



An  
Bord  
Pleanála

**Case Reference:  
ABP-307475-20**

---

## **Planning and Development (Housing) and Residential Tenancies Act 2016**

### **Notice of Pre-Application Consultation Opinion**

---

**Proposed Development: Demolition of existing warehouses and dwelling, retention of Hendrons' Building and construction of 296 no. shared living residential units and associated site works.**

**Hendrons' Building (a protected structure) and wider site, 36-40 Dominick Street Upper, Dublin 7.**

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

Furthermore, pursuant to article 285(5)(b) of the Planning and Development (Strategic Housing Development) Regulations 2017, the prospective applicant is hereby notified that, in addition to the requirements as specified in articles 297 and 298 of the Planning and Development (Strategic Housing Development) Regulations 2017, the following specific information should be submitted with any application for permission:

1. Submission of a statement in accordance with Section 5(5)(b) of the Act of 2016 that, in the prospective applicant's opinion, the proposal is consistent with both the relevant objectives of the development, and relevant Ministerial guidelines under section 28 of the Act of 2000. In particular, such statement

should demonstrate how the proposed development is in accordance with the Z3 Neighbourhood Centre zoning objective as set out in the Dublin City Development Plan 2016-2022 , including detailed breakdown of public uses and how public access to such uses will be managed.

- The statement should also consider compliance with the building heights policies of the Dublin City Development Plan and, where appropriate, the statement provided for the purposes of subsection (5)(b)(i) shall indicate why, in the prospective applicant's opinion, permission should nonetheless be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.
2. 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.
  3. 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.
  4. 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.
  5. A rationale for the location and means of access to the proposed ESB substation and details of the treatment of any interventions in the boundary wall to Western Way.

6. A detailed daylight and sunlight assessment of the proposed development, in accordance with the BRE 209 document "Site layout Planning for daylight a guide to good practice Second Edition -2011" by Paul Littlefair, which shall include all ground and lower ground floor units and all amenity spaces.
7. 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.
8. A detailed schedule of accommodation demonstrating compliance with the relevant standards set out in the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, in relation to Shared Accommodation Developments, including SPPR9, in particular.
9. 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.
10. A site layout plan indicating what areas, if any, are to be taken in charge by the planning authority.

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

- 1. Irish Water**
- 2. Minister of Culture, Heritage and the Gaeltacht**
- 3. An Taisce - the National Trust for Ireland**

- 4. Heritage Council**
- 5. An Comhairle Ealaíonn**
- 6. Fáilte Ireland**
- 7. National Transport Authority**
- 8. Transport Infrastructure Ireland**

**PLEASE NOTE:**

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

---

Rachel Kenny  
Director of Planning  
October, 2020