

The Secretary,  
An Bord Pleanála,  
64 Marlborough Street,  
Dublin 1

7<sup>th</sup> December 2020

Dear Sir / Madam,

**RE: PLANNING APPLICATION FOR PROPOSED STRATEGIC HOUSING DEVELOPMENT AT 36-40 DOMINICK STREET UPPER, BROADSTONE, DUBLIN 7**

On behalf of the applicant, Western Way Developments Ltd, 2 Washington Street, Dublin 8, please find enclosed a planning application for Strategic Housing Development for a Build-to-Rent Shared Living Accommodation development and other uses at nos. 36-40 Dominick Street Upper, Broadstone, Dublin 7. The site includes the Hendrons building, a protected structure (ref. no. 8783).

### **Application Copies**

The enclosed 2 no. hard copies and 3 no. soft copies are provided as per Article 297 (5) of the Planning and Development (Strategic Housing Development) Regulations 2017 which states:

*'An applicant shall submit to the Board 2 printed copies of his or her application for permission for a proposed strategic housing development, together with 3 copies of the application in a machine readable form on digital devices'.*

### **Development Details**

The development description as per the statutory notice is as follows:

*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 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.*

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The development, which ranges from 4 to 9 no. storeys across 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 – Palmerstown 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.

The application contains a statement setting out how the proposal will be consistent with the objectives of the relevant development plan (Dublin City Development Plan 2016-2022). The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section

37(2)(b) of the Planning and Development Act, 2000, as amended, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land. The application may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, during public opening hours at the offices of An Bord Pleanála and Dublin City Council. The application may also be inspected online at the following website set up by the applicant: [www.westernwayshd.ie/](http://www.westernwayshd.ie/)

Any person may, within the period of 5 weeks beginning on the date of receipt by An Bord Pleanála of the application and on payment of the prescribed fee of €20 (except for certain prescribed bodies), make a submission or observations in writing to An Bord Pleanála, 64 Marlborough Street, Dublin 1 or online at [www.pleanala.ie](http://www.pleanala.ie), relating to the implications of the proposed development, if carried out, for proper planning and sustainable development in the area or areas concerned, and the likely effects on the environment or the likely effects on a European site, as the case may be, of the proposed development, if carried out. Submissions or observations duly made will be considered by An Bord Pleanála in making a decision on the application. Such submissions or observations must also include the following information:

- (a) the name of the person, authority or body making the submission or observations, the name of the person, if any, acting on behalf of that person, authority or body, and the address to which any correspondence relating to the application should be sent,
- (b) the subject matter of the submission or observations, and
- (c) the reasons, considerations and arguments on which the submission or observations is or are based.

An Bord Pleanála may grant permission for the strategic housing development as proposed, or may grant permission subject to such modifications as it specifies in its decision, or may grant permission in part only, with or without any other modifications it may specify in its decision, or may refuse to grant permission for the proposed development. An Bord Pleanála may attach to a grant of permission such conditions as it considers appropriate.

A person may question the validity of a decision of An Bord Pleanála by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986), in accordance with sections 50 and 50A of the Planning and Development Act 2000 (No. 30 of 2000), as amended. Practical information on the review mechanism can be found in the Judicial Review Notice on the An Bord Pleanála website: [www.pleanala.ie](http://www.pleanala.ie) or on the Citizens Information Service website: [www.citizensinformation.ie](http://www.citizensinformation.ie). Any enquiries relating to the application process should be directed to the Strategic Housing Development Section of An Bord Pleanála (Tel. 01-8588100).

## Enclosures

The following documentation has been submitted to An Bord Pleanála and 6 no. copies have been provided to Dublin City Council in accordance with Article 297 (6) of the Planning and Development (Strategic Housing Development) Regulations 2017:

- Digital CD copy;
- Application form;

- Letter of Consent by Landowner Eugene Carlyle;
- Letters to the Prescribed Bodies;
- Copy of Site Notice;
- Newspaper Notice;
- Application Fee via Bank Draft Transfer
- Draft Deed of Covenant;
- Management Plan prepared by CityLiving;
- Statement of Consistency & Planning Report prepared by John Spain Associates;
- Statement of Material Contravention prepared by John Spain Associates;
- EIA (Environmental) Screening Report prepared by John Spain Associates;
- Shared Living Demand Report prepared by John Spain Associates;
- Response to An Bord Pleanála's Opinion prepared by John Spain Associates;
- Architectural Drawings and accommodation schedules prepared by John Fleming Architects;
- Architectural Design Statement prepared by John Fleming Architects;
- Housing Quality Assessment prepared by John Fleming Architects;
- Building Lifecycle Report prepared by John Fleming Architects;
- Potential Daylight & Sunlight Impact prepared by Digital Dimensions;
- CGIs/Verified Views prepared by Digital Dimensions;
- Landscape and Visual Impact Assessment prepared by Chris Kennett Consulting;
- Landscape Design and Access Statement and Drawings prepared by Park Hood Landscape Architects;
- Landscape Management and Maintenance Plan prepared by Park Hood Landscape Architects;
- Engineering Assessment Report prepared by Waterman Moylan;
- Irish Water Confirmation of Feasibility Letter and Statement of Design Confirmation, please see Appendix A of the Engineering Assessment Report;
- Engineering Drawings and Schedule prepared by Waterman Moylan;
- Traffic and Transport Assessment prepared by Waterman Moylan;
- Flood Risk Assessment prepared by Waterman Moylan;
- Construction Environmental Management Plan prepared by DCON;
- Construction & Demolition Waste Management Plan prepared by AWN Consulting;
- Operational Waste Management Plan prepared by AWN Consulting;
- Energy Statement prepared by Waterman Moylan;
- Light Design drawings prepared by Waterman Moylan;
- Archaeological Desk Study prepared by Courtney Deering;
- Architectural Heritage Impact Assessment prepared by Historic Building Consultants;
- Conservation Development Strategy by Carole Pollard;
- Bat Assessment Report prepared by Brian Keeley
- Screening Report for Appropriate Assessment prepared by Openfield;
- Ecological Impact Statement prepared by Openfield
- Hydrological and Hydrogeological Qualitative Risk Assessment prepared by AWN Consulting.

We trust that the documentation as submitted meets the requirements of the Planning and Development (Housing) and Residential Tenancies Act 2016, and specifically the Planning and Development (Strategic Housing Development) Regulations 2017 and application guidance documents issued by An Bord Pleanála.

In preparing this planning application, including all drawings and reports, we had regard to the issues raised during pre-application meetings with Dublin City Council the tri-partite

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meeting with the Board, the requirements of relevant Section 28 Guidelines and the Dublin City Development Plan 2016-2022.

If you have any queries please do not hesitate to contact us

Yours faithfully,



John Spain Associates