



In compliance with the provisions of Section 179 of the Planning and Development Act 2000 (as amended) and Part 8 of the Planning and Development Regulations 2001 (as amended) and in compliance with the provisions of the Local Government Act 2001 and pursuant to the requirements of the above, notice is hereby given of Dublin City Council's intention to carry out the following works:

Application No: 4931/22

Proposal: LAW: Planning and Development Act 2000 (as amended) Planning and Development Regulations 2001 (as amended) - Part VIII

Applicant: Housing Maintenance Section, Housing and Community Services Department, Dublin City Council.

Location: 19 and 21 Connaught Street, Phibsborough, Dublin 7

Proposal: The demolition and reconstruction of these Dublin City Council owned residential properties, including the retention and refurbishment of the front elevations of both properties, demolition of rear garden shed at no. 21, internal fit-out, drainage works associated site works and construction of external pavement surfaces to front and rear gardens of both properties

In accordance with Part 8, Article 81 of the Planning and Development Regulations 2001 as amended the Council gave notice of the proposed development in the Irish Independent on 27 September 2022. Plans and particulars of the proposed development were available for inspection at the Civic Offices, Wood Quay from 27 September 2022 for 4 weeks. Submissions and Observations with regard to the proposed development could be made up to and including 8 November 2022.

Location:

The subject site is a pair of adjoining houses in the middle of a terrace, both in derelict condition, at the south eastern end on the south side of Connaught Street, close to Phibsborough Shopping Centre. The site backs onto a laneway, beyond which is Dalymount Park football stadium.

The houses are a matching pair, each two-bay two-storey, with a single-storey canted bay window to the front (north) elevation. They share a pitched slate roof with red brick end chimneystacks, and have a lower two-storey central projecting block to the rear (south), forming a return to each house. They have red brick front facades with yellow brick corbelled eaves course to the roof, and to the roofs of the bay windows. The window openings are segmentally-arched with granite sills, while the door openings have round arches, all with moulded red brick voussoirs. Windows, doors, and fanlights are all boarded up. Painted doorcases with carved corbels remain. They each have a small front garden and larger rear garden.

The immediate area is characterised by rows of terraced single- and two-storey Victorian residential developments, with variations in style and character. Connaught Street has a high degree of uniformity to the south side, with this pair forming part of a terrace of 19 identical houses from 11-47 (odd numbers only), stepped in pairs.

Development:

The development comprises of the following:

- Partial demolition of existing buildings, excluding existing North (front) external walls
Demolition of existing outbuildings and boundary walls to rear;
- Repairs to existing North (front) external walls;
- Reinstatement of two no. new two-storey dwellings with two-storey rear extensions (taller and wider than existing) applying current standards to the accommodation and construction;
- New boundary walls to rear and repair of existing front boundary fences & pavement surfaces; and
- Associated drainage, site boundary & site development works

Content of the Submission

The following documentation was lodged:

- Part 8 Submission – Cover letter dated 27/9/22;
- Appropriate Assessment Screening report;
- Floor plans, elevations and sections;
- Temporary façade retention works;
- Shadow cast plans; and
- Drainage Design report.

Planning Context:

Zoning & Policy

Dublin City Development Plan 2016 - 2020 Context

The site is located in an area zoned objective 'Z2' which seeks 'to protect and / or improve the amenities of residential conservation areas'.

Residential conservation areas have extensive groupings of buildings and associated open spaces with an attractive quality of architectural design and scale. The overall quality of the area in design and layout terms is such that it requires special care in dealing with development proposals which affect structures in such areas, both protected and non-protected. The general objective for such areas is to protect them from unsuitable new developments or works that would have a negative impact on the amenity or architectural quality of the area. The policy chapters, especially Chapters 11 – Built Heritage and Culture, and 16 – Development Standards, detailing the policies and objectives for residential conservation areas and standards respectively, should be consulted. Volume 4 of this plan contains the record of protected structures.

The principal land-use in residential conservation areas is housing but can include a limited range of other uses. In considering other uses, the guiding principle is to enhance the architectural quality of the streetscape and the area, and to protect the residential character of the area. Proposals for live/work units at an appropriate scale with discreet signage will be considered on the basis that the proposal would not detract from, or alter the physical character and fabric of the streetscape.

The designation of certain areas as the Z2 zoning objective forms part of the conservation policy framework of the Development Plan. Policy CHC1 sets out an overall aspiration to preserve the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes. Policy CHC4 is a policy to protect the special interest and character of all Dublin's Conservation Areas, and to avoid harm to or loss of features which positively contribute to the special interest of the area, or which harm the setting of a conservation area.

Policy CHC4 seeks to manage development in conservation areas as follows: *"...Development within or affecting a conservation area must contribute positively to its character and distinctiveness, and take opportunities to protect and enhance the character and appearance of the area and its setting, wherever possible.*

Enhancement opportunities may include:

- 1. Replacement or improvement of any building, feature or element which detracts from the character of the area or its setting*
 - 2. Re-instatement of missing architectural detail or other important features*
 - 3. Improvement of open spaces and the wider public realm, and re-instatement of historic routes and characteristic plot patterns*
 - 4. Contemporary architecture of exceptional design quality, which is in harmony with the Conservation Area*
 - 5. The repair and retention of shop- and pub-fronts of architectural interest*
- Development will not:*
- 1. Harm buildings, spaces, original street patterns or other features which contribute positively to the special interest of the Conservation Area*
 - 2. Involve the loss of traditional, historic or important building forms, features, and detailing including roof-scapes, shop-fronts, doors, windows and other decorative detail*
 - 3. Introduce design details and materials, such as uPVC, aluminium and inappropriately designed or dimensioned timber windows and doors*
 - 4. Harm the setting of a Conservation Area*
 - 5. Constitute a visually obtrusive or dominant form".*

Chapters 5 and 16 and Appendix 17 of the Dublin City Development Plan 2016-2022 and the then DEHLG document 'Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007) are relevant when assessing applications for an infill housing.

Section 5.58 Demolition and Re-Use of Housing states in part: *The demolition of existing housing is generally discouraged on sustainability grounds and it may lead to a loss of residential accommodation and streetscape character.*

Policy QH23: *To discourage the demolition of habitable housing unless streetscape, environmental and amenity considerations are satisfied, and a net increase in the number of dwelling units is provided in order to promote sustainable development by making efficient use of scarce urban land.*

16.2.2.2 Infill Development

The particular character of the city and its concentration of historic buildings means that most redevelopment opportunities are for 'infill development' i.e. gap sites within existing areas of established urban form. It is particularly important that proposed development respects and enhances its context and is well integrated with its surroundings, ensuring a more coherent cityscape.

As such Dublin City Council will seek:

- To ensure that infill development respects and complements the prevailing scale, architectural quality and the degree of uniformity in the surrounding townscape
- In areas of varied cityscape of significant quality, infill development will demonstrate a positive response to context, including characteristic building plot widths, architectural form and the materials and detailing of existing buildings, where these contribute positively to the character and appearance of the area
- Within terraces or groups of buildings of unified design and significant quality, infill development will replicate and positively interpret the predominant design and architectural features of the group as a whole
- In areas of low quality, varied townscape, infill development will have sufficient independence of form and design to create new compositions and points of interest and have regard to the form and materials of adjoining buildings, where these make a positive contribution to the area.

The proposal is deemed to be consistent with the policies and objectives outlined in the Dublin City Development Plan 2016-2022.

Technical issues

The application includes responses from a number of internal departments. A summary of the technical issues are set out below:

Transportation Planning Division: Report dated 8/11/22. No objection, subject to conditions.

Drainage Division: Report dated 25/10/22: No objection subject to conditions

City Architects: No response received.

City Archaeologist: No response received.

Waste Management Services: No response received.

Consultees

Irish Water: No response received.

Irish Rail: No response required.

National Transport Authority: No response received.

Transport Infrastructure Ireland: No response received.

Persons / bodies who made submissions:

One submission has been received. The main points of the submission are set out below:

- The proposal may cause structural damage to next door property; and
- Would have a negative impact on adjoining property.

This submission is noted and has been considered as part of the assessment of this application.

Assessment

Principle of development

The sites are zoned Z2, residential conservation area. The proposal for residential use is permissible in principle under the zoning objective. However, as noted above, Z2 zones are conservation areas and the policies in the Development Plan relating to conservation areas are relevant. Many terraces in nineteenth century Dublin were built in small numbers, as finances permitted, with resulting short stretches of matching houses providing variations on a theme with their near neighbours. It is noted that this terrace is particularly consistent, with a large number of identical houses in a row, each having matching bay windows, window

openings, door openings, and decorative brick finishes. The proposal to replace two houses in the middle of the terrace requires sensitive treatment.

There are a number of key considerations in relation to the proposed development, including how would the demolition of the proposed development comply with the direction of the Dublin City Development Plan in terms of the demolition of habitable dwellings, how would the demolition of the dwelling impact on the setting and character of the Z2 zone and what impact the proposed development would have on the residential amenity of surrounding dwellings.

Demolition

As part of the proposed development only the existing facades are proposed to be retained. On a site inspection it was noted that the structures on site seemed to be in a poor state of repair. Section 5.58 Demolition and Re-Use of Housing and Policy QH23 of the Dublin City Development Plan 2016-2022 together seek to discourage the demolition of existing housing unless streetscape, environmental and amenity considerations are satisfied, and a net increase in the number of dwelling units is provided in order to promote sustainable development by making efficient use of scarce urban land. In this case, it is noted that the structures in question are in a poor state and are not safe for human habitation. While it is noted that the proposal would not lead to a net increase in the number of dwelling units provided per se, it would lead to two derelict units being removed and replaced with two new units which would provide suitable homes. Given the Z2 characteristics of the area and the retention of the existing facades, it is considered that the proposed development would provide for housing which has due consideration for the character of the streetscape. Having considered the current state of the buildings and the need to comply with the Z2 residential conservation zoning, on balance, the proposed demolition (with retention of the façade) is an appropriate approach.

Scale and Design

It is proposed to construct two dwellings, which are identical in plan, each with four bedrooms and one single room). The form, with a paired central return, is similar to the existing houses, but proposes a taller, wider, longer return. Section 16.10.9 and policy QH22 of the Dublin City Development Plan 2016-2022 seeks to ensure that new houses have regard to the character of existing houses in the area unless there are strong design reasons for doing otherwise. In this case, while the proposal provides for the demolition of two existing mid terrace dwellings which are zoned Z2, it is noted that the existing facades of the dwellings would be retained. Further to this, the drawings submitted with this application shows that timber sash windows are proposed on each window on the front elevation as are hardwood doors. This is considered to be acceptable. In light of the foregoing, it is considered that the proposed development would successfully integrate with the character of the area.

Regarding the residential amenity of future residents, an accommodation schedule has been provided, detailing the floor area of the houses or of the rooms. An examination of the plans indicates that the room sizes and widths are largely compliant with the relevant ministerial guidelines, *Quality Housing for Sustainable Communities - Best Practice Guidelines for Delivering Homes Sustaining Communities*' (2007). The required storage for a 4-bed 7-person house is 6m², with this distributed at ground and first floor. All rooms are of a regular size and shape, and the houses would provide adequate residential amenity.

Both dwellings would have south-facing gardens, providing private amenity space to the rear of each dwelling in excess of 75 sqm (stated areas of 84.6m² and 84.5m²), which appears to include the area beside the return). This is acceptable, given the normal minimum standard of 10m² per bedspace to the rear (or 60-70 sqm) as set under Section 16.10.2. Both gardens would have rear access to the lane, with the rear garden wall and gate replaced.

It is noted that the submission received outlined concerns in relation to impact of the proposed development on the amenity of surrounding properties. The existing dwellings have a two storey return which have a depth of c. 4.9m and a single storey lean to structure attached to the rear of the returns, which adds up to a total depth of c.6.7m from the rear façade of the dwellings. The proposed two storey returns would have a depth of c. 6.2m. Further to this, the proposed returns would be slightly wider than each of the existing returns and c.1.2m taller than the existing returns. These increases are considered to be relatively minor.

The application material includes a shadow analysis, dated 19/9/22 which shows the shadow casts at the spring and autumn equinoxes for both of the existing and proposed buildings on site. From the shadow analysis it can be seen that the proposed development would not significantly increase the shadow cast over the rear elevations of No. 17 and 23 Connaught Street from the existing situation. Having regard to this, it is considered that the proposed development would not have an undue impact on the residential amenity of surrounding properties by way of overshadowing, overlooking and the proposed development is not considered to be overbearing development.

It is noted that the objection received also highlighted concerns relation the proposal may cause structural damage to next door property. It is accepted practice in urban areas that construction can take place in close proximity to other buildings without impacting on the structural integrity of adjoining structures. In this regard the onus would be on the applicant to ensure that any works would not impact on abutting properties.

Requirement of Appropriate Assessment (AA) and Environmental Impact Assessment (EIA)

Appropriate Assessment:

Under Article 6 (3) of the EU Habitats Directive and Regulation 30 of SI NO.94/1997 “European Communities (Natural Habitats) Regulations (1997) any plan or project which has the potential to significantly impact on the integrity of a Natura 2000 site must be subject to an Appropriate Assessment. This requirement is also detailed under Section 177 (U) of the Planning and Development Act 2000 (as amended).

A screening report for Appropriate Assessment has been submitted. The report is based on a desktop review. The report identifies that there is no hydrological, physical or ecological links between the subject site and any European/Natura 2000 sites and therefore concludes that no direct or indirect impact will occur on this site’s qualifying interests.

The Planning Department, as the competent authority, has considered the screening report, has undertaken the Appropriate Assessment screening of the development and has determined that progression to Stage 2 of the Appropriate Assessment process (i.e. preparation of a Natura Impact Statement) is not considered necessary. It is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

In relation to the requirement for an Environmental Impact Assessment it is noted that:

The projects which require EIA are listed in Annex I and Annex II of the EIA Directive as amended. Projects listed in Annex I of the EIA Directive have mandatory EIA requirements. Annex II projects are considered on a case-by-case basis at national level and thresholds have been set for Annex II projects in Irish legislation. But even projects which do not meet the threshold may require an EIA if the project is likely to have significant effects on the environment (sub-threshold development).

Schedule 5 (Part 1) of the Planning and Development Regulations 2001-2018 (as amended) sets mandatory thresholds for projects. The proposed development does not meet or exceed the mandatory threshold for projects set out in the Schedule therefore a mandatory EIA is not required.

Schedule 5 (Part 1) of the Planning and Development Regulations 2001-2018 (as amended) sets out national thresholds none of which the proposed development appears to fall under.

Having regard to the nature of the development comprising the demolition and reconstruction of these Dublin City Council owned residential properties, including the retention and refurbishment of the front elevations of both properties, demolition of rear garden shed at no. 21, internal fit-out, drainage works associated site works and construction of external pavement surfaces to front and rear gardens of both properties, it is considered that there is no real likelihood of significant effects on the environment arising from the proposed development and the need for environmental impact assessment can therefore be excluded.

Conclusion

The Planning Authority considers the proposed development to be consistent with the provisions of the Dublin City Development Plan 2016 -2022 and in accordance with the proper planning and sustainable development of the area, and considers that it should proceed having regard to the following:

1. The requirements of the Council's Drainage Division and Transportation Planning Division shall be complied with during the development.

This report is submitted to the City Council pursuant to Section 138 of the Local Government Act, 2001 and Section 179 of the Planning and Development Act, 2000 (as amended), subject to the provisions of Section 139 of the Local Government Act, 2001.

Recommendation

It is recommended that the City Council be informed that the planning authority has no objection to the proposed development and that the proposal is in accordance with the proper planning and sustainable development of the area

Accordingly, the City Council should be advised to approve the proposed development subject to the following requirements;

1. Prior to the commencement of development the applicant shall comply with the following requirements of the Transportation Planning Division of Dublin City Council:
 - a) Prior to commencement of development, and on appointment of a demolition contractor and, a Demolition Management Plan shall be submitted to the planning authority for written agreement. This plan shall provide details of intended demolition practice for the development, including detailed traffic management, hours of working, noise and dust management measures and off-site disposal of demolition waste and access arrangements for labour, plant and materials, including location of plant and machine compound. The Demolition Traffic Management Plan shall seek to minimise impact on the public road and potential conflict with pedestrians, cyclists and public transport. The appointed contractor shall liaise with DCC Road Works Control Division during the demolition period.
 - b) Prior to commencement of development, and on appointment of a main contractor, a Construction Management Plan shall be submitted to 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 waste and access arrangements for labour,

plant and materials, including location of plant and machine compound. The Construction Traffic Management Plan shall seek to minimise impact on the public road and potential conflict with pedestrians, cyclists and public transport. The appointed contractor shall liaise with DCC Road Works Control Division during construction period.

- c) One bicycle parking space shall be provided for each residential unit. This shall be secure, sheltered, well lit and separate to residential storage. Cycle parking design shall allow both wheel and frame to be locked.
 - d) 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.
 - e) The developer shall be obliged to comply with the requirements set out in the Code of Practice.
2. Prior to the commencement of development the applicant shall comply with the following requirements of the Drainage Division of Dublin City Council:
- a) The development 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) DCC Drainage Division does not require attenuation storage and flow control of surface water runoff from the development. However, the development shall incorporate Sustainable Drainage Systems in the management of surface water. Full details of these shall be agreed with Drainage Division prior to the commencement of construction.
 - c) 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.
 - d) Records of public sewers are indicative and must be verified on site.
 - e) An appropriate Flood Risk Assessment, in accordance with the OPW Guidelines and the Dublin City Development Plan 2016-2022 Strategic Flood Risk Assessment, should be carried out for the proposed development.
 - 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

The Central Area Committee were informed of the initiation of the Pre-Part 8 planning process for the proposed development and the recommendation of the Planning Department at its meeting on the 13th September 2022 and were given an update on the Part 8 Planning process on 13th December 2022. The project is being funded by the Department of Housing, Local Government and Heritage under the 'Buy & Renew' Scheme.

Accordingly, it is recommended that a decision be made by Elected Members of the Council to proceed with the proposed development.

This report is submitted to the City Council pursuant to Section 179 of the Planning and Development Act, 2000 (as amended).

Resolution:

That Dublin City Council notes the contents of Report No. 09/2023 and hereby approves the contents therein.

Owen P Keegan
Chief Executive

15th December 2022

Appendix A

Consultees and Third Party Submissions/Observations

Consultees

Irish Water, Colvill House, 24 - 26, Talbot Street, Dublin 1

Irish Rail, Pearse Street Station, Westland Row, Dublin 2

National Transport Authority (NTA), Head of Planning and Data Analysis, Harcourt Lane, Dublin, D02 WT20

Transport Infrastructure Ireland (TII), Parkgate Business Centre, Parkgate Street, Dublin 8, DO8YFF1

Third Parties

Alphonsus Gallagher

OUTLINE SPECIFICATION

Existing buildings, with the exception of the front elevations, to be demolished. Existing elevation features to be retained and wall repaired. Pitched roof to comprise Blue/black natural slate, reused where possible, on timber battens on felt on insulated timber roof structure. All ceilings to be insulated and finished with foil-backed plasterboard.

Ground floor to consist of cast in situ concrete slab over 150mm rigid floor insulation over radon barrier over sand blinding and well compacted hardcore.

Rear external walls to rear to be cavity wall construction with 110mm rigid insulation and buff brickwork to match existing rear elevations. Internal leaf to be plastered and painted. All load bearing walls supported on reinforced continuous concrete strip foundations

New front doors to be Hardwood in select colour with brass ironmongery incl. 3 point locking. Front windows to be timber sliding sash. Rear external doors to be aluminium and windows to be selected uPVC double glazed with precast concrete / or existing stone cills. All glazing to be low emmissivity K glass to comply with TGD Part L Building 2019

Storm drainage to be 100 diameter wavin laid to 1:150 minimum fall. Surface drainage to discharge to public system. Foul Drainage laid to 1:60 approx fall to discharge to existing public sewer.

Existing front elevations are to be retained & repaired

PROPOSED AREA SCHEDULE	
Existing Dwelling Floor Area No. 19:	147.5m ²
Existing Dwelling Floor Area No. 21:	135.7m ²
Proposed Dwelling Floor Area No. 19:	135.8m ²
Proposed Dwelling Floor Area No. 21:	135.8m ²



EXISTING NORTH ELEVATION
1:100



PROPOSED NORTH ELEVATION
1:100



EXISTING SOUTH ELEVATION
1:100



PROPOSED SOUTH ELEVATION
1:100



EXISTING WEST ELEVATION - 21 CONNAUGHT STREET
1:100



PROPOSED WEST ELEVATION - 21 CONNAUGHT STREET
1:100



EXISTING EAST ELEVATION - 19 CONNAUGHT STREET
1:100



PROPOSED EAST ELEVATION - 19 CONNAUGHT STREET
1:100



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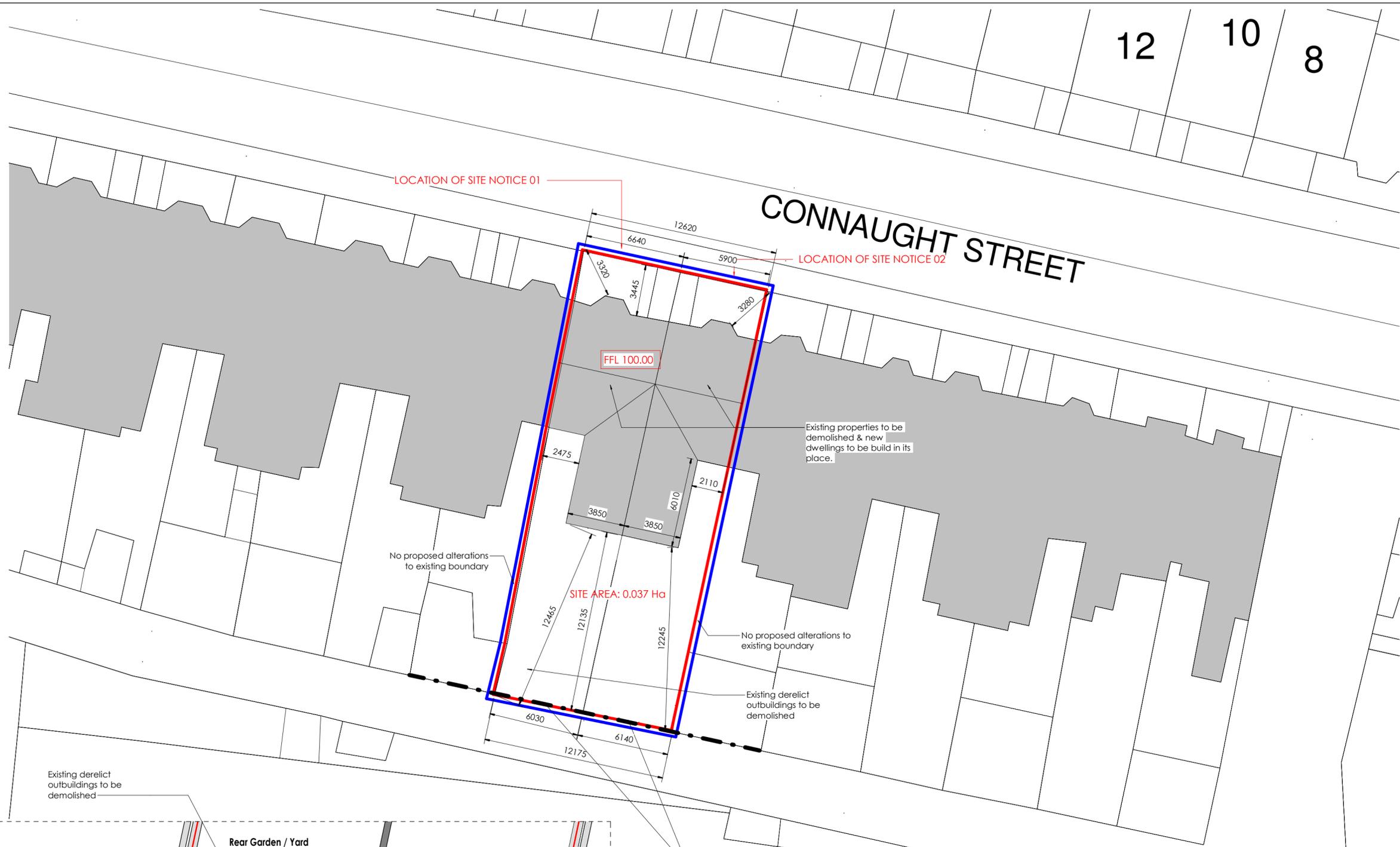
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 ALL WORK TO COMPLY WITH CURRENT BUILDING REGS & B.S.

REVISION REGISTER

REV	DATE	DESCRIPTION	MC DRAWN	MC CHECKED	KH APPROVED
01	19/09/2022	PLANNING DRAWINGS			

 tel: 052 6128966 fax: 052 6180690 email: info@kharchitects.ie Anglessea House, Anglessea Street Clonsilla, Co. Tipperary	 KENNETH HENNESSY ARCHITECTS	CLIENT: Dublin City Council PROJECT: 19 & 21 Connaught Street, Phibsborough, Dublin 7 DRAWING TITLE: ELEVATIONS DRAWING NUMBER: 2010 KHA ZZ ZZ DR A PD 2001 S1 P 01
SCALE: As indicated@A1	STATUS: PLANNING DRAWING	



OUTLINE SPECIFICATION

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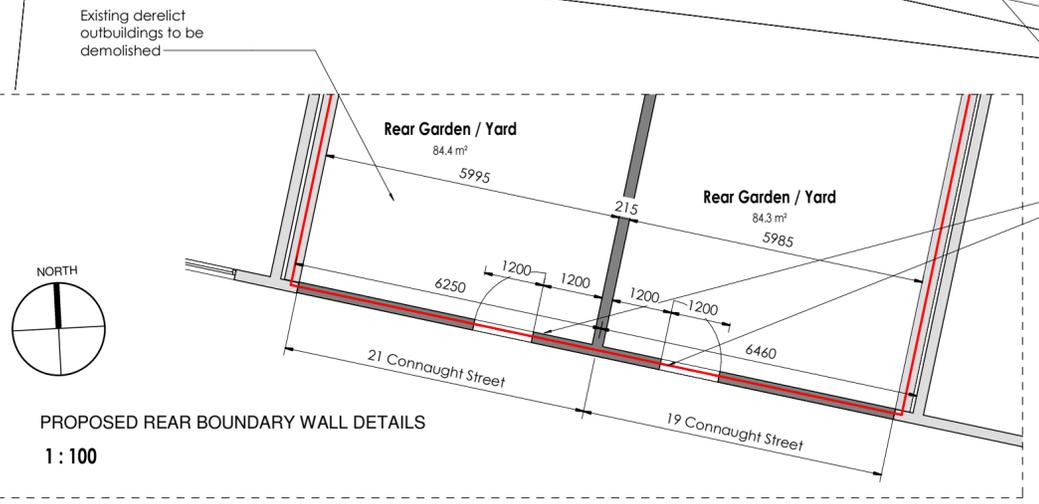
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Proposed Dwelling Floor Area No. 21:	135.8 m ²



1 PROPOSED SITE LAYOUT
1 : 200

25/07/2022 11:29:13

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ALL WORK TO COMPLY WITH CURRENT BUILDING REGS & S.L.

REVISION REGISTER

NO.	DATE	DESCRIPTION	BY	CHECKED	APPROVED
01	25/07/2022	PLANNING DRAWINGS	MC	MC	KH

RIAI Registered Architect 2022
Architect Accredited in Construction G3
Professional Indemnity P

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Angelsea House, Angelsea Street
Clonmel, Co. Tipperary

KHA
KENNETH HENNESSY ARCHITECTS

CLIENT: Dublin City Council
PROJECT: 19 & 21 Connaught Street, Phibsborough, Dublin 7
DRAWING TITLE: PROPOSED SITE LAYOUT PLAN
DRAWING NUMBER: 2010 KHA ZZ ZZ DR PD 1000 S1 P 01

SCALE: As indicated@A2
STATUS: PLANNING DRAWING