



---

## **Planning and Development Acts 2000 to 2020**

### **Planning Authority: Dublin City Council**

**Application** for permission under section 4 of the Planning and Development (Housing) and Residential Tenancies Act 2016, in accordance with plans and particulars, lodged with An Bord Pleanála on the 7<sup>th</sup> day of December 2020 by Western Way Developments limited care of John Spain Associates of 39 Fitzwilliam Place, Dublin 2.

#### **Proposed Development comprises of the following:**

Four to nine number storeys across two number 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 circa 11,384 square metres, including 10,951 square metres of Build to Rent Shared Living Accommodation inclusive of amenity space, 280 number units [281 number bedspaces], circa 433 square metres 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 number 36 Dominick Street Upper (circa 2,362.8 square metres) and the construction of Build to Rent Shared Living accommodation on site the including; Block A fronting Palmerston Place (four – five number storeys), Block B, the Hendrons Building (five number storeys including fifth floor setback), Block C on the corner of Dominick Street Upper and Western Way (nine number storeys), Block D

fronting Western Way (seven – eight number storeys) and Block E fronting Western Way (five – six number storeys);

- Adaptive re-use of and related works to the existing Hendrons building, a protected structure under Record of Protected Structure Reference Number 8783; for use for shared living accommodation and a café or shop; including retention of existing 'Hendrons' signage, the construction of an additional storey resulting in a five number 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 northwest, southeast and rear elevations to accommodate new doors and windows; removal of two number 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 and pilates studio and changing rooms (circa 260 square metre) at lower ground floor level; Block B will include café or shop (circa 173 square metre) 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 (2,186 square metre), 175 number bicycle spaces, three number motorcycle spaces and plant at basement level;
- External amenity space (total circa 1267.1 square metres) is provided in the form of two number roof terraces at Block A (fourth floor level – Palmerstown Place 303.7 square metres) and Block D (seventh floor level – Western Way 93.2 square metres) [levels include upper and lower ground floor] and within a central courtyard and outdoor seating areas (870.2 square metres);
- Provision of an ancillary single storey Electricity Supply Board substation and switch-station including access via Western Way (and removal of a section (circa two metres) of the boundary wall (Record of Protected Structure Reference Number 8483) to accommodate this;

- Provision of site wide landscaping including pathways, lighting, sedum roofs and all ancillary site development works including boundary treatments all located at this site of approximately 0.3285 hectares at numbers 36 – 40 Dominick Street Upper, Broadstone, Dublin. The site includes the ‘Hendrons’ Building, and adjacent railings, comprising Record of Protected Structure Reference Number 8783 and the boundary wall of the application site on Western Way, comprising Record of Protected Structure Reference Number 8783. The site has frontages to Palmerston Place, Dominick Street Upper and Western Way.

## **Decision**

**Refuse permission for the above proposed development based on the reasons and considerations set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## Reasons and Considerations

Having regard to the potential negative impact that the proposed development would have on the Protected Structure (Hendrons Building) within the site, in particular the height, design and materiality of the proposed development as provided for in Block C, it is considered that the proposed development would not be in accordance with Policy CHC1 and Policy CHC2 of the Dublin City Development Plan 2016-2022 to preserve Protected Structures. The proposed development would, therefore, not be in accordance with the proper planning and sustainable development of the area.

---

**Stephen Bohan**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this          day of                          2021**