also address management of construction related vehicles onsite, including parking, pedestrian management'

With regard to bicycle parking the report of the Transportation Planning Division states:

'The application states the provision of 175 no. bicycle parking spaces however this is not the case as detailed within the Traffic and Transport Assessment. As stated within the report, there is a total of 144 no. cycle parking spaces proposed, of which 112 no. spaces are internally located within the 137.6sqm. using two-tier racks. The remaining 31 no. bicycle parking stands are externally located under a canopy in the storage yard (45.3sqm) adjacent to the ESB substation and switchroom in the north of the site. The quantum of parking equates to a ratio of 0.5 cycle spaces per unit. The internals store includes an area for bike repairs (1.1sq.m.).

It is noted that while the overall provision of bicycle parking has increased from 120 to 144 no. parking spaces since the pre-application consultation stage, the provision of internal bicycle parking has decreased slightly. The use of external bicycle parking is acceptable for short-term/visitor parking however, for long-term residential use, this Division requires that all bicycle parking is located internally within a secure and fully weather protected store. The external bicycle parking to the north of the site in proximity to the ESB Substation and switchroom therefore it does not meet the standards of this Division.

There is no specified minimum quantum of cycle parking stated in the Development Plan for shared living accommodation. A quantum of 1 space per unit is required for residential developments and a quantum of 1 space per 2 units is stated for student accommodation. The applicant has applied the student accommodation quantum for this development. This Division requested an increase in the cycle parking provision at pre-application consultation stage to align more with residential development land use. This has not been forthcoming.

The TTA report (Figure 18) has identified an area adjacent to the wall bordering the rear gardens of nos. 1-4 Palmerston Place for future extension of up to 30 additional cycle parking spaces, should demand require. This is welcome however, it is noted that this would conflict with the landscaping plan and partly encroach on the landscaping and communal open space within the courtyard and therefore, the future increase in cycle parking would result in the loss of communal amenity space. In addition, the report states that any future increase in bicycle parking spaces would be at the discretion of the operator/management of the scheme.

Should this quantum of cycle parking be accepted by An Bord Pleanála, this Division recommends that all cycle parking spaces are located within the internal store area. It is not clear if there is a dedicated cycle parking area for staff onsite. In the event that planning permission is forthcoming, a number of cycle parking spaces should be provided for employees of the scheme. A Bicycle Parking Management Plan should be implemented onsite to ensure management of facilities.'

The full report of Transportation Planning Division is enclosed within Appendix 1 of this report.

Statement of Consistency

The Planning Authority has considered the Statement of Consistency and is satisfied that the application is consistent with the relevant National, Regional and Local Policies.

Statement of Material Contravention

The Statement of Material Contravention with the City Development Plan, submitted with this proposal is noted. The Statement of Material Contravention refers to the Urban Development and Building Heights – Guidelines for Planning Authorities which has been adopted since the date of lodgement of the planning application documents with An Bord Pleanála under Circular FPS 08 – 2018 as of the 7th of December 2018.

Conclusion

Having regard to the zoning provisions of the current Development Plan, it is considered that the proposed development would not injure the amenity of property in the vicinity, and it is considered that the proposed development accords with both the City Development Plan, Ministerial Guidelines the proper planning and sustainable development of the area.

It is recommended that Planning Permission be **GRANTED** subject to the conditions set out below

Recommended Conditions

In the instance that the Board is of the opinion that sufficient information has been provided within the application to adjudicate a decision on the proposal and a recommendation to grant permission is deemed appropriate the following conditions are recommended by the planning authority:

1. Insofar as the Planning & Development Act 2000 to 2010 and the Regulations made thereunder are concerned, the development shall be carried out in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on the

plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

Reason: To comply with permission regulations.

2. The development shall be revised as follows:

- a. The section of Block A that projects into the amenity courtyard, which contains four bedrooms and a Kitchen/Living/Dining space on each floor shall be omitted in its entirety and replaced with a revised courtyard layout providing additional recreational facilities. Replacement Kitchen/Living/Dining facilities shall be provided for each floor serving the remaining bedrooms in Block A
- b. An additional neighbourhood services such as a small shop or hairdressers shall be incorporated into the ground floor of block A.
- c. The design of the elevation of combined blocks C, D and E shall be amended to allow for greater visual separation between the blocks to reduce the visual scale of the building.
- d. The setback floor on the third floor of Block A containing the Kitchen/Living/Dining Room shall be omitted.

Development shall not commence until revised plans, drawings and particulars showing the above amendments have been submitted to, and agreed in writing by the Planning Authority, and such works shall be fully implemented prior to the occupation of the buildings:-

Reason: In the interests of orderly development, visual and residential amenity

3. Notwithstanding the provisions of the Planning & Development Regulations 2001 (as amended), no advertisement signs (including any signs installed to be visible through the windows); advertisement structures, banners, canopies, flags, or other projecting element shall be displayed or erected on the building or within the curtilage, or attached to the glazing without the prior grant of planning permission.

Reason: In the interests of visual amenity.

4. The glazing to the shopfronts shall be kept free of all stickers, posters and advertisements.

Reason: In the interests of visual amenity.

5. The sound levels from any loudspeaker announcements, music or other material projected in or from the premises shall be controlled so as to ensure the sound is not audible in adjoining premises or at two metres from the frontage.

Reason: In the interests of environmental amenity.

6. Prior to the erection of the external finishes to the development, details of the materials, colours and textures of all the external finishes to proposal shall be submitted to and agreed in writing by the Planning Authority.

A panel of the proposed finishes to be placed on site to enable the planning authority adjudicate on the proposals. Any proposed render finish to be self-finish in a suitable colour and shall not require painting. Construction materials and detailing shall adhere

to the principles of sustainability and energy efficiency and high maintenance detailing shall be avoided.

Reason: In the interests of orderly development and the visual amenities of the area.

7. Hours of Work

- a. The site and building works required to implement the development shall only be carried out between the hours of:
 - i. Mondays to Fridays - 7.00am to 6.00pm
 - ii. Saturday - 8.00 a.m. to 2.00pm
 - iii. Sundays and Public Holidays - No activity on site.
- b. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from Dublin City Council. Such approval may be given subject to conditions pertaining to the particular circumstances being set by Dublin City Council.

Reason: In order to safeguard the amenities of adjoining residential occupiers

8. Street Cleaning during Demolition and Construction.

The site development works and construction works shall be carried out in such a manner as to ensure that the adjoining street(s) are kept clear of debris, soil and other material and if the need arises for cleaning works to be carried out on the adjoining public roads, the said cleaning works shall be carried out at the developers expense.

Reason: To ensure that the adjoining roadways are kept in a clean and safe condition during construction works in the interests of orderly development

9. Noise Levels

- a. During the construction and demolition phases, the proposed development shall comply with British Standard 5228 " Noise Control on Construction and open sites Part 1. Code of practice for basic information and procedures for noise control."
- b. Noise levels from the proposed development should not be so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood or to a person lawfully using any public place. The rated noise levels from the site (defined as LAeq 1 hour) shall not exceed the background noise level (as defined in B.S. 4142:2014 by 10 dB or more.

Reason: In order to ensure a satisfactory standard of development, in the interests of residential amenity.

10. The application shall comply with the following waste management requirements in the planning process:

- a. The requirements set out in the separate Bye-Laws for the Collection, Storage and Presentation of both Household and Commercial waste and certain related waste management matters must be adhered to and, in particular, the requirements in the Bye-Laws to segregate waste into separate

fractions to facilitate the collection dry recyclable, organic kitchen/garden waste and residual waste.

- b. Bins that comply with IS EN 840 1997 must be used. Ideally, 1,100 Litre bins should be used with dimension of 1.3 metres long by 1.0 metres wide by 1.3 metres high and with a load capacity of approximately 0.5 tonnes. Other types of receptacles may only be used with the written consent of Dublin City Council.
- c. For commercial developments there must be enough storage space for a minimum of 1 no. 1,100 litre bin per 10 bags to be collected. For apartment schemes, these must be sufficient storage space for a minimum of 1 no. 1,100 litre bin per fifteen people availing of the communal apartment collection scheme.
- d. Sufficient space must be provided to accommodate the collection of dry recyclable and organic kitchen waste/ garden waste. Provision should also be made for the collection of glass (separated by colour) in Bottle Banks within the curtilage of the Development. The Total footprint of each of these banks is 4 metres by 2 metres wide. The location must be external, with the sufficient access and clearance for servicing using a crane.
- e. The bin storage areas must not be on the public street and should not be visible or accessible to the general public.
- f. The bin storage areas should be designed so that each bin within the storage area is accessible to occupants/employees of the development (including people with disabilities).
- g. Suitable wastewater drainage points should be installed in the bin storage area for cleaning and disinfecting purposes.
- h. A waste collection contract must be signed with Dublin City Council or a private waste collector who is the holder of a Waste Collection Permit, prior to the commencement of the collection of waste.
- i. Sufficient access and egress must be provided to enable bins to be moved easily from the storage area to an appropriate collection point on the public street nearby. The access and egress area should have no steps and have a minimal incline ramp.

Reason: In order to ensure a satisfactory standard of development.

11. The development shall comply with the requirements of the Conservation Section of Dublin City Council:

- a. An architect or conservation expert with proven and appropriate expertise shall be employed to design, manage, monitor and implement the works to the building and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.
- b. All works to the protected structure shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of the Environment, Heritage and Local Government. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair off-site shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.
- c. All existing original features, in the vicinity of the works shall be protected during

the course of the refurbishment works.

- d. All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.
- e. The architectural detailing and materials in the new work shall be executed to the highest standards so as to complement the setting of the protected structure and the historic area.
- f. The following information shall be submitted for the written agreement of the Conservation Section of the Planning Authority in advance of the works commencing:
 - i. Investigate how the height of the top floor extension to the Hendron's building can be reduced or what other adjustments/amendments can be made to reduce the visual impact of this element which appears to dominate the Protected Structure
 - ii. Revised drawing to be submitted indicating Glass block window to be retained to opening at 3rd floor level on the south elevation facing the new corner block; and to indicate a better and subservient relationship between the top floor zinc-clad element above the corner building onto Dominick Street/Palmerston Place and the Hendron's Building
 - iii. Detailed drawings and construction methodology shall be provided to describe the creation of the new basement demonstrating how damage to the Protected Structure will be avoided.
- g. Hendron's Building: 1:100 and/or 1:50 drawings indicating all defects and proposed conservation repairs to be carried out to defective concrete and areas where making good is required following demolition, accompanied by a detailed specification and methodology for the proposed repairs, and include proposed floor, wall and ceiling finishes throughout.
- h. Windows and doors: 1:50 and 1:10/1:20 drawings of all existing and proposed windows and doors, clearly indicating proposed replacement glass blocks, new pivoting steel and glass block windows to provide ventilation (fig.15 Conservation Development Strategy), replacement steel windows (including profiles); new doors and large windows at ground floor to comprise slim steel sections and profiles to reflect the building's industrial heritage (Crittall or similar), internal lobbies and screens.
- i. All repairs and modifications to facilitate the proposed ventilation strategy and new coordinated services routes shall be submitted for the written agreement of the Conservation Section of the Planning Authority.
- j. 1:20 key junction details to illustrate all proposed connections between the Protected Structure and new additions to the rear, to the southeast and the additional storey.
- k. Stone Boundary Walls and Historic Railings and other features
 - i. Detailed inner and outer elevation of the stone boundary wall indicating all defects and proposed conservation repairs to be carried out, accompanied by a detailed specification and methodology for the proposed repairs. Samples to be provided for raking out and repointing
 - ii. Detailed elevation of the garden boundary wall between the subject site and the rear gardens of houses on Palmerston Place indicating all

- defects and proposed conservation repairs to be carried out
- iii. 1:50 drawings 1:10 details of proposed new entrance gate and piers on Western Way
- iv. 1:50 drawings 1:10 details of retained winches and gantries to be retained (ref. page 4 Conservation Development Strategy) to reflect the former industrial use of the building, notwithstanding their modest significance

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

12. The development shall comply with the requirements of the Transportation Planning Section of Dublin City Council:

- a. The developer/operator shall undertake to implement the measures outlined in the Mobility Management Framework/Plan and to ensure that future tenants of the proposed development comply with this strategy. A Mobility Manager for the overall scheme shall be appointed to oversee and co-ordinate the preparation of individual plans. The Mobility Management Plan shall include:
- b. Servicing and Operations Management Strategy for the development.
- c. Bicycle Parking Management Plan. The Plan shall demonstrate that bicycle parking spaces within the scheme meet the criteria set out in the Development Plan for long term residential cycle parking, including internal parking, sheltered, secure, lighting and ease of access and egress. A key/fob access should be required to all resident bicycle-parking compounds. Employee and visitor cycle parking shall allow both wheel and frame be locked to the parking stand. The applicant shall submit a revised site layout showing the location(s) of all bicycle parking within the site to be agreed with the Planning Authority.
- d. Prior to commencement of development, and on appointment of a main contractor, a Construction Traffic Management Plan to include details of construction traffic management shall be submitted to Transport Infrastructure Ireland (TII) and the Planning Authority for written agreement. This plan shall provide details of intended construction practice for the development, including traffic management, hours of working, noise and dust management measures and off-site disposal of construction/demolition waste. The Construction Management Plan shall specifically address any points raised by Transport Infrastructure Ireland (TII) and shall comply with the 'Code of engineering practice for works on, near or adjacent the Luas light rail system'.
- e. Details of the materials proposed in public areas is required and should be in accordance with the document Construction Standards for Roads and Street Works in Dublin City Council and agreed in detail with the Road Maintenance Division.
- f. All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.
- g. The applicant/developer shall be obliged to comply with the requirements set out in the Code of Practice.

Reason: In order to ensure a satisfactory standard of development.

13. The development shall comply with the requirements of the Archaeology Section of Dublin City Council:

The site shall be subject to archaeological monitoring, as defined in in the document *Framework and Principles for the Protection of Archaeological Heritage* (Dept. Arts, Heritage, Gaeltacht and the Islands, 1999, p 28), viz:

- i. Archaeological monitoring involves an archaeologist being present in the course of the carrying out of development works (which may include conservation works), so as to identify and protect archaeological deposits, features or objects which may be uncovered or otherwise affected by the works.*

It is also recommended that all features of industrial archaeological and heritage significance be subject to preservation by record prior to removal.

Reason: In the interest of preserving the special character and archaeological interest of the monument and of preserving or preserving by record archaeological material likely to be damaged or destroyed in the course of development.

14. The development shall comply with the requirements of the Drainage Division of Dublin City Council:

- a. The developer shall comply with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads).
- b. The drainage for the proposed development shall be designed on a completely separate foul and surface water system with a combined final connection discharging into Irish Water's combined sewer system.
- c. All surface water discharge from this development must be attenuated to 2 litres per second for the 1 in 100year storm event including a factor of 20% for climate change in accordance with DCC Drainage Division's current policy.
- d. The proposal shall be developed further to incorporate NWRMs in the management of surface water, with a minimum requirement of a **2-stage** treatment approach for each hardstanding area, prior to discharge to existing/proposed attenuation tank as set out in the Dublin City Development Plan 2016-2022.
- e. Records of public surface water sewers are indicative and must be verified on site. The Developer must carry out a comprehensive site survey to establish all public surface water sewers that may be on the site. If surface water infrastructure is found that is not on public records the Developer must immediately contact Dublin City Council's Drainage Division to ascertain their requirements. Detailed "as-constructed" drainage layouts for all diversions, extensions and abandonment of public surface water sewers; in both hard and soft copy in an approved format are to be submitted by the Developer to the

Drainage Division for written approval. Please refer to Section 5 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

- f. The outfall surface water manhole from this development must be constructed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.
- g. All private drainage such as, downpipes, gullies, manholes, armstrong junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve.
- h. DCC drainage construction standards in accordance to the Greater Dublin Regional Code of Practice for Drainage Works shall be applied to all external public spaces, to ensure they are constructed to the required standard, to accommodate any future needs for surface water infrastructure to be 'taken in charge' by DCC.

Reason: In order to ensure a satisfactory standard of development.

15. The development shall comply with the requirements of the Environmental Health Officer:

- a. I noted that Construction & Demolition Waste Management Plan report done by AWN consulting states that an Asbestos survey will be done prior to demolition works commencing. This unit would insist this is done before demolition works are undertaken on site. All asbestos containing material (ACM) to be removed by an approved company and according to state law.
- b. There is also measures to monitor dust levels onsite. This is mentioned in the Construction, Environmental Management Plan report carried out by DCON Safety Consultants. The method proposed is to use the Bergerhoff measurement. This unit would require that real-time dust monitoring be carried out onsite. The Bergerhoff method can lead to imprecise dust levels if contamination from external sources enter the jars, such as bird faeces. Having in place real-time monitoring allows for instantaneous levels to be viewed and assessed, which then allows the responsible person to mitigate the dust levels. Please read the attached guidance document (**Good Practice Guide for Construction and Demolition**) produced by the Air Quality Monitoring and Noise Control Unit of Dublin City Council. This unit has devised this document in relation to Dust, Air and Noise for construction and demolition sites. This should be returned to this unit before work commences.
- c. The Construction Management Plan should include the measures outlined in this document or simply provide a signed letter on head of paper outlining that the measures contained within this guidance document shall be adhered to according to the risk assessment classification given to the development. I would conclude that this development would be classified as "High Risk" when applying the criteria in the risk matrix in the guidance document attached.

- d. With regards to citing the generator (or any mobile generator for that matter) required to power the crane, it would be best to place it away from the nearest sensitive receptors and provide an acoustic barrier to envelope the generator.

Reason: In order to ensure a satisfactory standard of development.

16. The development shall comply with the requirements of the Parks Section of Dublin City Council:

a. Landscape Consultant

Prior to the commencement of development, the developer will retain the professional services of a qualified Landscape Architect as a Landscape Consultant throughout the life of the site development works and will notify the planning authority of that appointment in writing. The developer will engage the Landscape Consultant to procure, oversee and supervise the landscape contract for the implementation of the permitted landscape proposals. When all landscape works are inspected and completed to the satisfaction of the Landscape Consultant, he/she will submit a Practical Completion Certificate (PCC) to the planning authority for written agreement, as verification that the approved landscape plans and specification have been fully implemented.

Reason: To ensure full and verifiable implementation of the approved landscape design proposals for the permitted development, to the approved standards and specification.

b. Landscape Scheme to be submitted

Development shall not commence until a landscape scheme prepared by a qualified Landscape Architect comprising full details of the size, species and location of all vegetation to be planted and the treatment of all external ground surfaces, green roofs, inclusion of biodiversity mitigation and enhancement measures including chemical herbicides/pesticides restrictions in landscape management has been submitted to and agreed in writing by the Planning Authority (The landscape scheme shall have regard to the Guidelines for Open Space Development and Taking in Charge, copies of which are available from the Parks and Landscape Services Division).

Reason: in the interests of amenity, ecology and sustainable development

c. Landscape scheme to be implemented

The approved landscape scheme shall be implemented fully in the first planting season following completion of the development or completion of any phase of the development, and any vegetation which dies or is removed within 3 years of planting shall be replaced in the first planting season thereafter. (The landscape scheme shall have regard to the Guidelines for Open Space Development and Taking in Charge, copies of which are available from the Parks and Landscape Services Division).

Reason: in the interests of amenity, ecology and sustainable development

d. Tree Bond

A security bond to the value of €40,000 (forty thousand euro) shall be lodged with the planning authority, prior to commencement of development, as security to ensure the appropriate protection and preservation of public street trees on Western Way road. The form of the security bond shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

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

e. Tree Protection

All trees shown to be retained adjacent to the site on Western Way road, shall be adequately protected during the period of construction as per BS 5837, such measures to include a protection fence beyond the branch spread, with no construction work, parking or storage carried out within the protective barrier. No tree pruning is permitted without the prior written agreement of the planning authority. (The tree protection measures shall have regard to the Guidelines for Open space Development and Taking in Charge, copies of which are available from the Parks and Landscape Services Division).

Reason: in the interests of amenity, ecology and sustainable development

f. Contribution in Lieu of Public Open Space

The developer shall pay the sum of €4000 per residential unit to the planning authority as a contribution under section 48 of the Planning and Development Act 2000 (as amended) and the Dublin City Development Plan, in lieu of the provision of public open space. This contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate.

Reason: For the provision of improvements or enhancement of existing amenities in the local area.

g. Protection of Birds

- i. Site clearance works, including removal of existing vegetation and buildings, are not permitted during the nesting season (1 March to 1 September). Where this is not possible, such works can only proceed if it has been verified in writing by a qualified ecologist that no nest is present. If a nest is present, then works can only proceed under licence from the National Parks and Wildlife Service.
- ii. The applicant is requested to incorporate specific designed measures for provision of nesting for swifts, through the use of 'swift bricks' into the normal courses of facades, 'swift boxes' under eaves, or 'swift towers' in courtyards. These are to be located and installed in consultation with a qualified ecologist and with reference to the specific design requirements for the targeted species. Evidence of proper installation will be certified in writing by a suitably qualified ecologist to the planning authority.

Reason: in the interests of ecology, sustainable development and compliance in accordance with the Wildlife Act and with the City Biodiversity Action Plan and City Development Plan.

h. Protection of Bats

- i. The applicant is required to commission a qualified ecologist who is an NPWS-licensed bat worker to survey the site for bats prior to construction if there is bat usage of the existing vegetation or buildings of the site found, the applicant is required to ensure that: a) a licensed bat worker is present on site prior to and during removal of any existing trees planned for removal; b) all necessary licenses for relocation of bats are obtained in advance from the National Parks and Wildlife Service and c) works do not occur during hibernation or maternal roosting periods; d) the proposed lighting design is in conformity to NPWS guidelines and the ecologist's recommendations in the Bat Assessment Report (pp. 6-7). The bat survey is to be provided to the planning authority at least 6 weeks prior to construction by the applicant and the completion of items a)-d), if necessary, are to be certified in writing by a qualified ecologist to the planning authority.
- ii. The applicant shall install two Woodstone bat boxes in the new development: one bat box shall be incorporated into the ESB building in the south-eastern corner and a second shall be built into the northern end of the Right of Way wall leading to Palmerston Place. Evidence of proper installation will be certified in writing by a suitably qualified bat ecologist to install these boxes. This is to improve the site for roosting bats.

Reason: in the interests of ecology, sustainable development and compliance in accordance with the Wildlife Act and with the City Biodiversity Action Plan and City Development Plan.

17. Prior to the commencement of development, the owner shall submit, for the written agreement of the planning authority, details of a proposed covenant or legal agreement binding on it and its successors confirming, for a minimum term of 15 years after the first occupational letting in the development:
- (a) no separate sales or equivalent disposals of any individual residential units shall take place;
 - (b) the residential development shall be owned and operated by a single institutional entity;
- Such covenant or agreement shall contain such as ensure to the satisfaction of the planning authority the effectiveness of the foregoing requirements.

Reason: In the interests of proper planning and sustainable development of the area.

Peter Nelson

Executive Planner

Date: 5th February 2021

Appendix 1 Interdepartmental Reports

TRANSPORTATION PLANNING DIVISION

26th January 2021

SHD SHD0027/20
REFERENCE:
LOCATION: Hendron's Building and wider site, 36-40, Dominick Street Upper, Broadstone, Dublin 7
PROPOSED: Construction of a 280 unit (281 bedspaces) Build-to-Rent Shared Living accommodation and including other uses including a gym, café/shop and yoga/Pilates studio and changing rooms; Resident internal amenity space is provided within the upper levels of the Hendrons Building (Block B) and throughout the scheme including; living, kitchen dining areas, co-working spaces, a sky lounge, laundry, cinema room, games room, waste management facilities, bicycle repair station, storage and lounge areas (2,186sqm), bicycle spaces, 3 no. motorcycle spaces and plant at basement level; Provision of an ancillary single storey ESB substation and switch-station including access via Western Way
FOR: Western Way Developments Ltd.

TRANSPORTATION PLANNING DIVISION REPORT

Proposed Development

Western Way Developments Ltd, intend to apply to An Bord Pleanála for permission for a strategic housing development at this site of approximately 0.3285ha at nos. 36 – 40 Dominick Street Upper, Broadstone, Dublin 7, D07 X4HW. The site includes the 'Hendrons' Building, and adjacent railings, comprising protected structure no. 8783 and the boundary wall of the application site on Western Way, comprising protected structure no. 8483. The site has frontages to Palmerston Place, Dominick Street Upper and Western Way.

The development, which ranges from 4 to 9 no. storeys across 2 no. buildings (described as Blocks, A, B, C, D and E [Blocks A and B over basement]) provides for the retention and re-use of the Hendrons Building, to include the addition of an extra storey and adaptive works and the extension of the building to provide a development of c. 11,384sqm, including 10,951sq.m of Build-to-Rent Shared Living Accommodation (inclusive of amenity space), 280 no. units [281no. bedspaces], c. 433sq.m of other uses including a gym, café/shop and yoga studio. The development will consist of:

- Demolition of the existing vacant warehouses and boundary wall fronting Palmerston Place and the existing dwelling at no. 36 Dominick Street Upper (c. 2,362.8sqm) and the construction of Build-to-Rent Shared Living accommodation on site the including; Block A fronting Palmerston Place (4 – 5 no. storeys), Block B, the Hendrons Building (5 no. storeys including 5th floor setback), Block C on the corner of Dominick Street Upper and Western Way (9 no. storeys), Block D fronting Western Way (7 – 8 no. storeys) and Block E fronting Western Way (5-6 no. storeys);
- Adaptive re-use of and related works to the existing Hendrons building, a protected structure under RPS Ref.: 8783; for use for shared living accommodation and a café/shop; including retention of existing 'Hendrons' signage, the construction of an additional storey (resulting in a 5 no. storey building [Block B]), involving alterations and additions, including removal of original and non-original internal dividing walls,

construction of openings within the original walls on the north-west, south-east and rear elevations to accommodate new doors and windows; removal of 2 no. external emergency exit stairs, reinstatement and restoration of original window openings on all façades and retention and repair of the existing glass blocks, original railings, stairs and lift shaft;

- Block C will accommodate a gym, yoga/Pilates studio and changing rooms (c.260 sqm) at lower ground floor level; Block B will include café/shop (c. 173sqm) upper ground floor;
- Resident internal amenity space is provided within the upper levels of the Hendrons Building (Block B) and throughout the scheme including; living, kitchen dining areas, co-working spaces, a sky lounge, laundry, cinema room, games room, waste management facilities, bicycle repair station, storage and lounge areas (2,186sqm), bicycle spaces (175), 3 no. motorcycle spaces and plant at basement level;
- External amenity space (total c. 1267.1sqm) is provided in the form of 2 no. roof terraces at Block A (fourth floor level – Palmerston Place 303.7 sq. m) and Block D (seventh floor level – Western Way 93.2 sq.m) [levels include upper and lower ground floor] and within a central courtyard and outdoor seating areas (870.2 sqm);
- Provision of an ancillary single storey ESB substation and switch-station including access via Western Way (and removal of a section (c.2m) of the boundary wall (protected structure no. 8483) to accommodate this;
- Provision of site wide landscaping including pathways, lighting, sedum roofs and all ancillary site development works including boundary treatments.

Pre-application Consultation (DCC Ref. SHDPAC0018/20 and ABP-307475-20)

The pre-application consultation meeting was held on 16/09/2020 and pre-application consultation opinion was issued from An Bord Pleanála in October 2020. The Board considered that a number of issues needed to be addressed in the documents submitted. The issues of relevance to this division are as follows:

- 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.

Issues raised by TPD in the Planning Authority's Opinion of 21/07/2020 as follows:

1. *Clarity is required as to whether the private gated secondary site entrance to the east of the site off Palmerston Place will be used. If so, the applicant is requested to provide details of the purpose and frequency of use, and any upgrade works to the laneway required to facilitate usage. Note: The applicant is advised that permeability to surrounding areas is considered desirable.*
2. *The quantum of cycle parking provision (ratio of 0.4 per resident) is excessively low for a co-living residential scheme of this scale. While it is noted that the applicant states the residents will be mainly 3rd level students, the development seeking permission is for co-living and therefore the relevant standards for said development should apply. The scheme should at a minimum meet the requirements of the Apartment Guidelines i.e. 1 space per bedroom. The successful implementation of a Travel Plan should see an increase in demand for cycling amongst residents and staff and this should be reflected in the cycle parking provision within the development. In addition to the residents, it is noted that there will 50 no. staff on site. Sufficient cycle parking, shower*

and changing facilities should also be provided for staff and mobility management measures should also address staff travel.

- 3. All servicing of the proposed ESB Substation should be conducted from within the site. This would prevent obstruction of vehicular and/or pedestrian traffic on Western Way and maintain the boundary wall, a protected structure, intact.*
- 4. The applicant should provide for secure and weather protected motorcycle parking within the scheme.*
- 5. Drawings should be submitted overlaying the proposed emergency access route on landscaping plan in order to demonstrate unobstructed access through the site.*
- 6. A Residential Travel Plan/Mobility Management Plan should accompany any forthcoming SHD application. As it is stated that some of the future occupants will be 3rd level students, the Travel Plan should address arrivals and departures of residents, particular student residents during the start and end of terms to ensure arrivals/departures are adequately staggered and do not result in an excessive demand for private car use/taxis at similar stages of the year.*
- 7. An Operational Management Plan should accompany any forthcoming SHD application.*
- 8. A preliminary Construction Management Plan (pCMP) should accompany any forthcoming application.*
- 9. Owing to the one-way traffic circulation routes in operation on some of the surrounding roads, including Palmerston Place and Dominick Street Upper, and the narrow road widths and tight turning radii of Palmerston Place and the slip road from Western Way onto Dominick Street Upper, the pCMP should outline the haulage routes to be used, and where construction related vehicles will enter/egress the site and demonstrate the capacity Palmerston Place to support HGVs, supported by Swept path analysis. The pCMP should also clarify if any temporary site entrances are proposed. The applicant is advised that the demolition and construction waste management proposals outlined in the CMP should be consistent with those presented in the Construction and Demolition Waste Management Plan prepared by AWN Consulting.*
- 10. Having regard to the increased footfall arising from the development, the applicant is required to address the requirement for improved pedestrian environment and connectivity across Western Way, to link in with pedestrian connectivity to the city centre and nearby bus stops. The applicant is invited to liaise with the Transportation Planning Department to agree design details relating to new or upgraded pedestrian crossings prior to the submission of any forthcoming SHD application. The applicant is advised that proposed works to the public road should be included in the application site 'red line' boundary of any forthcoming application.*
- 11. The applicant is advised to submit details of any lands to be taken in charge.*

Planning History

Reg. Ref. 3938/08 & PL29N.233677

Permission Refused by An Bord Pleanála under PL29N.233677 for:

- Mixed use development comprising hotel, offices, retail and 48 no. residential units and 68 no. car parking spaces.

Refusal Reason 3 is of relevance to this division

- 3 *Having regard to the restricted width of Palmerston Place and Middle Mountjoy Street and the right angle bend on Palmerston Place, the Board is not satisfied that the location of the proposed vehicular access is the optimal for this site, in the absence of an assessment of alternative locations. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.*

Site Location and Context

The site comprises a 0.3285 hectare brownfield lands located at the junction of Dominick Street Upper and Western Way (R135). The site is bounded by Western Way to the north and west, Dominick Street Upper to the south and Palmerston Place to the east. Existing access to the subject site is primarily from Dominick Street Upper, along the existing access only slip-road from Western Way. There is a right of way marked on the supporting site maps via a gated laneway off Palmerston Place. The application lands incorporate the Hendrons Building, a former industrial building, the adjacent warehouse buildings, an informal gravel parking area and no. 36 Dominick Street Upper, a three storey Georgian building, connected to the Hendrons building at the southeast corner of the site. Constitution Hill is immediately west of Dominick Street Upper.

Dominick Street Upper is a shared street, with the Luas Green Line running along its length alongside vehicular traffic. No westerly vehicular traffic is permitted on Dominick Street Upper beyond Mountjoy Street, c.150m southeast of the subject site. Traffic is permitted in an easterly direction, with an access only slip-road from Western Way. There is a loading bay on Dominick Street Upper spanning c.14m adjacent to the existing Hendrons Building. Western Way is a two-way arterial road with a bus lane along part of the route, and pay and display parking along much of the northern side of the carriageway.

Relevant submitted documents

- Statement of Response to An Bord Pleanála's Consultation Opinion
- Traffic and Transport Assessment by Waterman Moylan
- Engineering Assessment Report prepared by Waterman Moylan
- Operational Waste Management Plan by AWN Consulting
- Supporting site plans and engineering drawings and schedules

TPD Comments

Having reviewed all the documentation submitted with this SHD application, the comments of this Division are contained below.

Main issues

- Insufficient quantum and quality of cycle parking
- Construction traffic management details.
- Servicing and operational management of scheme;

Accessibility and Connectivity

The main access to the site for all residents and staff will be from Dominick Street Upper, via a private gated access road from Dominick Street Upper leading into an internal open courtyard between the blocks. The main entrances to the buildings are all located internally, opening out to the internal courtyard. The bicycle storage room can be accessed directly from the courtyard. A public entrance will be provided directly from Dominick Street Upper to the publicly accessible portions of the development within the Hendrons building. There is a secondary gated entrance to the site from Palmerston Place, which is marked as a right of way. The right of way entrance is not intended to be used, except for emergency/fire exit. The emergency vehicular gated access from Dominick Street Upper is set back sufficiently from the site boundary to allow clearance of the pedestrian footpath on Dominick Street Upper.

The signalised Constitution Hill/Western Way junction includes signalised pedestrian crossings at all approaches. There is a non-signalised pedestrian crossing on Dominick Street Upper adjacent to the subject site. These pedestrian crossings include dropped kerbs and tactile paving facilities. Safety railing is provided along the footpaths on both sides of Western Way approaching the junction with Constitution Hill.

The site is within 1km walking distance of O'Connell Street and is well served by public transport, with a high frequency of services available and good connectivity to other modes of public transport in the city, providing wider regional linkages. The Luas Green Line route traverses directly south of the site along Dominick Street Upper and the Broadstone Luas station is located 110m west of the site. The buses serving these stops include the service route numbers 4, 9, 83, 83A, 140 and 155 routes along Phibsborough Road and Western Way, providing regular service to various destinations around Dublin, and service route numbers 38, 38a, 38b, 38d, 40, 46a, 120, 836, 870 on Mountjoy Street. Both Luas and bus services provide connectivity to commuter, regional and national rail routes. There is a car club/car share vehicle, operated by GoCar located on Palmerston Place, immediately east of the site, while a Dublin Bikes Station (Broadstone Station No. 116) is located immediately west of the site at the Western Way/Dominick Street Upper junction which has a capacity of 30 bicycle stands. There are two additional Dublin Bike Stations within 350m of the site away: Station No. 110 (40 bicycle stands) located north-west of the subject site on Phibsborough Road, and Station No. 102 (40 bicycle stands) located east of the subject site on Western Way.

The site is situated in close proximity to a Bus Connects route to the west of the site as Constitution Hill and Phibsborough Road are part of the proposed Bus Connects Route (Corridor 3) providing connectivity between Ballymun and the city centre. There are proposals to upgrade cycling routes within the vicinity of the site under the BusConnects scheme and the NTA's Cycle Network Plan for the GDA, with Route 4 and Route C6 (Western Edge) in close proximity to the subject site. Under the Bus Connects proposals, Constitution Hill will incorporate a two-way cycle track along the eastern side of the street to connect from Western Way and Broadstone to Coleraine Street.

Under the proposed MetroLink plans, the proposed Mater station will be the nearest station to the subject site, located within 1 km north-east of the subject site.

Transportation and Traffic

The subject site falls within the extended Dublin City Centre 30 km/h speed limit zone. At present Palmerston Place and Mountjoy Street Middle operate as a one-way traffic flow system with street access coming from the Mountjoy Street end before exiting left turn only (easterly direction) at the Palmerston Place/Dominick Street junction. On-street parking is controlled on the surrounding street network with pay and display and resident permit parking system, operated on a first come, first served basis. It is not proposed to alter the provision of on-street parking to facilitate the development.

The site is located in Area 2 which, under the Development Plan car parking standards, would consider a maximum car parking provision of 14 no. spaces for student accommodation (1 space per 20 spaces) which is considered the closest use to co-living. No car parking is proposed with the scheme. The site is well served by public transport including Luas and bus, as previously documented. There is a car share fleet vehicle, operated by GoCar located on Palmerston Place, immediately east of the site, while a Dublin Bikes Station is located immediately west of the site at the Western Way/Dominick Street Upper junction. Having regard to the nature of the site, site location, accessibility to public transport, proximity to the city centre, and availability of car and bicycle sharing fleets in close proximity to the site, the provision of zero parking is acceptable to this Division, on the basis that a Mobility Management Plan for the facility is implemented on site. A Traffic and Transport Assessment prepared by Waterman Moylan has been submitted. A trip generation assessment has concluded that the proposed development will not generate any new primary trips to the local road network and any visitation will be conducted by public transport, foot or bicycle and that visitation will either be Non-Primary Diverted trips or Non-Primary Pass-By trips resulting in no uplift in traffic volume in the adjacent road network.

Motorcycle spaces are provided along the northwest site boundary. The parking area will be covered by way of a canopy. The inclusion of motorcycle parking was raised in the pre-application consultation and has been adequately addressed.

Emergency entry to the site by vehicles is possible from the Dominick Street Upper entrance and the right of way access from Palmerston Place and supporting drawings demonstrates access by emergency fire tender vehicles with capacity to turn within the site with the removal of courtyard furniture and table tennis tables.

Bicycle Parking

The application states the provision of 175 no. bicycle parking spaces however this is not the case as detailed within the Traffic and Transport Assessment. As stated within the report, there is a total of 144 no. cycle parking spaces proposed, of which 112 no. spaces are internally located within the 137.6sqm. using two-tier racks. The remaining 31 no. bicycle parking stands are externally located under a canopy in the storage yard (45.3sqm) adjacent to the ESB substation and switchroom in the north of the site. The quantum of parking equates to a ratio of 0.5 cycle spaces per unit. The internals store includes an area for bike repairs (1.1sq.m.).

It is noted that while the overall provision of bicycle parking has increased from 120 to 144 no. parking spaces since the pre-application consultation stage, the provision of internal bicycle parking has decreased slightly. The use of external bicycle parking is acceptable for short-term/visitor parking however, for long-term residential use, this Division requires that all bicycle parking is located internally within a secure and fully weather protected store. The external bicycle parking to the north of the site in proximity to the ESB Substation and switchroom therefore it does not meet the standards of this Division.

There is no specified minimum quantum of cycle parking stated in the Development Plan for shared living accommodation. A quantum of 1 space per unit is required for residential developments and a quantum of 1 space per 2 units is stated for student accommodation. The applicant has applied the student accommodation quantum for this development. This Division requested an increase in the cycle parking provision at pre-application consultation stage to align more with residential development land use. This has not been forthcoming.

The TTA report (Figure 18) has identified an area adjacent to the wall bordering the rear gardens of nos. 1-4 Palmerston Place for future extension of up to 30 additional cycle parking spaces, should demand require. This is welcome however, it is noted that this would conflict

with the landscaping plan and partly encroach on the landscaping and communal open space within the courtyard and therefore, the future increase in cycle parking would result in the loss of communal amenity space. In addition, the report states that any future increase in bicycle parking spaces would be at the discretion of the operator/management of the scheme.

Should this quantum of cycle parking be accepted by An Bord Pleanála, this Division recommends that all cycle parking spaces are located within the internal store area. It is not clear if there is a dedicated cycle parking area for staff onsite. In the event that planning permission is forthcoming, a number of cycle parking spaces should be provided for employees of the scheme. A Bicycle Parking Management Plan should be implemented onsite to ensure management of facilities.

Other micro mobility measures

The Traffic and Transport Assessment states that the internal bicycle store includes 31 no. 'other' spaces to accommodate alternative transport modes such as scooters/e-scooters and other micro mobility vehicles onsite. This provision is welcomed by this Division as it supports and encourages diversified personal transport types. However the location of the 31 no. spaces is not clear on the supporting drawings.

Mobility Management

A Travel Plan with Mobility Management measures is contained within the Traffic and Transport Report. A Mobility Manager Coordinator will be appointed to coordinate the measures set out in the Travel Plan. Due to the nature of the shared living prototype, arrivals and departures of residents should be staggered throughout the year, however the Traffic and Transport Assessment has identified the development as an attractive option for students owing to its proximity to TU Dublin Grangegorman campus and other third level institutions. Therefore this may result in a higher proportion of arrival and departures coinciding with typical third level institution terms dates. The Travel Plan should address arrivals and departures of residents, particular student residents during the start and end of terms to ensure arrivals/departures are staggered and do not result in an demand for private car use/taxis in the vicinity of the site at similar times. Notwithstanding the above, all arrivals and departures of residents should be managed to avoid multiple arrivals/departures and demands on taxis etc. owing to the limited set down area to the front of the property on Dominick Street Upper. In the event that a grant of permission is forthcoming, a condition should be attached that sees the applicant undertake to implement the measures outlined in the Travel Plan/Mobility Management Framework/Plan and to ensure that future tenants of the proposed development comply with this strategy. The Mobility Management Plan should include a clear Operational Management Plan for arrivals and departures of residents.

Servicing and Operational Management

There is a 14m long loading bay to the front (southwest) of the existing Hendron's Building on Dominick Street Upper which is proposed to be retained. Vehicles will access the loading bay along the existing access only slip-road from Western Way. This will be used for servicing vehicles, including refuse collection trucks. The Traffic and Transport Assessment (TTA) provides anticipated levels of servicing and deliveries associated with the development. The TTA anticipates between 80-100 deliveries/servicing vehicles weekly, averaging 13 vehicles daily (refer TTA Table 5 Estimated Traffic Movements). This includes refuse which 24 movements weekly. Other servicing and deliveries include postal and courier services, and general deliveries for ancillary facilities. The postal and courier would be relatively short in

duration owing to the nature of the service while deliveries and refuse collections would be longer in stay-over. The number of vehicles weekly is significant having regard to the fact that there is only 1 no. loading bay area associated with the development.

In the event that a grant of permission is forthcoming, it should be conditioned that the operator formulate a Servicing and Operations Management Plan, to include procedures to ensure deliveries and servicing vehicles to the site are staggered to avoid unregulated, haphazard parking of vehicles on the surrounding street networks. This would create a conflict with the pedestrian and transport flow along the public carriageways and result in a traffic safety hazard.

No vehicles will enter the site except in the event of an emergency. Emergency service access is facilitated through the access from Dominick Street Upper. Servicing vehicles will access the loading bay from Western Way onto Dominick Street Upper.

Construction Management Plan

A Construction Environmental Plan (CEMP) has been submitted, prepared by DCON Safety Consultants however a Construction Traffic Management Plan has not been submitted with application. Other supporting documents have identified some of the principle constraints of the site and challenges of development, which includes:

- the adjacent Luas light rail infrastructure (green line route) on Dominick Street Upper;
- One way circulation on many of the surrounding streets including Dominick Street Upper and Palmerston Place;
- Narrow road widths on some of the surrounding streets including Palmerston Place and the slip road from Western Way onto Dominick Street Upper;
- Tight turning radii on some of the surrounding streets, including the slip road from Western Way onto Dominick Street Upper, Palmerston Place, Palmerston Place onto Dominick Street Upper;
- Constitutional Hill, Upper Dominick Street and Palmerston Place interface
- the residential properties bordering the site, and,
- neighbouring residential and commercial premises.

Notably absent in the application were Swept Path Analysis drawings showing capacity of the road network to cater for demolition and construction related vehicles at the slip road from Western Way onto Dominick Street.

The supporting documentation does not reference communication with Transport Infrastructure Ireland (TII). Owing to the proximity of the site to the Luas route, consultation with TII is particularly important in respect to the CTMP, construction related servicing arrangements and post-construction servicing access arrangements, to ensure that the proposed works do not impact on the safety, operation or infrastructure of the Luas light rail system and that the development complies with TII's "Code of engineering practice for works on, near, or adjacent the Luas light rail system". Should a grant of planning is forthcoming, this Division recommends that a CTMP is agreed in writing with TII and the Planning Authority prior to commencement of works onsite. The CMP should also address management of construction related vehicles onsite, including parking, pedestrian management

Taking in Charge

The applicant states that it is not proposed that any of the development will be taken in charge by DCC. The applicant is advised that details of the materials proposed in public areas should

be in accordance with the document *Construction Standards for Roads and Street Works in Dublin City Council* and agreed in detail with the Road Maintenance Division.

Recommendations

The site is well served by public transport and is highly accessible by walking and cycling and is in close proximity to the city centre, centres of employment and third level institutions. However, this report raises concerns with regard to onsite cycling facilities, site servicing and operation and need for a Construction Traffic Management Plan and consultation with TII.

Should permission be forthcoming this division recommends the following conditions:

1. The developer/operator shall undertake to implement the measures outlined in the Mobility Management Framework/Plan and to ensure that future tenants of the proposed development comply with this strategy. A Mobility Manager for the overall scheme shall be appointed to oversee and co-ordinate the preparation of individual plans. The Mobility Management Plan shall include:
 - a) Servicing and Operations Management Strategy for the development.
 - b) Bicycle Parking Management Plan. The Plan shall demonstrate that bicycle parking spaces within the scheme meet the criteria set out in the Development Plan for long term residential cycle parking, including internal parking, sheltered, secure, lighting and ease of access and egress. A key/fob access should be required to all resident bicycle-parking compounds. Employee and visitor cycle parking shall allow both wheel and frame be locked to the parking stand. The applicant shall submit a revised site layout showing the location(s) of all bicycle parking within the site to be agreed with the Planning Authority.
 2. Prior to commencement of development, and on appointment of a main contractor, a Construction Traffic Management Plan to include details of construction traffic management shall be submitted to Transport Infrastructure Ireland (TII) and the Planning Authority for written agreement. This plan shall provide details of intended construction practice for the development, including traffic management, hours of working, noise and dust management measures and off-site disposal of construction/demolition waste. The Construction Management Plan shall specifically address any points raised by Transport Infrastructure Ireland (TII) and shall comply with the 'Code of engineering practice for works on, near or adjacent the Luas light rail system'.
 3. Details of the materials proposed in public areas is required and should be in accordance with the document *Construction Standards for Roads and Street Works in Dublin City Council* and agreed in detail with the Road Maintenance Division.
 4. All costs incurred by Dublin City Council, including any repairs to the public road and services necessary as a result of the development, shall be at the expense of the developer.
 5. The applicant/developer shall be obliged to comply with the requirements set out in the Code of Practice.
-

Róisín Ní Dhubhda
Executive Planner

Nicola Conlon, Senior Executive Planner
On Behalf of Edel Kelly, Senior Transportation Officer

ABPSHD0027/20 Hendron's Building, D7.

Comments by DCC Parks, Biodiversity & Landscape Services

January 26th 2021



1. Development description

The application seeks the development of 281bedspace shared living units with associated facilities on a site of .3285ha. facing on to the curved Western Way road. The submitted landscape proposals are generally well developed and include a central courtyard and upper terrace provision on Block A and D. A tree report has also been submitted. Comments were given at the pre-application stage of the application.

2. Existing landscape context

The current site, zoned Z 3 (to provide for and improve neighbourhood facilities) is composed of the protected structure of Hendron's Building and other previously used light industry and residential buildings. There are no significant landscape features on the site. A number of prominent street trees are present on the Western Way footpath adjacent to a curved boundary historic stone wall, part of a previous structure which is protected. Park open space lies across the Western Way road, which is a linear connection to Blessington Street Basin along a now covered in canal route.

3. Key issues

3.1Public Open Space- the provision of 10% public open space is not met within the development and a contribution in lieu is required.

3.2Roof greening

The proposals should include roof greening on at least 70% of all proposed flat or gently sloped roofs. Roof greening and PV panels can co-exist on roofs. A green roof plan shall be conditioned for approval.

3.3 Existing trees

Existing trees on Western Way are not to be negatively impacted as a result of any development on the application site. Any proposed tree canopy reduction/pruning/ root pruning to accommodate any proposed development will require the written approval of the planning authority. Any approved tree canopy reduction/pruning/ root pruning will only be undertaken/ supervised by suitably qualified and experienced tree surgeons/arboriculturists. A tree bond is recommended as a condition.

3.4 Biodiversity EIA

Invasive Alien Species: site was stated as surveyed and none were found on the site.

Birds: Given the site's location, it may be connected with feeding areas for swifts. As swift is in decline in the city due to lack of habitat, the design of the buildings should incorporate 'swift bricks' into the normal courses of facades, 'swift boxes' under eaves, or 'swift towers' in courtyards, which will need to be installed with reference to the specific design requirements for the targeted species.

Bat Assessment Report: The site was surveyed in August 2019, which is within the recommended time of the year for recording bats foraging and commuting. However, it is recommended to survey at two different times in the season and the data are now almost 18 months old. It is required that the buildings and the site is re-checked prior to any site works or demolition/clearance, particularly due to the lapse in any surveys in 2020.

The report notes that the site is a major feeding and commuting location for common pipistrelle and that it is located within an area of the City where lack of vegetation limits opportunities for bats. Connectivity of the site for bats was not investigated in 2020, despite previous comments from this Division raising this concern. The site is near the former Broadstone basin/Royal Canal, which is an ecological corridor of the City and would have historically provided habitats for bats. It is essential to ensure that the bats are able to access their existing foraging and commuting routes, which includes the 'right of way' and the areas in front of Block A and Blocks C and E. This will necessitate planting of semi-mature trees of significant girth and an appropriate canopy shape and structure and species.

Lighting mitigation measures are proposed, but it is unclear if these have been incorporated into the plans of the architect and landscape architect and also if the lighting plans were reviewed by the consultant ecologist.

Landscape Design and Access Statement : recommendations for biodiversity enhancement and mitigation are required and to be reviewed by an ecologist.

The Landscape Maintenance and Management Plan: The use of 'Glyphosate' or similar control is harmful to pollinators and should not be used.

Construction Environmental Management Plan: The CEMP does not refer to management of biodiversity and does not refer to mitigation measures recommended by the consultant ecologist with respect to bats (p. 5/15). The CEMP should be comprehensive for all mitigation measures for the project.

4. Conclusions

Parks and Landscape Services have no objection to the application with the inclusion of the conditions given below.

5. Draft Conditions

Landscape Consultant

Prior to the commencement of development, the developer will retain the professional services of a qualified Landscape Architect as a Landscape Consultant throughout the life of the site development works and will notify the planning authority of that appointment in writing. The developer will engage the Landscape Consultant to procure, oversee and supervise the landscape contract for the implementation of the permitted landscape proposals. When all landscape works are inspected and completed to the satisfaction of the Landscape Consultant, he/she will submit a Practical Completion Certificate (PCC) to the planning authority for written agreement, as verification that the approved landscape plans and specification have been fully implemented.

Reason: To ensure full and verifiable implementation of the approved landscape design proposals for the permitted development, to the approved standards and specification.

Landscape Scheme to be submitted

Development shall not commence until a landscape scheme prepared by a qualified Landscape Architect comprising full details of the size, species and location of all vegetation to be planted and the treatment of all external ground surfaces, green roofs, inclusion of biodiversity mitigation and enhancement measures including chemical herbicides/pesticides restrictions in landscape management has been submitted to and agreed in writing by the Planning Authority (The landscape scheme shall have regard to the Guidelines for Open Space Development and Taking in Charge, copies of which are available from the Parks and Landscape Services Division).

Reason: in the interests of amenity, ecology and sustainable development

Landscape scheme to be implemented

The approved landscape scheme shall be implemented fully in the first planting season following completion of the development or completion of any phase of the development, and any vegetation which dies or is removed within 3 years of planting shall be replaced in the first planting season thereafter. (The landscape scheme shall have regard to the Guidelines for Open Space Development and Taking in Charge, copies of which are available from the Parks and Landscape Services Division).

Reason: in the interests of amenity, ecology and sustainable development

Tree Bond

A security bond to the value of €40,000 (forty thousand euro) shall be lodged with the planning authority, prior to commencement of development, as security to ensure the appropriate protection and preservation of public street trees on Western Way road. The form of the security bond shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

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

Tree Protection

All trees shown to be retained adjacent to the site on Western Way road, shall be adequately protected during the period of construction as per BS 5837, such measures to include a protection fence beyond the branch spread, with no construction work, parking or storage carried out within the protective barrier. No tree pruning is permitted without the prior written agreement of the planning authority. (The tree protection measures shall have regard to the Guidelines for Open space Development and Taking in Charge, copies of which are available from the Parks and Landscape Services Division).

Reason: in the interests of amenity, ecology and sustainable development

Contribution in Lieu of Public Open Space

The developer shall pay the sum of €4000 per residential unit to the planning authority as a contribution under section 48 of the Planning and Development Act 2000 (as amended) and the Dublin City Development Plan, in lieu of the provision of public open space. This contribution shall be paid prior to commencement of development or in such phased payments as the planning authority may facilitate.

Reason: For the provision of improvements or enhancement of existing amenities in the local area.

Protection of Birds

Site clearance works, including removal of existing vegetation and buildings, are not permitted during the nesting season (1 March to 1 September). Where this is not possible, such works can only proceed if it has been verified in writing by a qualified ecologist that no nest is present. If a nest is present, then works can only proceed under licence from the National Parks and Wildlife Service.

The applicant is requested to incorporate specific designed measures for provision of nesting for swifts, through the use of 'swift bricks' into the normal courses of facades, 'swift boxes' under eaves, or 'swift towers' in courtyards. These are to be located and installed in consultation with a qualified ecologist and with reference to the specific design requirements for the targeted species. Evidence of proper installation will be certified in writing by a suitably qualified ecologist to the planning authority.

Reason: in the interests of ecology, sustainable development and compliance in accordance with the Wildlife Act and with the City Biodiversity Action Plan and City Development Plan.

Protection of Bats

The applicant is required to commission a qualified ecologist who is an NPWS-licensed bat worker to survey the site for bats prior to construction if there is bat usage of the existing vegetation or buildings of the site found, the applicant is required to ensure that: a) a licensed bat worker is present on site prior to and during removal of any existing trees planned for removal; b) all necessary licenses for relocation of bats are obtained in advance from the National Parks and Wildlife Service and c) works do not occur during hibernation or maternal roosting periods; d) the proposed lighting design is in conformity to NPWS guidelines and the ecologist's recommendations in the Bat Assessment Report (pp. 6-7). The bat survey is to be provided to the planning authority at least 6 weeks prior to

construction by the applicant and the completion of items a)-d), if necessary, are to be certified in writing by a qualified ecologist to the planning authority.

The applicant shall install two Woodstone bat boxes in the new development: one bat box shall be incorporated into the ESB building in the south-eastern corner and a second shall be built into the northern end of the Right of Way wall leading to Palmerston Place. Evidence of proper installation will be certified in writing by a suitably qualified bat ecologist to install these boxes. This is to improve the site for roosting bats.

Reason: in the interests of ecology, sustainable development and compliance in accordance with the Wildlife Act and with the City Biodiversity Action Plan and City Development Plan.

End.

Air Quality Monitoring & Noise Control Unit
Block 3, Floor 1,
Civic Offices
Dublin 8



1870

To: Environment and Transportation

From: Jason Mc Cann

Block 1, Floor 4

Environmental Health Officer

Date: 22/01/2021

Planning Ref: SHD0027/20 - Hendron's Building and wider site, 36-40 Dominick Street Upper, Broadstone, D7

Location: 36-40 Dominick Street Upper, Broadstone, D7

This Unit has the following comments to make with respect to this SHD.
This unit tried to contact John Spain Associates for further information.

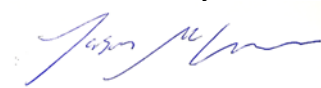
These are the following points requested off John Spain Associates and should be requested from the Developer/Builder.

Recommended Conditions and Comments

- I noted that Construction & Demolition Waste Management Plan report done by AWN consulting states that an Asbestos survey will be done prior to demolition works commencing. This unit would insist this is done before demolition works are undertaken on site. All asbestos containing material (ACM) to be removed by an approved company and according to state law.
- There is also measures to monitor dust levels onsite. This is mentioned in the Construction, Environmental Management Plan report carried out by DCON Safety Consultants. The method proposed is to use the Bergerhoff measurement. This unit would require that real-time dust monitoring be carried out onsite. The Bergerhoff method can lead to imprecise dust levels if contamination from external sources enter the jars, such as bird faeces. Having in place real-time monitoring allows for instantaneous levels to be viewed and assessed, which then allows the responsible person to mitigate the dust levels. Please read the attached guidance document (**Good Practice Guide for Construction and Demolition**) produced by the Air Quality Monitoring and Noise Control Unit of Dublin City Council. This unit has devised this document in relation to Dust, Air and Noise for construction and demolition sites. This should be returned to this unit before work commences.

- The Construction Management Plan should include the measures outlined in this document or simply provide a signed letter on head of paper outlining that the measures contained within this guidance document shall be adhered to according to the risk assessment classification given to the development. I would conclude that this development would be classified as “High Risk” when applying the criteria in the risk matrix in the guidance document attached.
- With regards to citing the generator (or any mobile generator for that matter) required to power the crane, it would be best to place it away from the nearest sensitive receptors and provide an acoustic barrier to envelope the generator.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Jason Mc Cann', is written over a light yellow rectangular background.

Jason Mc Cann
Environmental Health Officer

To whom it concerns,

Please see below for Drainage Report for proposed development at SHD 0027/20
Hendrons Building, Broadstone, D 7

Kind regards,

Maria Treacy

There is no objection to this development, subject to the developer complying with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0 (available from www.dublincity.ie Forms and Downloads).

-The drainage for the proposed development shall be designed on a completely separate foul and surface water system with a combined final connection discharging into Irish Water's combined sewer system.

- All surface water discharge from this development must be attenuated to 2 litres per second for the 1 in 100year storm event including a factor of 20% for climate change in accordance with DCC Drainage Division's current policy.

-The proposal shall be developed further to incorporate NWRMs in the management of surface water, with a minimum requirement of a **2-stage** treatment approach for each hardstanding area, prior to discharge to existing/proposed attenuation tank as set out in the Dublin City Development Plan 2016-2022.

-Records of public surface water sewers are indicative and must be verified on site. The Developer must carry out a comprehensive site survey to establish all public surface water sewers that may be on the site. If surface water infrastructure is found that is not on public records the Developer must immediately contact Dublin City Council's Drainage Division to ascertain their requirements. Detailed "as-constructed" drainage layouts for all diversions, extensions and abandonment of public surface water sewers; in both hard and soft copy in an approved format are to be submitted by the Developer to the Drainage Division for written approval. Please refer to Section 5 of the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

-The outfall surface water manhole from this development must be constructed in accordance with the Greater Dublin Regional Code of Practice for Drainage Works Version 6.0.

-All private drainage such as, downpipes, gullies, manholes, armstrong junctions, etc. are to be located within the final site boundary. Private drains should not pass through property they do not serve

-DCC drainage construction standards in accordance to the Greater Dublin Regional Code of Practice for Drainage Works shall be applied to all external public spaces, to ensure they are constructed to the required standard, to accommodate any future needs for surface water infrastructure to be 'taken in charge' by DCC.

Dublin City Council Archaeology Report (SHD)

Re: SHD0027/20 - Hendron's Building and wider site, 36-40 Dominick Street Upper, Broadstone, D7

Date: 22.01.2021

Commentary

The proposed development site is approximately 50m to the east of the Zone of Archaeological Constraint for Recorded Monument DU018-060/DU022 (Historic Settlement), which is listed on the Record of Monuments and Places (RMP) and subject to statutory protection under Section 12 of the National Monuments (Amendment) Act 1994. Further, the site in question is 50m east of the Zone of Archaeological Interest in the Dublin City Development 2016-22.

The subject site includes the Hendron's building, which was constructed in the 1940s as a workshop and showroom and is recorded on the NIAH (Ref: 50070389). The subject site is enclosed on the northern and western side by a wall, which is listed on the Record of Protected Structures as defined by the DCC Development Plan 2016-22 (RPS Ref: 8483). The National Inventory of Architectural Heritage (NIAH) prefers a regional rating for the for the Hendron's Building and states:

.. 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.

A desktop archaeological assessment was submitted with the application, titled 'Archaeological Desk Study Western Way SHD 36-40 Dominick Street Upper, Dublin 7', by Dr Yolande O'Brien of Courtney Deery Ltd., dated 26.11.2020. This report recommends that all groundworks associated with the proposed development be archaeologically monitored. The aim of the monitoring is to record any structural remains associated with Palmerstown House, which was constructed c. 1840, that remain subsurface within the site. This office concurs with the recommendation in the report.

Recommendation

Should any development be approved it is the recommendation of this office that the site be subject to archaeological monitoring, as defined in in the document *Framework and Principles for the Protection of Archaeological Heritage* (Dept. Arts, Heritage, Gaeltacht and the Islands, 1999, p 28), viz:

Archaeological monitoring involves an archaeologist being present in the course of the carrying out of development works (which may include conservation works), so

as to identify and protect archaeological deposits, features or objects which may be uncovered or otherwise affected by the works.

It is also recommended that all features of industrial archaeological and heritage significance be subject to preservation by record prior to removal.

Signed



Dr Niall Colfer

Assistant City Archaeologist

PhD, MIAI



Dr Ruth Johnson

City Archaeologist

PhD, FSA, MIAI

Afternoon,

Please see below waste regulations submission for SHD0027/20:

1. A full list of up to date authorised waste collection permit NWCPO numbers and if sub-contractors are to be used please include permit details.
 2. Please confirm destination facilities that authorised waste collection holders intend to use.
 3. Please provide letters on headed paper signed by a relevant competent person from the facilities confirming acceptance of material and tonnages agreed.
 4. Please provide a more detailed response in relation to Quantities.
 5. Please ensure and confirm that waste dockets used are specific to the authorised waste collector that collected the waste load
 6. Please furnish contact details for the appointed site manager.
 - 7a. Please be aware that crushing concrete onsite will need a waste facility permit and so an application will be necessary for the carrying out of this activity. If waste facility permit is required, please see condition 7b.
 - 7b. Please acknowledge and confirm that material crushed onsite will be disposed of off-site at an authorised facility e.g. Licenced/Permitted
- Note: Crushed material from a waste recovery operation is not appropriate for the Article 27 Notification procedure
8. Please complete laboratory testing of soil onsite and provide Haz. Waste Online and Laboratory results.
 9. Please complete an invasive plant species survey prior to development and if found to be present provisions on how this will be dealt with e.g. treatment etc.
 10. Copy of an Asbestos Survey carried out prior to development and if found to be present provisions on how this will be dealt with e.g. Waste Collection, Disposal etc.
 11. Waste logs to be available in up to date digital formats for inspection.

Thank you

Regards,

Philip Caird

Waste Regulations Technical Officer

Archaeology, Conservation & Heritage Section
Planning & Property Development Department
Block 3, Floor 3, Civic Offices, Wood Quay, Dublin 8

Seandálaíocht, Caomhantas & Oidhreacht
An Roinn Pleanála & Forbairt Maoine
Oifigí na Cathrach, An Ché Adhmaid, Baile Átha Cliath 8

Tel: (01) 222 3090
Email: conservation@dublincity.ie

5th February 2021

Conservation Report

To:
Peter Nelson, Executive Planning Officer

SHD0027/20 Hendrons Building :
Conservation Report on impacts on Architectural Heritage

Dear Peter,

Introduction

I note the importance of the landmark Hendron's Building, which occupies a prominent and elevated site at the north end of Dominick Street Upper bounded by Western Way and Palmerston Place, and I support the sustainable development of this site in principle, which has been disused for some time, provided the proposals avoid a significantly adverse impact on, or serious loss to, the protected structure and historic built heritage of the immediate environs and the wider historic city context.

I participated in pre-planning consultations with the design team on 23rd September 2019, 22nd November 2019, 28th January 2020 and the 28th May 2020, and a visit to the building and site on the 3rd October 2019.

I have reviewed the documentation submitted by the applicant and comment on the key impacts of the proposed works on architectural heritage as noted below.

Planning Status

The subject site is located within zone Z3: *'To provide for and improve neighbourhood facilities'*. The Hendron's Building, at Nos. 37 – 40 Dominick Street was added to the Record of Protected Structures in 2020 RPS Ref. No. 8783 and its listing is cited as *'Hendron's: main building and original historic western railings only'*. The stone boundary wall on Western Way that encloses the subject site is a Protected Structure RPS Ref. No.8483 *'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'*.

The houses adjoining the subject site on Palmerston Place, and those to the east of the subject Protected Structure are within zone Z2: *'To Protect and/or improve the amenities of residential conservation areas'*, with the exception of the replacement building on the corner of Palmerston Place and Dominick Street Upper which is zoned Z1: *'To protect, provide and improve residential amenities'*.

A number of prominent Protected Structures in the vicinity of the subject Protected Structure include Broadstone Station to the west RPS Ref. No. 2029, The King's Inns, railings, piers and lodge to the south RPS Ref. Nos. 3658, 22030 & 2031, and The Black Church (former St. Mary's Chapel of Ease) RPS Ref. No. 5456. The two end properties to the south of the subject Protected Structure on Dominick Street Upper - Nos. 41 and 42 Dominick Street Upper are Protected Structures RPS Ref. 2318 and 2319.

The Hendrons Building is included in the NIAH Reg. No. 50070389 and is given a Regional Rating with Categories of Special Interest cited as Architectural, Historical, Social and Technical. The adjacent brick two-storey over basement terraced houses on Palmerston Place are recorded on the NIAH Reg. No. 500703526 with Categories of Special Interest cited as Architectural, Artistic and Historical.

The three-storey brick terraced buildings at Cumiskey's Public House at No. 41 and No. 42 Dominick Street Upper are included in the NIAH Reg. Nos. 500703387 and 500703388 with Categories Special Interest cited as Architectural, Artistic and Social. The four-storey terraced brick purpose-built Temple Buildings apartment tenements designed by T.N. Deane & Son for the Dublin Artisan Dwellings Company are included in the NIAH and given a Regional Rating with Categories of Special Interest cited as Architectural, Historical and Social.

Significance and scale of the site and immediate receiving environment

As noted by DCC Conservation Section in the Record of Protected Structures Addition Report, the four-storey main block of Hendrons is an exemplar of mid-twentieth architecture and is very much of its time. It is considered that the building's design would be described as *'vernacular modern architecture'*. It exhibits clear influences of International Modernism in its concrete-framed construction, flat roof, white rendered walls and lack of ornamentation. The large windows to the four elevations of the main building also speak to a modernist influence on the building, including current thinking of the time with regard to the provision of natural light to industrial buildings. The design of the building is considered to have been directly influenced by J.D. Postma's alcohol factories of the 1930s, which are believed to be the earliest industrial buildings in the International Modern style in Ireland. Václav Gunzl, the designer of Hendrons, worked on the alcohol factory at Labadish, Co. Donegal and would have been familiar with Postma's design, employing elements of it in his own work. Further indications of the modernist influence on the design of Hendrons lie in how its form appears to be influenced by function rather than decorative or fashionable concerns. There is also an air of informality in its design which has led to the term *'vernacular'* being ascribed to its design. The slightly asymmetrical window openings, off-centre shopfront and simple form are also elements of the building's vernacular modernism, of which it is a rare survivor in Dublin.

The four-storey Hendrons Building makes a positive contribution to its setting and is considered to be a significant and long-established, albeit 20th century, landmark in its location on what is a prominent, elevated site at Broadstone at the junction of Upper Dominick Street and Western Way, close to the top of Constitution Hill. The distinctive form of the building with its tall lift structure over the rectangular main building and distinguishing signage lettering contributes to its prominent presence within the landscape. In addition, the depth of the front block matches the adjoining early nineteenth-century house to its east.

The main building is adjoined by No. 36 Dominick Street Upper, a corner two-bay three-storey over basement double-pile house built c.1850, a ten-bay two-storey flat roofed (east) workshop facing Palmerston Place, a central flat-roofed workshop, and flat-roofed and pitched-roofed west workshop.

All buildings other than the main building (Protected Structure) are proposed for demolition, to facilitate the construction of the new development. The existing arrangement includes a large open yard to the north-west of the main building enclosed by the curved historic stone wall onto Western Way (Protected Structure) and the boundary garden walls to the rear gardens of the houses onto Palmerston Place.

The surviving railings and piers to the west of the building are a memento of the former Palmerston Terrace/Palmerston House, which appears on the 1847 Ordnance Survey Map, but was demolished in the mid-twentieth century. The original railings are a noteworthy element of the historic streetscape of Upper Dominick Street and Western Way and are included in the Protected Structure description.

The adjoining and adjacent 19th century two-storey-over-basement terraced brick houses on Palmerston Place present an orderly and pleasant, well-maintained and long-established residential environment, with granite steps and landing to the main entrances and wrought iron railings on granite plinth walls enclosing basement areas. The scale of the existing terrace rises to a relatively recently constructed four-storey-over-basement corner building onto Palmerston Place and Dominick Street Upper, designed in a polite faux period style with a rusticated base and brick upper floors, that relates to the adjoining four-storey and three-storey-over-basement terraced brick buildings on the north side of the street. These transition to a series of new four-storey, four-store-plus-one (set back) and six-storey residential terraced brick blocks on the north side of Dominick Street Upper, opposite two three-storey terraced brick Protected Structures rising to a five-bay four-storey terraced brick building adjoining the four-storey terraced brick purpose-built apartment/tenement Temple Buildings and the five-storey brick Dominick Place development on the south side of Dominick Street Upper.

As already noted, a number of significant Protected Structures are located in the vicinity of the subject site including the former Broadstone Station Building, the King's Inns and the Black Church.

Key Policies

I have taken into account key policies and objectives of the Dublin City Development Plan noted below in my assessment and consideration of the proposed development of the Hendrons Site, and the potential impact of the proposed development on the architectural and built heritage of the city. I have also considered the Architectural Heritage Protection Guidelines (2011) and The Urban Development and Building Heights – Guidelines for Planning Authorities, December 2018.

Dublin City Development Plan 2016-2022: Built Heritage Policies and Objectives

Chapter 4 – Shape and Structure of the City

'It is the policy of Dublin City Council: SC7: To protect and enhance important views and view corridors into, out of and within the city, and to protected existing landmarks and their prominence'.

'It is the policy of Dublin City Council: SC13: To promote sustainable densities, particularly in public transport corridors, which will enhance the urban form and spatial structure of the city, which are appropriate to their context, and which are supported by a full range of community infrastructure such as schools, shops and recreational areas, having regard to the safeguarding criteria and standards for

good neighbourhoods, quality urban design and excellence in architecture.

These sustainable densities will include due consideration for the protection of surrounding residents, households and communities’.

4.5.4.1 Approach to Taller Buildings

Dublin City Council acknowledges the intrinsic quality of Dublin as a low-rise city and considers that it should remain predominantly so.....In all cases, proposals for taller buildings must respect their context and address the assessment criteria set out in the development standards section, to ensure that taller buildings achieve high standards in relation to design, sustainability, amenity, impacts on the receiving environment, and the protection or framing of important views....

It is the policy of Dublin City Council: SD16:

To recognise that Dublin City is fundamentally a low-rise city and that the intrinsic quality associated with this feature is restricted whilst also recognising the potential and need for taller buildings in a limited number of locations subject to the provisions of a relevant LAP, SDZ or within the designated strategic development regeneration area (SDRA)’.

Chapter 11 – Built Heritage and Culture, section 11.1.1, of the Dublin City Development Plan 2016-2022 states *‘The built heritage contributes significantly to the city’s identity, to the collective memory of its communities and to the richness and diversity of its urban fabric. The street pattern, local architectural features, the form of buildings and spaces, civic buildings within set pieces of urban design, ... all contribute to the city’s character, identity and authenticity, and together form a key social, cultural and economic asset for the development of the city’.*

It is the Policy of Dublin City Council:

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

Protected Structures

It is the Policy of Dublin City Council:

Policy 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 ...”*

Section 11.1.5.3 Protected Structures – Policy Application of the City Development Plan provides, inter alia, as follows: ‘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’.

Chapter 16 Development Standards: Design, Layout, Mix of Uses and Sustainable Design

‘16.4 Density Standards....The density of a proposal should respect the existing character, context and urban form of an area and seek to protect existing and future residential amenity...’

‘Assessment Criteria for Higher Buildings

All proposals for mid-rise and taller buildings must have regard to the assessment criteria for high buildings as set out below:.....

- *Relationship to context, including topography, built form, and skyline having regard to the need to protect important views, landmarks, prospects and vistas*
- *Effect on the historic environment at a city-wide and local level....*
- *....Architectural excellence of a building which is of slender proportions, whereby a slenderness ratio of 3:1 or more should be aimed at....*
- *....Sufficient accompanying material to enable a proper assessment including urban design study/masterplan, a 360 degree view analysis.....relative height studies'*

Extract from the Government Urban Development and Building Heights – Guidelines for Planning Authorities December 2018:

'Development Management Criteria

3.2 In the event of making a planning application, the applicant shall demonstrate to the satisfaction of the Planning Authority/An Bord Pleanála, that the proposed development satisfies the following criteria:

At the scale of the relevant city/town....

- *Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/ enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views'.*

Proposed Works

Demolitions

It is proposed to demolish the existing warehouses that adjoin the main Hendron's Building (a Protected Structure) and No. 36 Dominick Street.

New building(s) and associated works

Retention, conservation repairs to and reuse of the main Hendron's Building and adjacent historic railings (a Protected Structure) including alterations and an additional single storey at roof level – overall 5 storeys.

Construction of new residential blocks including a 5 storey block on Palmerston Place (including corner building on Dominick Street and Palmerston Place), stepped and canted block on Western Way ranging in height from 9 storeys adjacent to Hendron's Building (a Protected Structure) down to 5 storeys, a new detached ESB substation with new entrance from Western Way, new landscaping and all associated works.

Proposed use of new building

Shared living development of 280no. bedroom units and including 'neighbourhood' uses and amenities, some of which will be accessible to the surrounding community.

Conclusion

Demolitions

It is acknowledged that the existing warehouse buildings attached to the rear and side of the Protected Structure that are proposed for demolition are currently in extremely poor condition caused by significant water ingress and associated persistent deterioration and lack of maintenance over a

sustained period.

It is also noted that these structures are subservient to the Protected Structure, and the east warehouse facing Palmerston Place is broadly the same height as the parapet height of the adjacent terraced brick houses on Palmerston Place. Only the principle Hendron's Building enjoys Protected Structure status.

Main Hendron Building (Protected Structure)

A number of proposals were considered for extending the Protected Structure – I consider the present proposal of one additional storey to be the most respectful of the architectural character and setting of the Protected Structure.

The proposed refurbishment in accordance with best conservation practice and reuse of the main Hendron's Building to accommodate the proposed shared 'neighbourhood' facilities is acceptable in principle, as the building is relatively robust and flexible. The retention of the existing industrial lift and staircase is welcomed. The extent of demolitions within the building are noted.

Whilst the Architectural Heritage Impact Assessment and Conservation Development Strategy provide a comprehensive overview of the works that will be carried out to the Protected Structures, further detailed information will be required to fully describe the detailed works, as indicated in the commentary below. The applicant has submitted survey drawings of the Protected Structure as requested in pre-planning feedback.

It is indicated in the Conservation Development Strategy that detailed drawings and specifications will be submitted for the written agreement of the Conservation Section of the Planning Authority at Detail Design Stage and following the demolition works. Detailed drawings shall be submitted for the written agreement of the Conservation Section of the Planning Authority to indicate defects and making good following demolition works and all conservation repair works to the building, including to windows and doors, and include floor, wall and ceiling finishes throughout.

A photographic record has been submitted of the existing windows in the Protected Structure. The proposed retention and refurbishment of glass block windows is supported, as these form an intrinsic part of and contribute to the architectural character of the historic fabric of the Protected Structure. It is noted and welcomed that matching glass blocks have been sourced at Seves Glass Block Company in the Czech Republic, and that it is possible to fabricate new pivot windows within slim steel frames that incorporate glass blocks for ventilation purposes. I am concerned that the Conservation Development Strategy indicates that none of the plain steel windows will be retained/refurnished – these will be replaced by new steel windows with an improved thermal performance. Whilst it is acknowledged that these steel windows may be later additions, clear justification shall be provided as to why these windows cannot be successfully refurbished.

All repairs and modifications to facilitate the proposed ventilation strategy and new coordinated services routes shall be submitted for the written agreement of the Conservation Section of the Planning Authority.

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.

Notwithstanding their modest significance, the surviving industrial features (such as the winch visible and gantry in the rear laneway) should be incorporated where possible into the proposed development to reflect the former industrial use of the building. (ref. page 4 Conservation Development Strategy) 1:50 drawings 1:10 details to be provided.

Boundary Wall to Western Way (Protected Structure)

Detailed drawings indicating all proposed repairs/new interventions shall be provided of proposed refurbishment of the historic railings and entrance piers, new entrance gates on Palmerston Place (though not directly adjoining the Protected Structure, all such interventions will serve to contribute to the quality of the proposed new development and thus the setting of the Protected Structure), conservation repairs to the boundary wall to Western Way and the boundary wall to the rear gardens of the terraced houses on Palmerston Place, new entrance from Western Way Wall (a Protected Structure) into the ESB Substation.

Structural details have been provided to illustrate the underpinning of the boundary wall adjacent to the new building.

New basement

Detailed drawings shall be provided to describe the creation of the basement demonstrating how damage to the Protected Structure will be avoided.

Height, scale and massing

The proposed construction of the new residential blocks ranging in height between four and nine storeys will have a significant presence and impact on the site and in particular are significantly higher than the predominantly two-storey-over-basement houses on Palmerston Place from which they will be visible. The highest of the stepped blocks on Western Way also significantly higher than the relative recent residential building at 244 Broadstone Hall located at the junction of Phibsborough Road and Western Way to the west.

Thus, it is clear from drawings and CGIs that the Hendrons Building will no longer be the dominant presence on the site.

I am concerned that the proportion/height of the top floor glass and metal clad extension above the Hendrons Building is overly dominant relative to the proportions of the principle Hendrons Building, and recommend that this is reconsidered and either reduced in height or modified in another manner to reduce its impact.

As previously noted, I am very concerned that the proposed 5-storey block on Palmerston Place is approximately double the height of and will overwhelm the 19th century terraced 2-storey-over-basement brick houses on the east side of Palmerston Place (Nos. 23 – 27 inclusive). I suggest that this impact is removed by block by omitting 1 storey from the northern 2-bay block on Palmerston Place and thus reducing the impact on the adjacent terraced houses commencing at No. 1 Palmerston Place.

The CGIs of views 3 (Auburn Street at Primrose Avenue), 4 (Auburn Street between Shamrock and Fontenoy), 5 (Broadstone), 6 (principle elevation of Hendrons and Western Way), 10 (Dominick Street Upper clearly illustrate the significant visual impact that the proposed new development will have on the receiving environment, particularly the Protected Structure at Hendrons and the unprotected terraced houses on Palmerston Place. I recommend that a view is taken from the entrance to the right of way on Palmerston Place of the stepped buildings along Western Way boundary, showing what will be seen from the rear of the terraced houses on Palmerston Place.

Corner Building on Dominick Street Upper and Palmerston Place

As previously advised, the parapet height of the new extension should not exceed the height of the present parapet of the Hendrons Building. Whilst the new set back is more successful in articulating the transition between the Hendrons Building and the new corner building, the relationship between the metal clad top floor of the corner block and the Hendrons Building is still unsatisfactory and overly dominant and requires further consideration, and perhaps a reduction in height if possible, and

incorporating an equivalent set back as expressed in the shoulder block.

Detailed drawings shall be submitted of the enclosure to the new staircase to the rear of the Protected Structure, to demonstrate the architectural character of the rear of the Protected Structure is complemented whilst avoiding slavish facsimile or pastiche. The 2nd and 3rd floor windows in the south elevation of the Hendrons Building shall comprise glass blocks, and not a clear window (which will be facing a blank wall of the new corner building).

Materiality

The choice of high quality materials and excellent detailing will be essential in the execution of the proposed development. In order to ensure the highest quality of materials, samples of all key materials and key details of junctions with the Protected Structure shall be provided for the written agreement of the Conservation Section and Local Authority.

I have serious concerns about the proposed use of 'Dexton Sirius 12mm dark grey cladding and stone effect cladding panels to window openings' – my impression is that this material will not be of a sufficient robustness and quality to complement the use of light/white coloured brickwork. I suggest this is reconsidered. The proposed use of zinc cladding to the lighter elements at roof level is acceptable subject to agreement of a sample to agree colour.

I recommend that a large scale drawing of a typical bay of each block type of the proposed development is submitted to indicate the articulation of the brickwork incorporating brick arches and any other high quality articulation that will enrich what will be substantial areas of walling to the new buildings. I recommend that consideration is given to the introduction of a textured pattern in the contrasting 5 storey brick block at the northeast end of the development to alleviate what is a very severe and blank elevation facing onto Western Way.

Other comments

It is difficult to determine whether the garden space at ground floor level will be a pleasant place in which to sit because of the proximity and height of the new buildings.

Recommended planning conditions, if this proposal is granted planning permission :

A conservation expert with proven and appropriate expertise shall be employed to design, manage, monitor and implement the works to the building and to ensure adequate protection of the retained and historic fabric during the works. In this regard, all permitted works shall be designed to cause minimum interference to the retained building and facades structure and/or fabric.

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

- All works to the protected structure shall be carried out in accordance with best conservation practice and the Architectural Heritage Protection Guidelines for Planning Authorities (2011) and Advice Series issued by the Department of the Environment, Heritage and Local Government. Any repair works shall retain the maximum amount of surviving historic fabric in situ. Items to be removed for repair off-site shall be recorded prior to removal, catalogued and numbered to allow for authentic re-instatement.

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

- All existing original features, in the vicinity of the works shall be protected during the course of the refurbishment works.

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

- All repair of original fabric shall be scheduled and carried out by appropriately experienced conservators of historic fabric.

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

- The architectural detailing and materials in the new work shall be executed to the highest standards so as to complement the setting of the protected structure and the historic area.

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

The following information shall be submitted for the written agreement of the Conservation Section of the Planning Authority in advance of the works commencing:

Note – scale of drawings to adequately demonstrate the level of defects and repairs required

Further design resolution to be agreed:

- Investigate how the height of the top floor extension to the Hendron's building can be reduced or what other adjustments/amendments can be made to reduce the visual impact of this element which appears to dominate the Protected Structure
- Revised drawing to be submitted indicating Glass block window to be retained to opening at 3rd floor level on the south elevation facing the new corner block; and to indicate a better and subservient relationship between the top floor zinc-clad element above the corner building onto Dominick Street/Palmerston Place and the Hendron's Building
- Detailed drawings and construction methodology shall be provided to describe the creation of the new basement demonstrating how damage to the Protected Structure will be avoided.
- Revised drawings to be submitted reducing the height of the end block adjacent to No. 1 Palmerston Place by 1 storey (remove set back top floor)

Hendron's Building

- 1:100 and/or 1:50 drawings indicating all defects and proposed conservation repairs to be carried out to defective concrete and areas where making good is required following demolition, accompanied by a detailed specification and methodology for the proposed repairs, and include proposed floor, wall and ceiling finishes throughout.

Windows and doors:

- 1:50 and 1:10/1:20 drawings of all existing and proposed windows and doors, clearly indicating proposed replacement glass blocks, new pivoting steel and glass block windows to provide ventilation (fig.15 Conservation Development Strategy), replacement steel windows (including profiles); new doors and large windows at ground floor to comprise slim steel sections and profiles to reflect the building's industrial heritage (Crittall or similar), internal lobbies and screens.
- All repairs and modifications to facilitate the proposed ventilation strategy and new coordinated services routes shall be submitted for the written agreement of the Conservation Section of the Planning Authority.

- 1:20 key junction details to illustrate all proposed connections between the Protected Structure and new additions to the rear, to the southeast and the additional storey.

Stone Boundary Walls and Historic Railings and other features

- Detailed inner and outer elevation of the stone boundary wall indicating all defects and proposed conservation repairs to be carried out, accompanied by a detailed specification and methodology for the proposed repairs. Samples to be provided for raking out and repointing
- Detailed elevation of the garden boundary wall between the subject site and the rear gardens of houses on Palmerston Place indicating all defects and proposed conservation repairs to be carried out
- 1:50 drawings 1:10 details of proposed new entrance gate and piers on Western Way
- 1:50 drawings 1:10 details of retained winches and gantries to be retained (ref. page 4 Conservation Development Strategy) to reflect the former industrial use of the building, notwithstanding their modest significance

Other items

- Provide a view taken from the entrance to the right of way on Palmerston Place of the stepped buildings along Western Way boundary, showing what will be seen from the rear of the terraced houses on Palmerston Place.
- large scale drawing of a typical bay of each block type of the proposed to indicate the articulation of the brickwork incorporating brick arches and any other high quality articulation that will enrich what will be substantial areas of brick walling to the new buildings. I recommend that consideration is given to the introduction of a textured pattern in the contrasting 5 storey brick block at the northeast end of the development to alleviate what is a very severe and blank elevation facing onto Western Way. Sample of white (light) and red brick and zinc cladding to be provided for approval
- Proposed an alternative material to 'Dexton Sirius 12mm dark grey cladding and stone effect cladding panels to window openings' – sample to be provided for approval

Reason: To protect the architectural character, setting and integrity of the Protected Structures on the subject site.

Signed

Mary McDonald, BArch FRIAI MUBC

Senior Executive Architectural Conservation Officer (Acting)

Archaeology, Conservation & Heritage

Grade 1 Conservation Architect

Appendix 2 Summary of Comments from Central Area Committee Meeting

Central Area Committee Meeting, Wednesday, 13th January 2021 (via Zoom).

Presentation by Peter Nelson, Executive Planner, on planning application SHD0027/20 (ABP-308841-20) for demolition of existing warehouse, boundary wall and dwelling, retention of Hendrons Building and construction of 280 no. build to rent shared living accommodation apartments and all other associated site works., at [Hendron's Building](#) and wider site, 36-40 Dominick Street Upper, Broadstone, D7

Due to COVID-19 restrictions no members were physically present at the meeting but were given remote access to meeting via Zoom.

Participants in Meeting:

Cllr Janice Boylan (Chairperson)

Cllr Joe Costello

Cllr Séamas McGrattan

Cllr Christy Burke

Cllr Cieran Perry

Cllr Declan Meenagh

Cllr Janet Horner

Cllr Cat O'Driscoll

Cllr Ray McAdam

Cllr Nial Ring

Cllr Eimer McCormack

Peter Nelson – Executive Planner

Karl Mitchell – Director of Services, Central Area

Cllr. Darcy Lonergan could not participate in meeting but he emailed his comments after meeting and they are included below.

Members were particularly concerned about the height of the proposed development which was stated to be out of context for the area and were concerned about shadowing of adjacent properties. There were strong objections to the shared living model which was stated to be unsuitable for the area and there was no demand for same. An Emergency Motion was presented to Meeting opposing the proposed Co-Living Developments at Hendron's Site in Broadstone and at Phibsborough Shopping Centre.

The following is a summary of the concerns/questions which were raised by members.

Height/Density

- Nine stories is very much out of context for this area as demonstrated in the photomontages and would stick out like a sore thumb. It even looks out of context within the existing site as it dwarfs the Hendron's Building.
- The application represents an overdevelopment of a relatively small site and seems out of context in the general area.
- Concern was expressed with regard to Shadow/Daylight analysis of the proposed development in relation to nos 2-6 Palmerston Place in particular. The proposal should be examined carefully in relation to same.
- There is a DCC property on the corner, Dominic House, containing about 16 residents, and they would be completely overlooked and overshadowed if this proposed development to be approved.
- The view was expressed that we do need density in order to solve housing crisis but SHDs and Build-to-rents are not the way to go about this. There needs to be much broader consultation and buy-in.

Design and Layout

- It was questioned how many people will have to share a kitchen in this shared living development. It would appear that on one of the floors you have 16 adults sharing one kitchen which is far too many even in view of Covid -19 implications.
- It was disturbing to hear the developer say that there was no need for full kitchens to be installed in these developments given that most people who purchase or rent them would be Google or Facebook employees who get fed on-site.
- Shared-living is not to be recommended in the context of this current pandemic crisis when we are being told to stay 2 metres apart and within our social bubble.

Shared Living / Build-to-Rent Model

- The shared-living model in the application is referencing old government policy and surely we should not be accepting the current application on those grounds. Co-living is no longer accepted as a good standard of housing in accordance with current government policy.
- The Minister in recently deciding to amend Planning Guidelines restricting all future co-living developments was quoted as saying "there is also a serious risk that co-living permissions will add to upward pressure on land prices. By allowing permissions to extract higher units of beds in a single development and combined with the higher than anticipated number of applications, this has the potential to have negative repercussions for other development types such as affordable purchase or cost rental that the Programme for Government is committed to promoting". This statement should be noted and is important in the context of our submission in relation to the current application for a co-living development on this site.
- The view was expressed that there is some merit to the concept of co-living and London has managed to solve the issue there by putting in place a dedicated co-living policy which maybe we should look at when preparing our city development plan.
- Other countries manage to have well designed co-living developments whereas here we have what looks like 40 people sharing 4 kitchens
- Concern was expressed about the psychological impact of being an adult, paying your taxes and wanting to cook something and having to negotiate with 15 other adults in order to do that. Having no privacy except a bedroom the size of a shoebox. We have to have a holistic view of our city and what constitutes a healthy city.

- It was stated that there are several damning psychological analyses done on the social dynamics of shared living in the US and on the impact of the imposition of a transient population on an area and it behoves us to look at these reports in the context of these proposed shared living developments.
- It was queried if there are any system of rent-control in relation to the management of rents in the proposed development.
- There are concerns about the build-to-rent model where residents are not given the opportunity to purchase their dwellings.

Demand for Shared-living accommodation in the Area

- The view was expressed that it was inexplicable how the developer could state in the “Demand Report” that there was a demand for shared living in the area which there most definitely is not. It’s also not a true reflection of the needs of the area. However I do agree with the statement in the report that there is a need for affordable, decent housing in the area.
- The view was expressed that this proposed co-living development is not suitable at all for this site. We already have a large number of other co-living developments in the area either in the planning process or granted permission.
- Having spoken to a number of “Tech Workers” I can state that none of these people want to live in these co-living developments. They are very well paid and can afford Dublin’s extortionist rents in normal type dwellings. It is only people who have no other choice who will live here.

Housing Crisis

- We have a serious housing crisis at present and it won’t be solved by cramming people into shared-living accommodation.
- Today is a sad day as what we have is nearly 300 units which will do nothing to alleviate the housing crisis. The proposed development is massively unsustainable and represents complete failure of this and previous government’s housing policy.
- It’s ludicrous that the developers in this instance can avoid making any contribution to local authority housing by making it co-living. It’s not what’s needed to solve our housing crisis.
- We as councillors have a double responsibility to look at the needs of planning and also to look at the needs of the Local Authority with regard to housing and there is nothing in this development which will help us.

Landscape, Open Spaces and Amenities

- The view was expressed that there was insufficient provision for green open spaces.
- It was queried how much access will the surrounding residents have to open spaces and amenities within this development.
- Can more information be provided on the community space apparently on offer? Will it be just the cafe or other amenities?
- To clarify if there will be alternative methods of booking the cafe which don't involve using the app which is not user friendly to all or to those who don't want to have data collected.

Impact on Local Community

- The local residents are very concerned that this proposed massive development is going to overshadow their properties and change the dynamic of their community which is a well-established, settled community.
- Concern was expressed about the proximity of 5 and 6 storey buildings to properties on Palmerston Place.
- There was a reference in the application to an app which would have to be used by local residents to book places in the community centre. Local residents are justifiably concerned with regard to this as there are data protection issues involved.
- All of the representations that I have received in relation to this site have been negative and anyone with their ear to the ground would know it's not suitable for the area.
- There are concerns about potential change of use of Hendrons Building in the coming years and what guarantees do we have in relation this.
- An Bord Pleanála looked for a submission in relation to the Z3 zoning "to improve neighbourhood facilities". It would appear that only a very small percentage of the site is being used for that purpose. Is there a minimum requirement with regard to same?
- It is zoned for neighbourhood and this development would not be of any benefit to the neighbourhood.

Protected Structures

- It was welcomed that it is proposed to develop the Hendrons Building which is a beautiful building with regards to its art-deco.
- What is the proposed use of the Hendron's Building itself which is a protected structure?
- It was questioned what would be the impact the proposed development, which is massive on such a small site, on the protected structures including boundary wall.

Construction Management Plan

- We should ensure that if permission is granted that ABP attach a condition requiring the developer to agree a dedicated Construction Management Plan with DCC in advance of commencement of any works on site and also in view of the proximity of site to Luas line.

Emergency Motion in the names of Cllrs Cieran Perry, Nial Ring, Christy Burke, Anthony Flynn, Janice Boylan, and Séamas McGrattan.

This committee completely opposes the proposed 'co-living' developments at Phibsboro Shopping Centre and Hendron's in Broadstone. We believe the proposed 'co-living' concept is developer-led, is unsustainable and lowers living standards for those who will occupy the development. We believe the primary motive for 'co-living' developments is to maximise profit by building large numbers of tiny living units.

Co-living, by its very nature, attracts a transient population which will not contribute to a sense of community in the locality. Family homes or permanent secure accommodation would provide much needed permanent homes while also creating a sense of community.

This committee notes that: -

- Developers of 'co-living' building are not required to provide social housing or community gain.
- There is no evidence that 'co-living' developments contribute to addressing the housing crisis.

- The Minister for Housing, Planning and Local Government has introduced new planning guidelines to restrict all future 'co-living' developments.
- Nine 'co-living' developments are currently in the planning process or granted permission in the general area.

This motion was carried and was requested to be included in Chief Executives Report to An Bord Pleanala.