



TED Living Limited

Presentation prepared for An Bord Pleanála Oral Hearing 22nd June 2022
ABP Reference ABP-312070-21

20th June 2022

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INTRODUCTION

1

Introduction to Attendees

- **CLIENT: Ardstone on behalf of Ted Living Limited Applicant**
Steve Cassidy, Michael Gallagher
- **Solicitors: McCann FitzGerald LLP**
Brendan Slattery
- **PLANNING CONSULTANT: Brock McClure Planning & Development Consultants**
Suzanne McClure
- **LEAD ARCHITECT: MOLA Architecture**
Ralph Bingham, Sinéad Hughes
- **CONSERVATION ARCHITECT: David Slattery Conservation Architects**
James Slattery
- **OCSC Consulting Engineering**
Patrick Field

This package of clarifying information has been prepared on behalf of the applicant for permission, Ted Living Limited, in response to the letter dated 17 May 2022 from An Bord Pleanála (the “Board”). Specifically, the Board has decided to hold a limited agenda oral hearing because it considers that further elaboration in respect of a number of issues regarding the treatment of the Protected Structure would assist the comprehensive and complete assessment of the proposed development.

The package comprises a presentation and ancillary clarifying documentation dealing with the identified issues.

In accordance with the direction in the Board’s letter dated 3 June 2022, this package is made available to view at the applicant’s website www.tedcastlesliving.ie for the Board Inspector, planning authority and observers.

AGENDA

2

Agenda

“The extensive removal of original fabric internally and the removal of the roof form of the Yellow Brick Building known as 'Dunleary House' (addressing Dunleary Hill) a proposed Protected Structure in the Record of Protected Structures in the draft County Development Plan 2022-2028, and Specific Local Objective 153 which relates to this site and which states that 'The Dunleary House (Yellow Brick House) and associated boundary be retained in situ and renovated'.

*Having regard to the concerns raised by the Planning Authority in the Chief Executive's Report, as well as those of third parties, **the Board is of the view that further elaboration or justification is required in respect of the matters set out below and to consider, where applicable, amendments to address the conservation issues highlighted.**”*

ABP Letter Dated 17th May 2022 (Excerpt)

ITEM 1: FABRIC

ITEM 2: USE

ITEM 3: UPPER LEVELS

PLANNING CONTEXT

3

Brock McClure Planning & Development Consultants

Suzanne McClure

Context of the Protected Structure

The former house (excluding later 20th Century extensions) of Dunleary House (otherwise Yellow Brick House or Tedcastles House) at Old Dunleary Road, Dún Laoghaire is included at RPS No. 2131 of the Record of Protected Structures at Table 4.1 of Appendix 4 to the Dún Laoghaire-Rathdown County Development Plan 2022-2028.

For a comprehensive and complete understanding of the inclusion on the RPS, it is important to elaborate the planning context for that entry, including assessment of proper planning and sustainable development evidenced by a previous planning decision, the process for the making of the previous County Development Plan and the process for the making of the current County Development Plan



Dunleary House West/South Facade (Corner View)



Dunleary House North Facade



Dunleary House South Facade

2003 – Established Planning Precedent

PERMISSION GRANTED FOR DEMOLITION OF DUN LEARY HOUSE

Permission was granted in 2003 by the Planning Authority and An Bord Pleanala for a mixed use development comprising retail, offices, a gym/health centre and a carpark. The permitted development included the demolition of Dun Leary House.

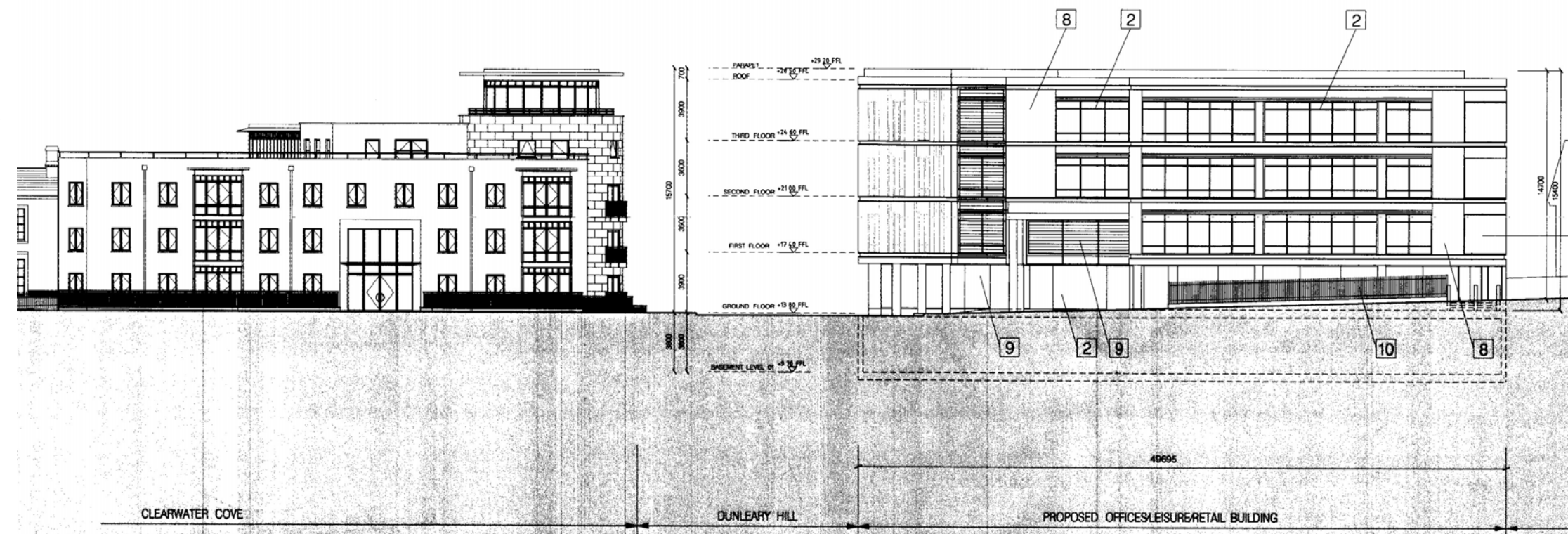
This permission was not implemented and has since expired

Planning Officer's Report noted-

'The existing building proposed for demolition is a neo Georgian yellow brick office building. It is of limited streetscape value.'

ABP Bord's Order noted-

'it agreed with the view of the Planning Authority's Senior Planner that the existing building proposed for demolition is of limited streetscape value and that the proposed development (subject to condition) would reinforce the streetscape at this prominent corner site.'



Extract from 2003 Drawing Planning Reference - D03A/0291-

Permission Granted in 2003- D03A/0291-

An Bord Pleanala Ref: PL06D.204798

2016 – 2022 County Development Plan

DUN LEARY HOUSE NOT ADDED TO RPS (RECORD OF PROTECTED STRUCTURES)

During the preparation of the 2016 County Development Plan, Councillors put forward a motion to add the building to the RPS.

The Chief Executive noted -

In terms of the Categories for Special Interest in accordance with Section 51 (1) of the Planning & Development Act, 2000 (as amended) and Section 2.5.4 of Department of the Arts Heritage and the Gaeltacht, 'Architectural Heritage Protection Guidelines for Planning Authorities', the building is not considered to be of sufficient architectural, social or historical interest to warrant inclusion onto the Record of Protected Structures.

The building is of relatively modest architectural merit and displays no external features of significant interest having been extensively refurbished in the past which has resulted in the loss of original windows, roof materials, and an extension that severely detracts from its appearance.



Photos Existing Dun Leary House

2022 – 2028 County Development Plan

**DLRCC CHIEF EXECUTIVE DID NOT SUPPORT DUN LEARY HOUSE
BEING ADDED TO THE RPS (RECORD OF PROTECTED STRUCTURES)**

1_The initial Draft Development Plan prepared by the Council Planning team did not propose to add Dun Leary House to the RPS.

A motion to add the building to the RPS was passed on 18 December 2020.

2_The DLRCC Conservation Officer noted at the time that the building did not warrant inclusion on the RPS.

Notwithstanding this the Motion was agreed on the night.

3_Subsequently the DLRCC Chief Executive's Development Plan Report on the *Draft* County Development Plan (July 2021) recommended a material amendment to the Draft Plan to delete Dun Leary House from the Record of Protected Structures.

This recommendation was not adopted by Councillors.

2022 – 2028 County Development Plan

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This recommendation was not adopted by Councillors.

4_The new Development Plan was adopted on 10 March 2022, and save for the parts the subject of the Draft Ministerial Direction, took effect from 21 April 2022. The Draft Ministerial Direction does not affect the RPS.

The three no. challenges to the plan do not affect the RPS.

The Chief Executive's Commentary on this issue (Page 630 of Report) is noted as follows:

"The building in question is not considered to be of sufficient Architectural, Historical, Archaeological, Artistic, Cultural, Scientific, Social or Technical interest to merit inclusion onto the Record of Protected Structures. Section 2.5.16 of the Department of the Arts Heritage and the Gaeltacht, 'Architectural Heritage Protection Guidelines for Planning Authorities' states that social interest can be attributed to a structure which has become of spiritual, political and/or symbolic interest – such as a holy well, a memorial, a statue. It can also be attributed to structures illustrating the social philosophy of a past age, as in the case of philanthropic housing (i.e. Almshouses).

The building is of relatively modest architectural merit and displays no external features of significant interest having been extensively refurbished in the past which has resulted in the loss of original windows, roof materials, and an extension that severely detracts from its appearance.

*The value of this building lies solely with it's contribution to the streetscape in this regard SLO 37 which states: "That Dunleary House (Yellow Brick House) and associated boundary be retained in situ and renovated and ensure it's rehabilitation and suitable reuse of the building which makes a **positive contribution to the character and appearance of the streetscape at this location**" would retain the contribution of the structure within the streetscape. It is considered, however, that SLO37 is somewhat restrictive in nature and could be re-phrased in a manner that would allow for meaningfully development of the house and wider site whilst maintaining the character along the street. The restoration and use of the structure is not a County Development Plan matter, rather this would be considered through the development management process."*

In October 2021, the Elected Members voted against the Recommendation of the Chief Executive.

The inclusion of this building on the RPS has not come from the Minister for Housing, Local Government and Heritage. There is no NIAH survey relating to this building that would justify it's inclusion on the RPS.

EVOLUTION OF THE SCHEME AS LODGED

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MOLA Architecture

Ralph Bingham

Site Context

The development site is located along the waterfront within the context of a former industrial area overlooking Dún Laoghaire harbour and Dublin Bay.

"Gateway to Dún Laoghaire"



Figure Ground Location Plan

Site Context

The proposed development responds to all the criteria in the Dun Laoghaire Rathdown Development Plan 2016-2022 and Local Framework Objective with respect to height, namely:

‘to provide a high profile corner terminating long distance views’

- Local Framework Objective

‘in accordance with Government policy to support increased building height in locations with good public transport accessibility, particularly town/city cores’

- Urban Development and Building Height Guidelines

‘The aim of this Strategy is to ensure the protection of the built heritage of the County and general residential amenities while encouraging higher densities of quality where appropriate in accordance with national legislation and to ensure a plan-led approach to the assessment of taller buildings in the County.’

- Dun Laoghaire Rathdown Development Plan 2016-2022



View from Dunleary Hill at junction with Cumberland Street

Excerpts MOLA Architecture Design Statement



View towards the site along the pier at Dun Laoghaire



Lexicon, Dun Laoghaire Library



Approved Development at the Seafront Quarter, Crofton Road, Dún Laoghaire, C. 42.3m



Previous Design: Stage 2 Consultation with ABP (Tripartite Stage)

Based on this scheme (image across), ABP issued an Opinion on 17 January 2020 stating that the documents submitted 'constitute a reasonable basis for an application for strategic housing development'.

Prior to Dun Leary House being included on the RPS we had taken on board the consideration and opinion of the independent professional Conservation Architect James Slattery in designing the Ted.

There are adjacent Architectural Conservation Areas and Protected Views within the Dun Laoghaire-Rathdown Development Plan area and all of these were assessed using verified CGIs in accordance with the DoHLGH Guidance.

The significance of Dun Leary house was considered also: ***"The building has limited architectural significance..... The interiors have been significantly altered with the original staircase removed and new partitions added in areas in order to accommodate the 'ski slope' extension to the rear. The modest spaces contain no ornament of note with the cornices and roses all generis cast elements-not run. Modest architraves and window linings survive where the sashes have been replaced with pvc."***

Excerpt from original Architectural Heritage Impact Assessment



Image from the MOLA Design Statement which was submitted to ABP 08 November 2019 as part of the Consultation Stage 2 Submission.

Scheme as Lodged: Design Strategy

When Dun Leary House was included within the RPS we redesigned the scheme taking on board the previous comments from the DLRCC Chief Executive, Planners and Conservation Architect.

We also undertook the views of our consultant Conservation Architect James Slattery of David Slattery Conservation Architects.

The primary significance of the building was identified as being the modest contribution which it's brick facades and enclosing granite walls make to the character of the streetscape. This despite the loss of all of the original window joinery. The interiors are much-altered with the original staircase removed. They are very modest in scale with the first floor spaces requiring collared rafters to achieve head heights. They are also very ordinary in terms of ornament with cast cornices and roses throughout. The windows have been lost but could be reinstated with the retained linings and shuttering.

The scheme sought therefore to completely retain the three facades which contribute to the streetscape including the bay window. In addition, sash window joinery was to be reinstated to the opes with the linings and cast cornices reinstated to the interiors.



ABP 3NO. ITEMS

5

Advisers: McCann Fitzgerald LLP

Brendan Slattery

ABP Letter Dated 17th May 2022

“The extensive removal of original fabric internally and the removal of the roof form of the Yellow Brick Building known as 'Dunleary House' (addressing Dunleary Hill) a proposed Protected Structure in the Record of Protected Structures in the draft County Development Plan 2022-2028, and Specific Local Objective 153 which relates to this site and which states that 'The Dunleary House (Yellow Brick House) and associated boundary be retained in situ and renovated'.

*Having regard to the concerns raised by the Planning Authority in the Chief Executive's Report, as well as those of third parties, **the Board is of the view that further elaboration or justification is required in respect of the matters set out below and to consider, where applicable, amendments to address the conservation issues highlighted”.** (see below)*

ABP Letter Dated 17th May 2022 (Excerpt)

ITEM 1: FABRIC

“While works of significance have been carried out internally to Dun Leary House in previous times, including the removal of the original staircase, it is considered that much of the original fabric and many of the rooms remain intact, the extent to which this original fabric could be sensitively retained and repurposed, including the reinstatement of some of the original features of the building, should be further elaborated upon”.

ITEM 2: USE

“The applicant is requested to provide evidence of their consideration of a residential use within the protected structure, or an alternative commercial/office use, and whether such alternative uses/layout would allow for a greater retention of the original building”.

ITEM 3: UPPER LEVELS

“The proposed works to the proposed Protected Structure involve the removal of substantial elements of the form, and the introduction of extensions that have the potential to overwhelm the existing structure.
The applicant is requested to provide further elaboration or justification in respect of the removal of the roof of the proposed Protected Structure, and the appropriateness (in full or in part) of the proposed three additional floors above, in particular having regard to the Development Plan Policy and Architectural Heritage Guidelines”.

RESPONSE TO AGENDA ITEMS - SCHEME AS LODGED

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MOLA Architecture

Ralph Bingham

&

David Slattery Conservation Architects

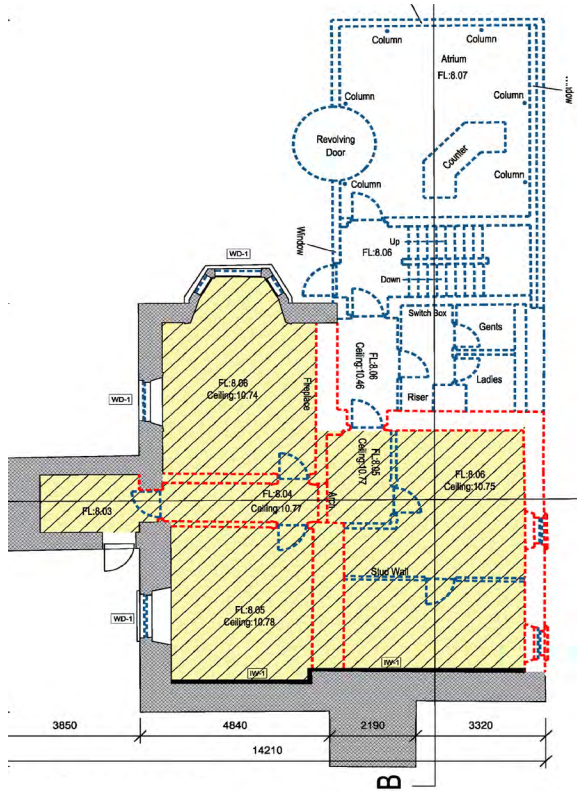
James Slattery

Scheme as Lodged

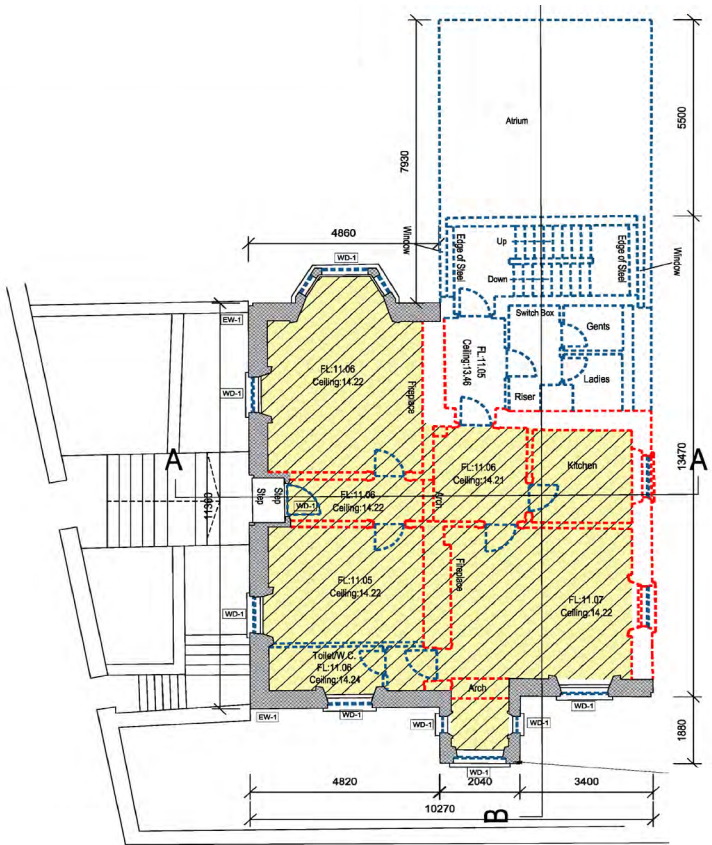


ABP Item 1: FABRIC

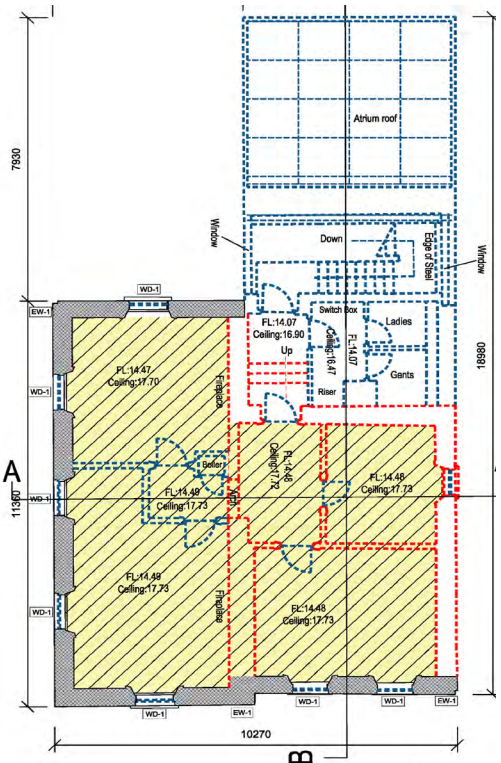
The elements which are proposed for most significant intervention are the least sensitive and are not considered particularly intact or of particular significance architecturally.



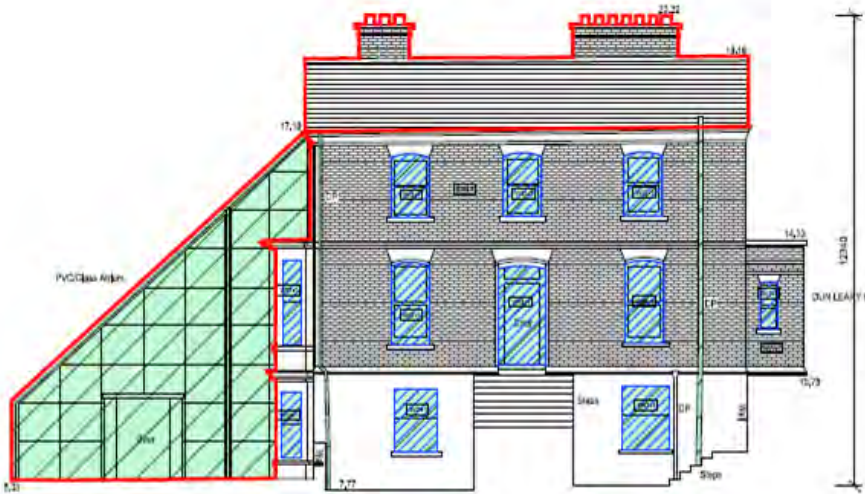
Dun Leary House
Level 01



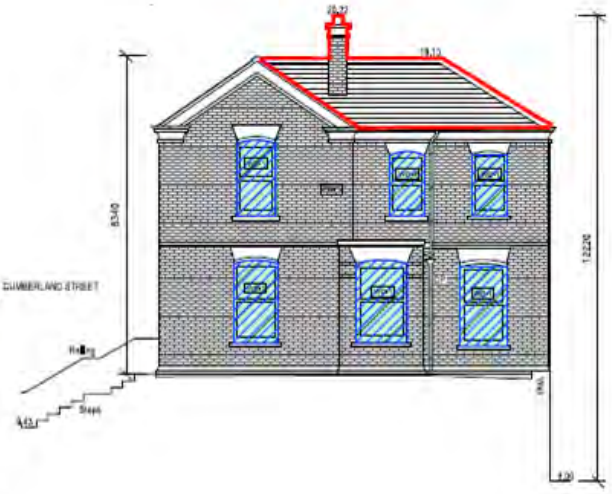
Dun Leary House
Level 02



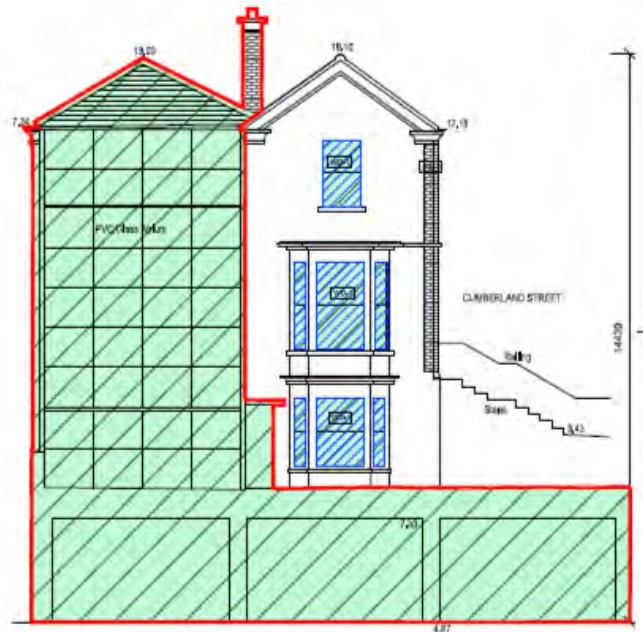
Dun Leary House
Level 03



Dun Leary House
West Facade



Dun Leary House
South Facade



Dun Leary House
North Facade

ABP Item 1: FABRIC

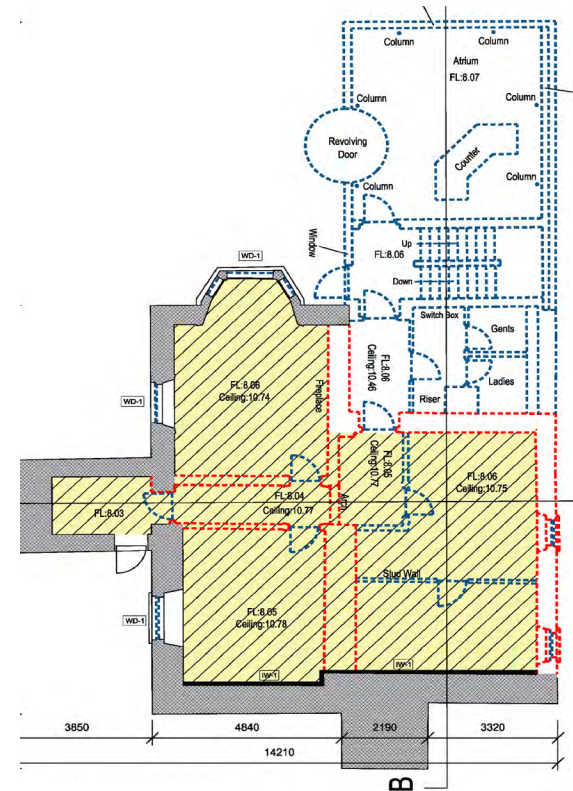
The elements which are proposed for most significant intervention are the least sensitive and are not considered particularly intact or of particular significance architecturally.

These elements include the interior layout which has been significantly altered with a poor quality rear extension and replacement staircase and the roofscape which has been completely re-slatted and extended - its original hip to the rear having been removed. It is a very simple, cut roof which comprises no trussed or composite structural elements of interest. There is a modern felt to the underside of the slates and it retains no parging with modern insulation at joist level. The modest interiors retain very ordinary cast cornices and roses and joinery to the window linings. It is intended nevertheless to retain and reinstate these elements within the new spaces behind the retained brick facades. Fireplace surrounds are also intended to be salvaged and reinstated within the new spaces.

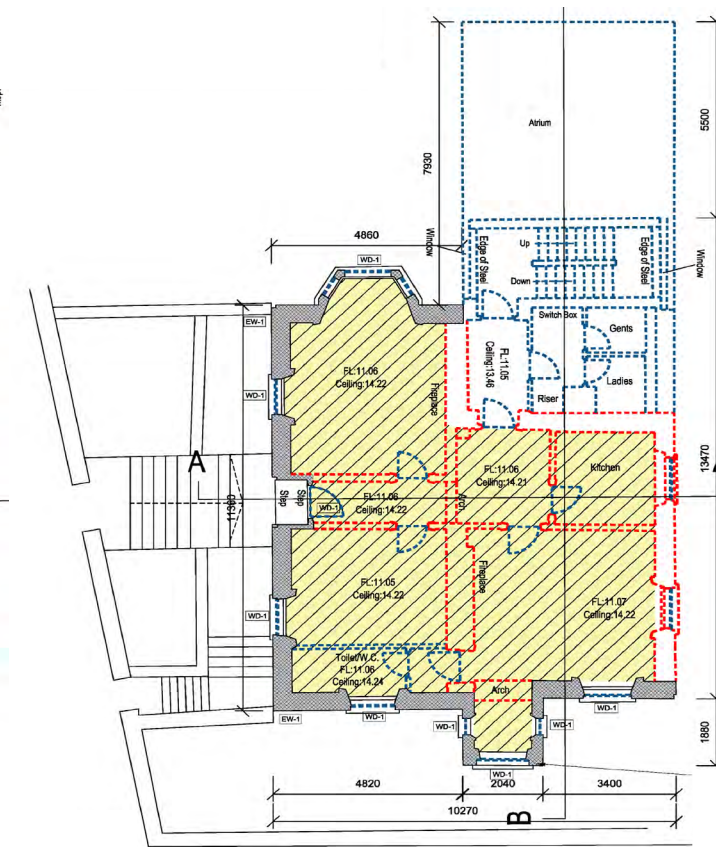
The as lodged proposal seeks to remove the roof and to retain the brick facades with the new glazed façade setting back slightly behind the capped, brick gable on Dunleary Hill.

A similar approach has been undertaken successfully on similar former industrial, waterfront sites at Hanover Quay and North Wall Quay. Both of these buildings are Protected Structures on the Dublin City Council RPS.

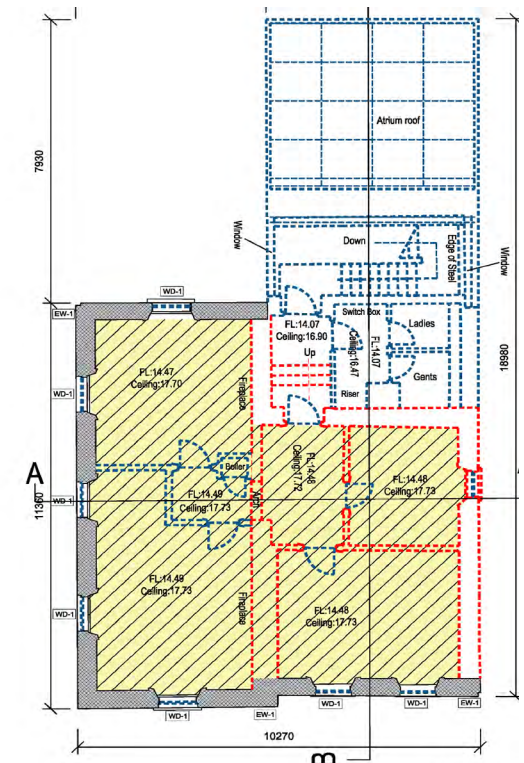
Whilst the removal of a roof in its entirety is of course not always considered appropriate, **in this former industrial context and given the negligible significance of the fabric and form and the level of modern alteration to the roofs, this was considered an appropriate proposal.**



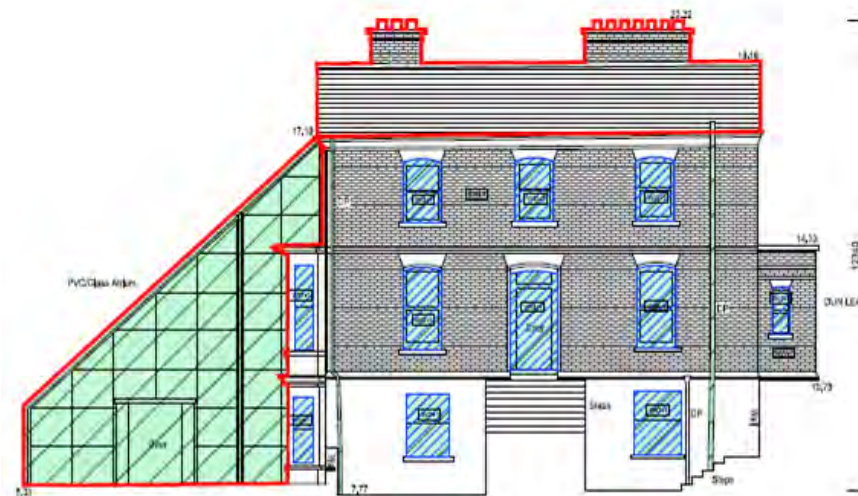
Dun Leary House
Level 01



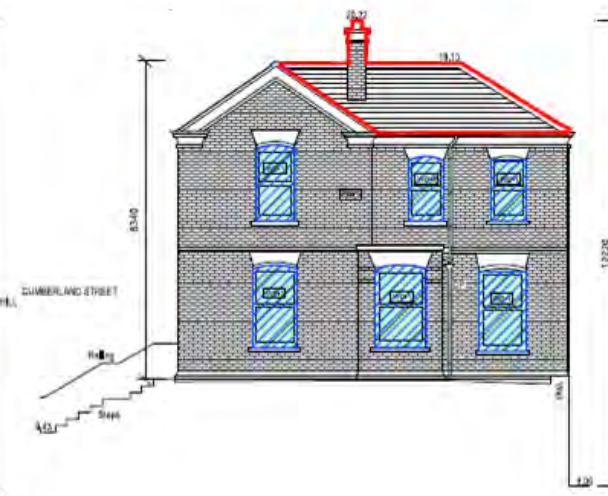
Dun Leary House
Level 02



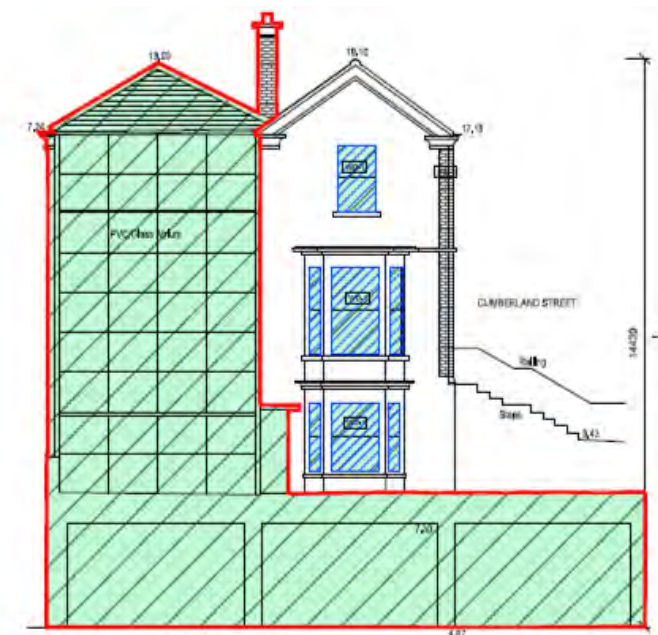
Dun Leary House
Level 03



Dun Leary House
West Facade



Dun Leary House
South Facade



Dun Leary House
North Facade

ABP Item 1: **FABRIC**



View of interior showing aluminium windows which are to be removed and replaced with one-over-one historic sliding sashes.

ABP Item 1: **FABRIC**



View of typical, poor-quality cast ceiling rose visible in many of the spaces.



View of typical first floor space with coved section to underside of roof collar due to lack of floor to ceiling height.

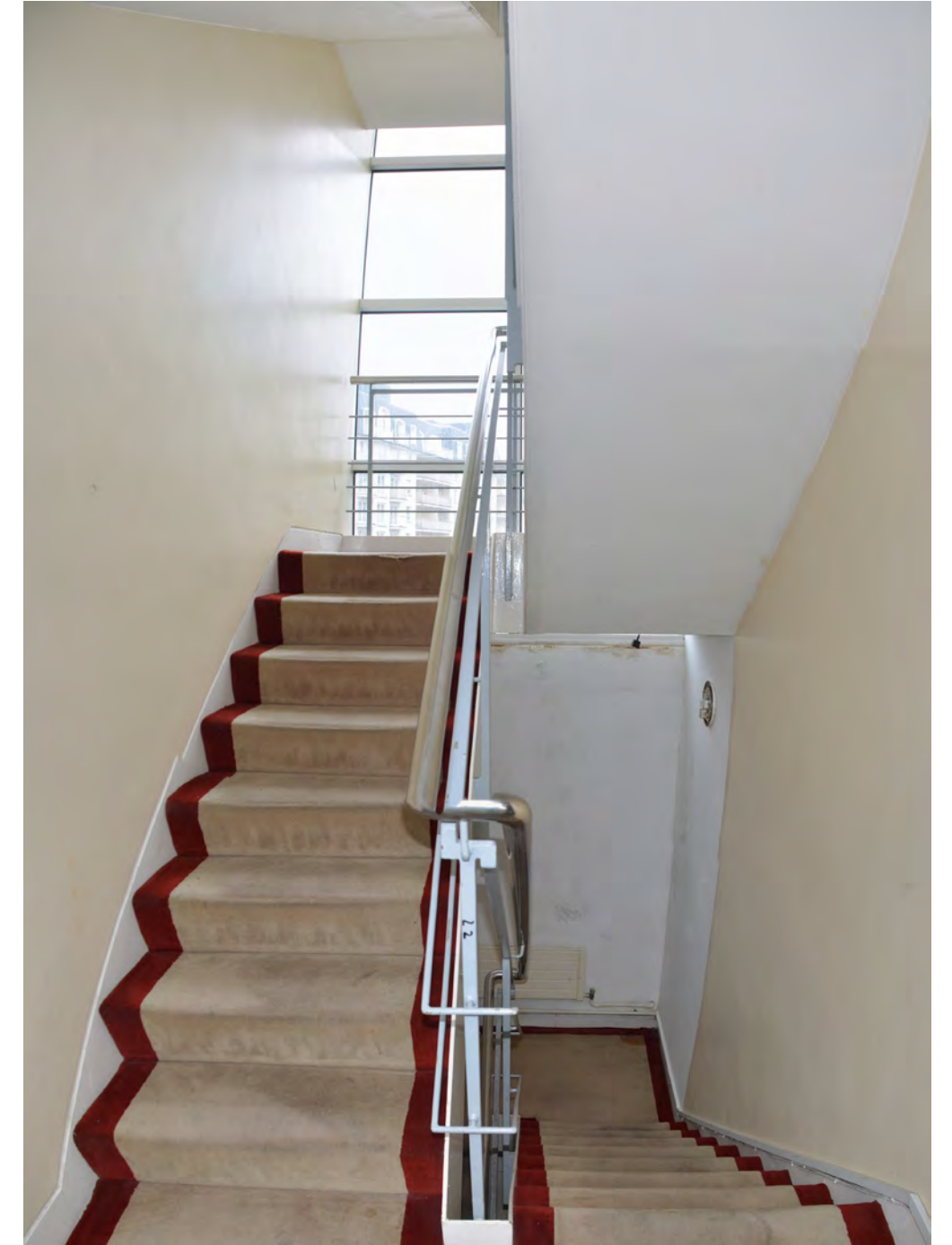
ABP Item 1: **FABRIC**



View of entrance corridor which is indicative of the modest quality of the interior layout.



View of rear entrance hall where the original staircase was removed.



View of replacement staircase to rear.

ABP Item 1: **FABRIC**



View of the important granite and brick fabric to the streetscape which is to be retained and restored as part of the proposals

All of the most significant fabric is proposed to be retained and restored.

This includes all of the granite, brick, ironwork and joinery facing onto the streetscape.

It is intended to clean and repoint all of the masonry and for the pvc windows to be replaced with one-over-one timber sliding sashes.



View of rear extension with adjacent facade and bay window which is to be retained with sash window joinery reinstated.

ABP Item 2: **USE**

Dun Leary House was constructed in c. 1870-80 and was associated with the adjoining industrial uses for Wallace Coal and later for the Tedcastle McCormick coal suppliers.

Given the original 2 entrances it is believed that the house served **dual purposes** as both a family home as well as offices for Wallace Coal.

Certainly the (former) entrance off Dun Leary Hill clearly has a sign indicating Coal Office.

Both residential and office uses were considered. The level of intervention proposed relates to the negligible significance of the interior layout and fabric - not to any practical requirements for different use types.



Aerial photo looking north-east towards the subject building, 1947. BFA



Aerial photo looking south-west towards the subject building, 1952. BFA XAW045073.

ABP Item 2: **USE**

Based on the conservation assessment it was decided to retain the external street walls on the western and southern elevations and to retain the bay window on the north elevation. This also allowed the basement to extend to the perimeter of the site to maximise area for plant and services.

As the original use of Dun Leary House included a Coal Office it was decided to locate co-working office accommodation within the building to provide a better mix and variety of uses within the overall development. This complements the retail use on the northern elevation and provides an active street frontage to supplement the residential use.



NOTE: Policy Objective RET7 of the 2022 County Development Plan states:

*It is a Policy Objective of the Council to support the development of the **Neighbourhood Centres** as the focal point of the communities and neighbourhoods they serve, by way of the provision of an appropriate mix, range and type of uses – including retail and retail services – in areas zoned objective 'NC' subject to the protection of the residential amenities of the surrounding area.*

The office space and the retail unit proposed within this scheme offer a viable mix of uses that accord with the Neighbourhood Centre zoning.

Co-working office suites within DunLeary House are reflective of its original purposes as offices of the coal yard.

The proposed office use provides a clear purpose and identity to the retained building and **complies with the Neighbourhood Centre zoning for the site.**

ABP Item 3: UPPER LEVELS

The assessment of the building and consideration of the proposals has been carried out in accordance with the DoHLGH Guidance. The detail and logic of this assessment is presented in detail within the original Architectural Heritage Impact Assessment.

Our assessment concurred with the view of the Conservation Department of the DLRCC Executive that the building was **not worthy of a Protected Structure status** under the detailed criteria set out within the DoHLGH Architectural Heritage Guidance.

The sensitivity and architectural significance of the building must therefore be considered limited and the previous policy in the Development Plan gives some emphasis as to where this sensitivity lies where it referred directly to “streetscape interest”. Quite correctly, no particular significance has been attached either to the modest interiors or to the overall site to the rear where there have been significant alterations and extension to the building including the re-modelling of the roof and the removal of the original staircase.

Streetscape Significance: The current proposal seeks to retain and conserve all of the elements of the original building which contribute to this streetscape significance. This includes for the cleaning and repointing of brick and granite elements, the reinstatement of lost historic sash windows and historic front door, the restoration and reinstatement of cast and wrought ironwork to the boundary.

Roofscape: The roof is not in its original form and does not retain fabric of historic significance.

The roofscape has been altered with the hipped section having been lost to the rear. Whilst the form is retained to the front, the fabric has been replaced and reinstated wholesale with modern felt and timbers visible within the attic spaces.

There are no trusses or structurally interesting elements in the roof. The only elements of any note on the roof are the odd, profiled cappings to the gable and eaves which are proposed to be retained.



ABP Item 3: UPPER LEVELS

New Upper Levels: There is a suggestion that the building might be overwhelmed by proposals at the upper levels.

It is important to note that the building historically had a very diminutive scale and character within what was an industrial, waterfront context.

Development around it to the east has reinforced this aspect and any development on this site is bound to reinforce this diminutive aspect.

This has the potential to create a pleasing tension in scale that honours the characteristics of this industrial site.

There are a number of precedents of relevance on the following slides located within similar former industrial, waterfront sites. All of these are Protected Structures of far greater significance than the subject building.

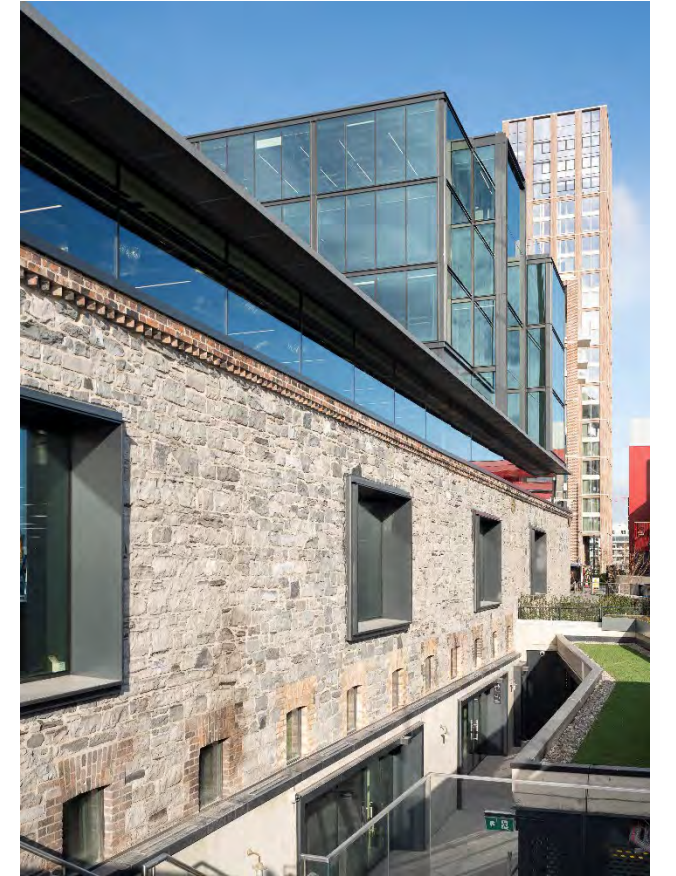
The examples on Hanover Quay and North Wall Quay are analogous as they retained roofs of negligible significance which were removed. The roof to the Tropical Fruit Warehouse on Sir John Rogerson's quay is interesting as a contrary example. It retains early 19th Century Queen Post Trusses which formed part of the original interior character and the retention of the roof in its entirety in this case was critical.

This retention did not preclude development above the roof however and a number of floors have been added above and behind.

The architectural significance of the subject building bears little comparison to that of the buildings referred to here but the proposed approach can be seen as one which can address sensitivity within a former industrial context.

ABP Item 3: Reference projects - interface of old and new

Reference Project: 10 Hanover Quay



ABP Item 3: Reference projects - interface of old and new

Reference Projects: Mayson Hotel & Tropical Fruit Buildings



ABP Item 3: Reference projects - interface of old and new

Reference Projects: International Precedents



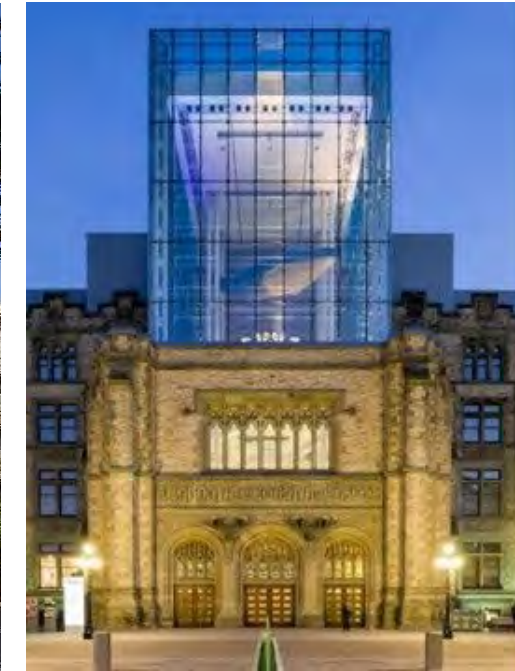
Shoreham Street, Sheffield



Rasvet Loft, Moscow



Nueva Clinica, Barcelona



Rotermann's Flour Storage, Tallinn, Estonia

Scheme as Lodged

The elevational treatment of the scheme as lodged provides a clear separation between old and new through the use of a transitional recessed zone which uses low iron glass and a flush glazing system with silicon joints.

This is in contrast to the upper floors which have a strong vertical emphasis with pronounced mullions and dark spandrel panels in contrast to the yellow brick.

The low iron glass is very transparent and will make the residential element above Dun Leary House appear to float above it.



RESPONSE TO AGENDA ITEMS - ALTERNATIVE PROPOSAL

7

MOLA Architecture

Ralph Bingham

&

David Slattery Conservation Architects

James Slattery

Alternative Proposal For Consideration

A proposed alternative now retains the full gable roof of the front façade and chimney stacks behind and pushes the upper residential floors back c.6m from their previous position.

The transitional zone of low iron glass with flush joints is still applied at the junctions between Dun Leary House and the block above.

In contrast to the yellow brick of Dun Leary House it is proposed to use a dark brick to the 3 storey block behind as the back drop and counterpoint.

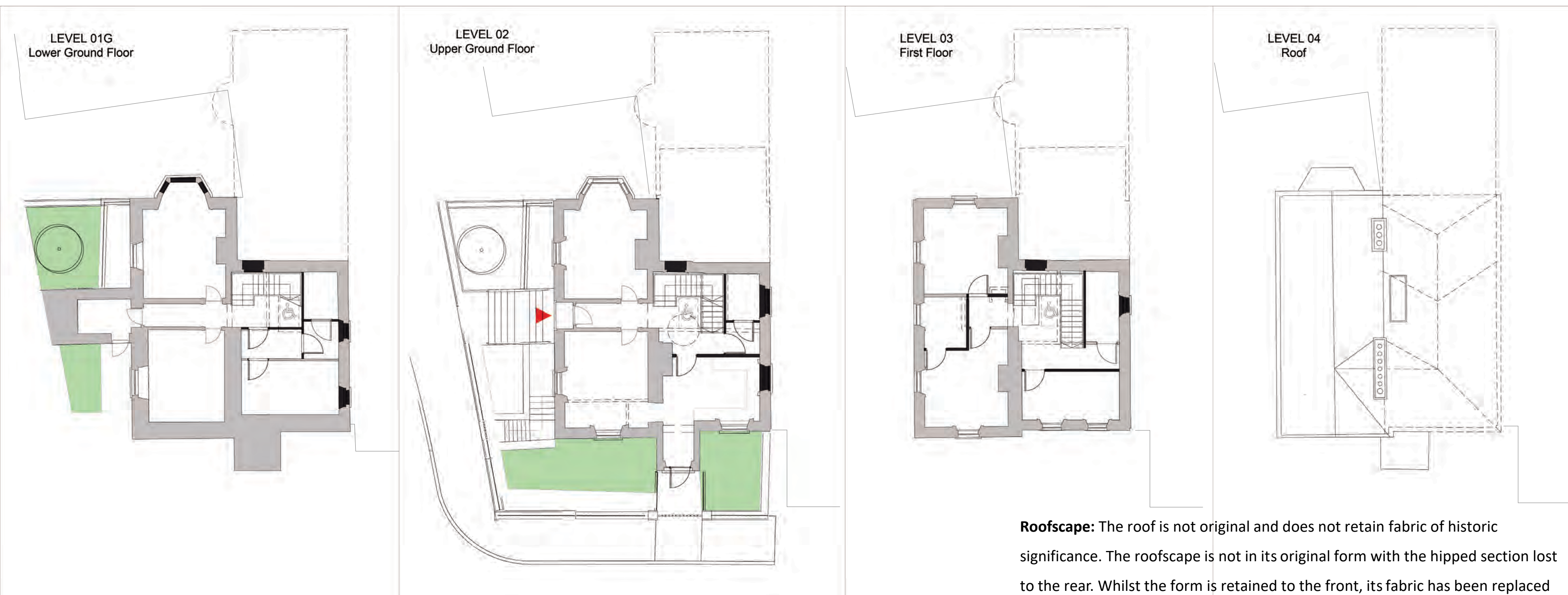
The dark brick matches that used on the base plinth on the north, south and west elevations.

The 1970s extension to the side and rear and hipped roof have been removed.



ABP Item 1: **FABRIC**

ALTERNATIVE PROPOSAL – Retention Majority Existing Fabric / New Stairs (In location of original missing stairs)



Roofscape: The roof is not original and does not retain fabric of historic significance. The roofscape is not in its original form with the hipped section lost to the rear. Whilst the form is retained to the front, its fabric has been replaced and reinstated wholesale.

Modern felt and timbers are visible within the attic spaces.

ABP Item 2: **USE – Residential**



NOTE: Policy Objective RET7 of the 2022 County Development Plan states:

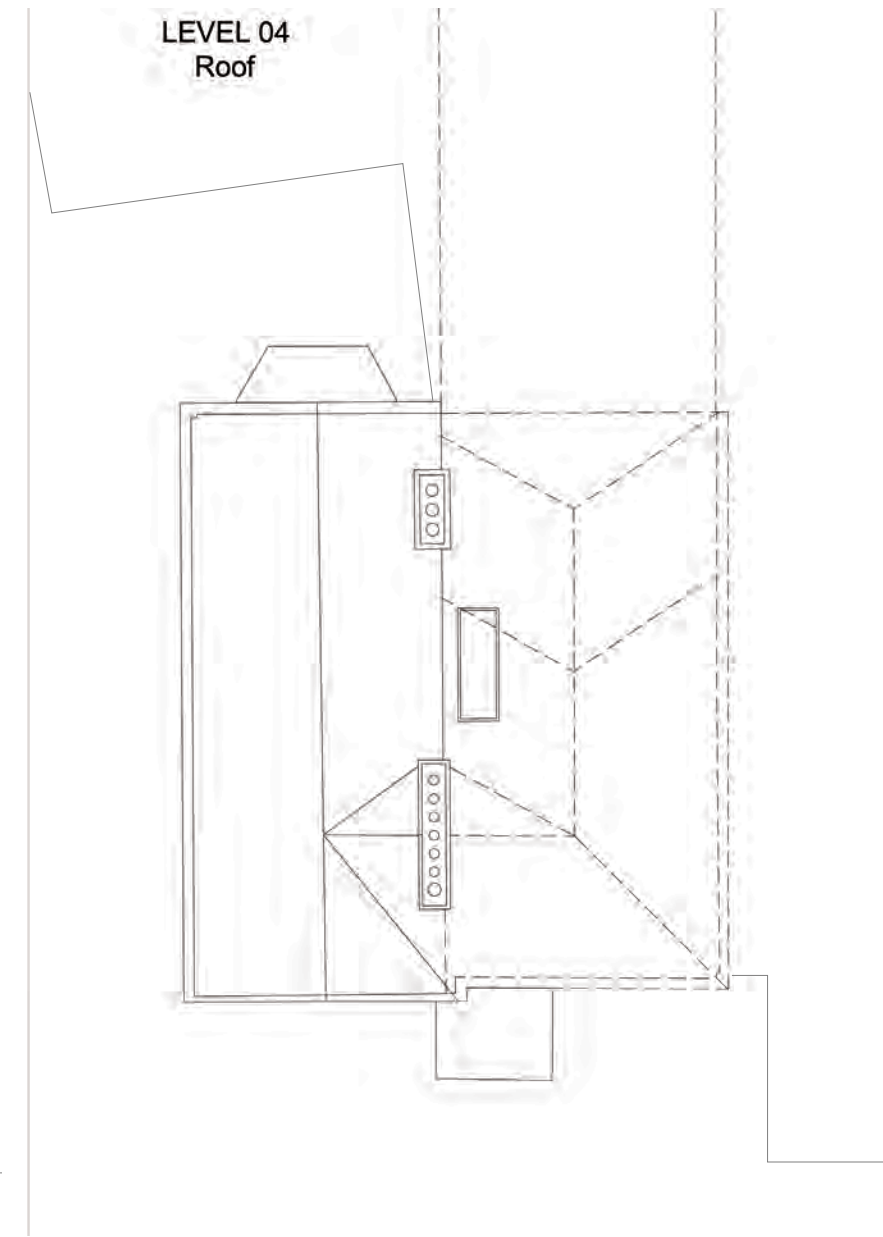
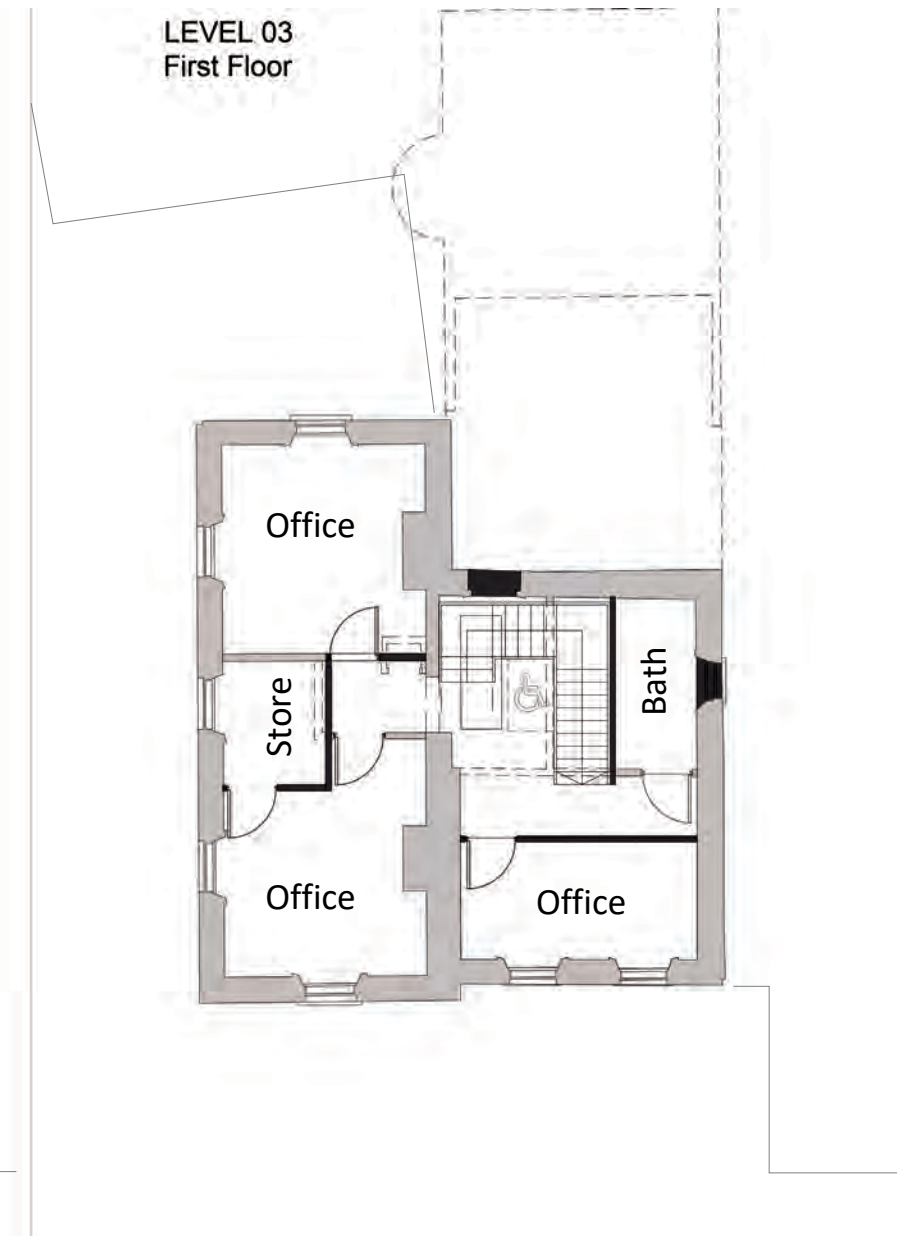
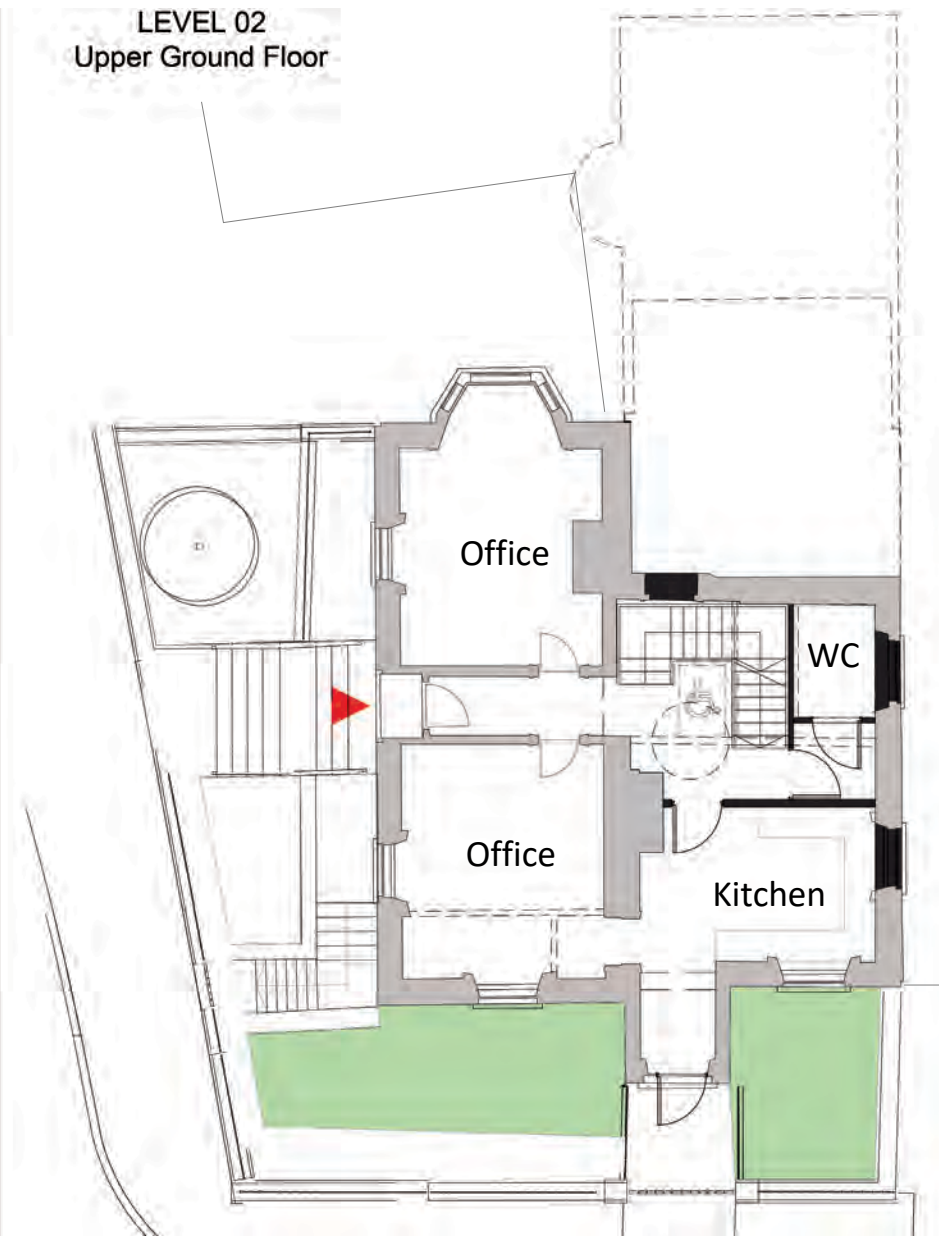
*It is a Policy Objective of the Council to support the development of the **Neighbourhood Centres** as the focal point of the communities and neighbourhoods they serve, by way of the provision of an appropriate mix, range and type of uses – including retail and retail services – in areas zoned objective ‘NC’ subject to the protection of the residential amenities of the surrounding area.*

The office space and the retail unit proposed within this scheme offer a viable mix of uses that accord with the Neighbourhood Centre zoning.

Co-working office suites within DunLeary House are reflective of its original purposes as offices of the coal yard.

The proposed office use provides a clear purpose and identity to the retained building and **complies with the Neighbourhood Centre zoning for the site.**

ABP Item 2: **USE – Co-Working**



ABP Item 3: UPPER LEVELS

Alternative Proposal

Conservation Commentary:

Roofscape: The roof is not in its original form and does not retain fabric of historic significance. The roofscape has been altered with the hipped section having been lost to the rear. Whilst the form is retained to the front, the fabric has been replaced and reinstated wholesale with modern felt and timbers visible within the attic spaces. There are no trusses or structurally interesting elements in the roof. The only elements of any note on the roof are the odd, profiled cappings to the gable and eaves which are proposed to be retained.

New Upper Levels: There is a suggestion that the building might be overwhelmed by proposals at the upper levels. It is important to note that the building historically had a very diminutive scale and character within what was an industrial, waterfront context. Development around it to the east has reinforced this aspect and any development on this site is bound to reinforce this diminutive aspect. This has the potential to create a pleasing tension in scale that honours the characteristics of this industrial site.

There are a number of precedents of relevance on the following slides located within similar former industrial, waterfront sites. All of these are Protected Structures of far greater significance than the subject building. The examples on Hanover Quay and North Wall Quay are analogous as they retained roofs of negligible significance which were removed. The roof to the Tropical Fruit Warehouse on Sir John Rogerson's quay is interesting as a contrary example. It retains early 19th Century Queen Post Trusses which formed part of the original interior character and the retention of the roof in its entirety in this case was critical. This retention did not preclude development above the roof however and a number of floors have been added above and behind. The architectural significance of the subject building bears little comparison to that of the buildings referred to here but the proposed approach can be seen as one which can address sensitivity within a former industrial context.

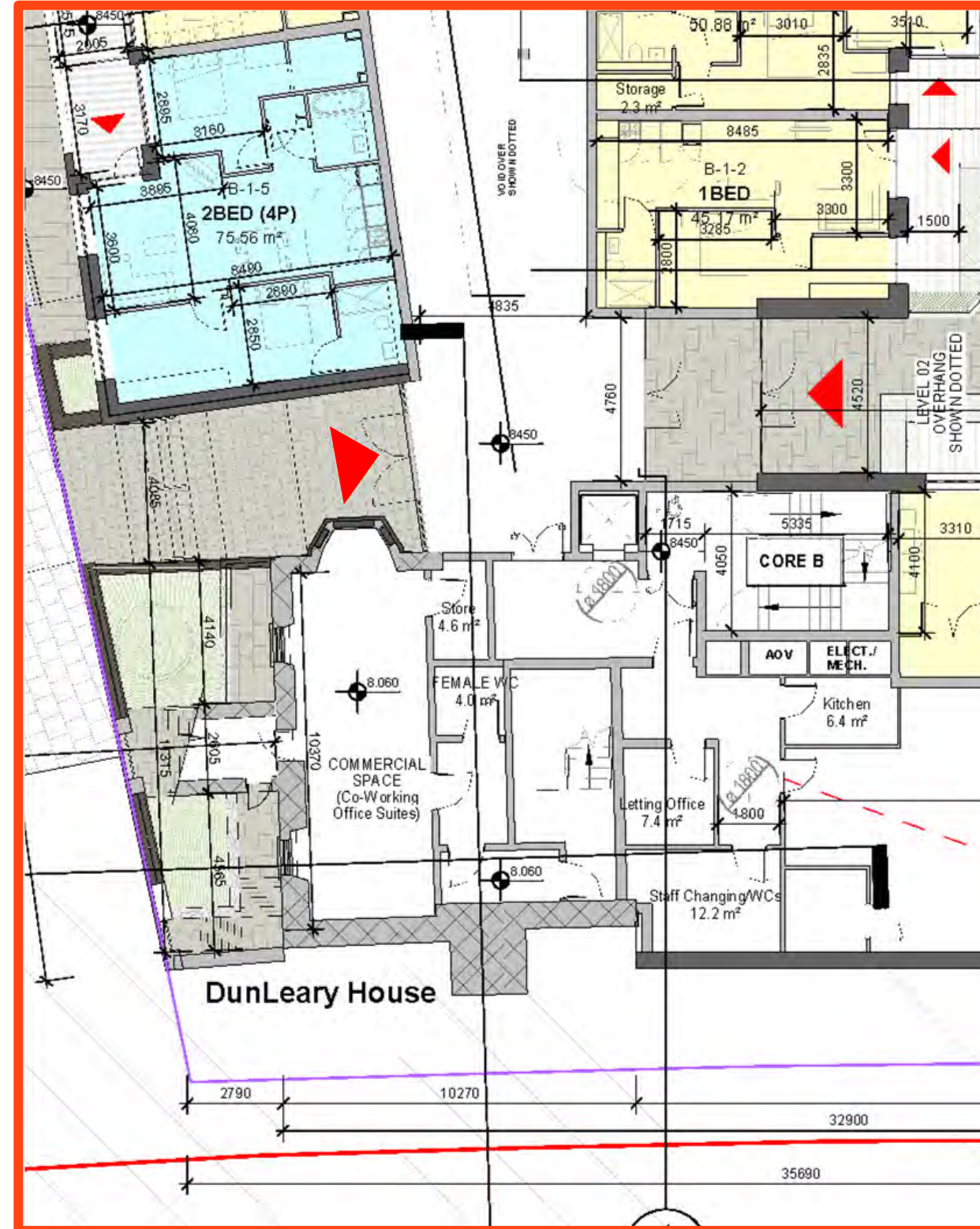


ABP Item 3: UPPER LEVELS

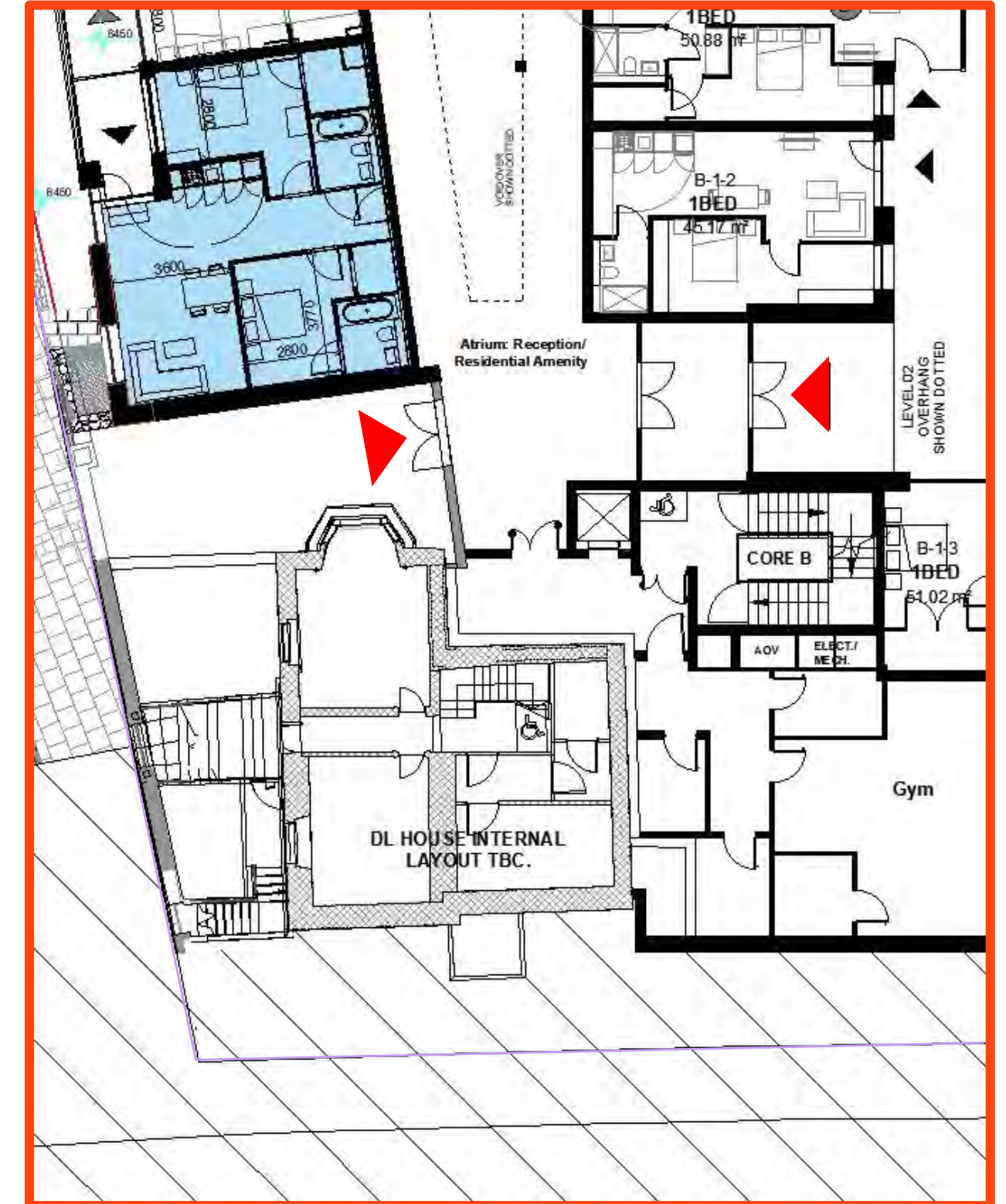
Alternative Proposal: Level 01

The Alternative Proposal retains the entire internal and external wall fabric and floors of Dun Leary House. All original internal features are retained and all pvc windows and later alterations removed and restored to best conservation practise with new hardwood sash windows and original features.

Dun Leary House will stand as an independent structure and will have no internal connections to the main residential development.



Level 01_Scheme as Lodged

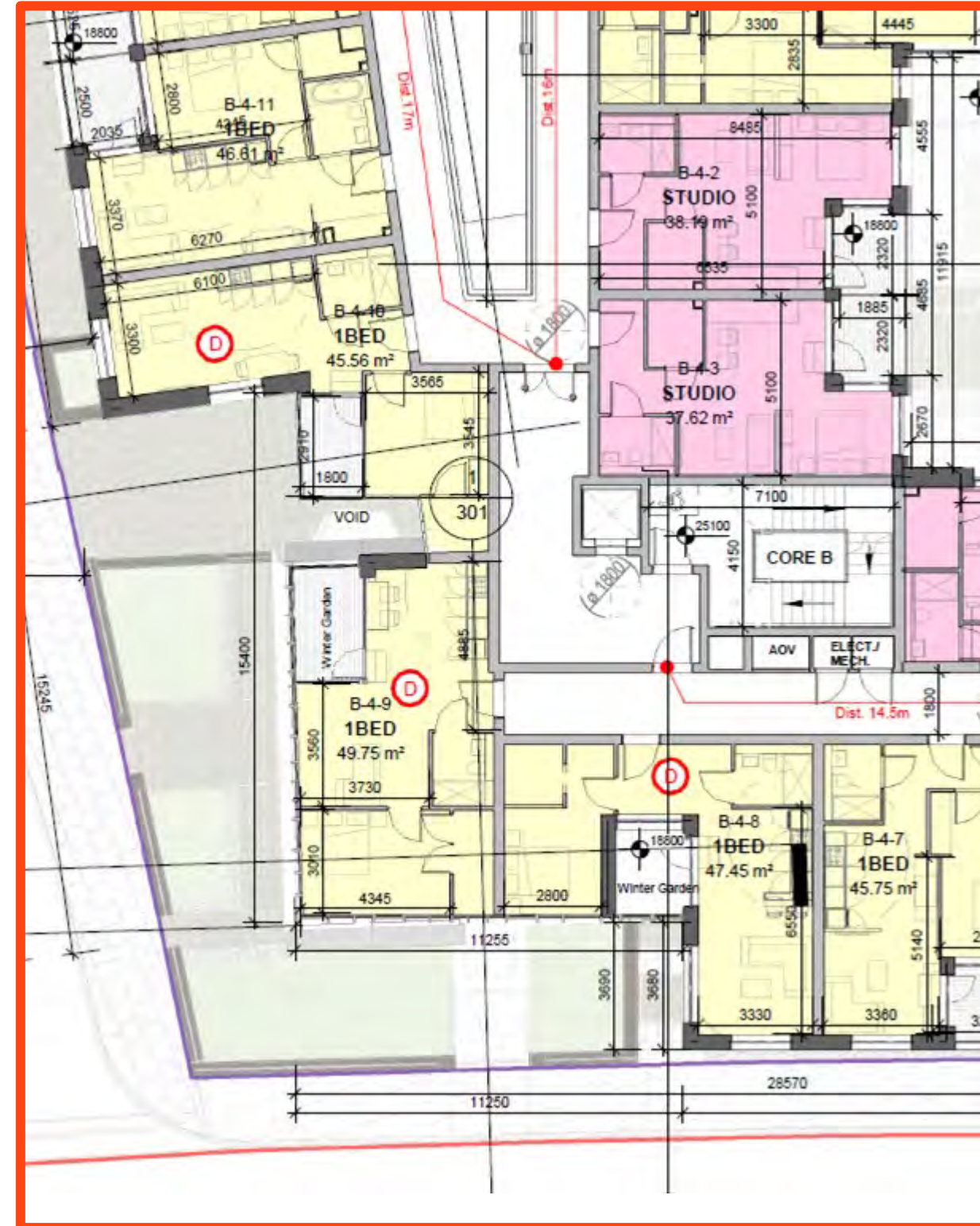


Part Level 01_Alternative Proposal

ABP Item 3: UPPER LEVELS

Alternative Proposal: Typical Upper Level

Once above the existing eaves level of Dun Leary House a corner 1 bedroom apartment unit and balcony will cantilever and oversail the house on 3 levels.



Level 04_ Scheme as Lodged



Level 04/ 05_ Alternative Proposal

Appendices

7

Advisers: McCann Fitzgerald LLP

Brendan Slattery

Appendix 1: Schedule of Accommodation _ Updated Summary: Scheme as Lodged & Alternative Proposal

SCHEME AS LODGED

	LEVEL	STUDIO (38m2 min)	1BED (45m2 min)	2BED_3P (63m2 min)	2BED_4P (73m2 min)	TOTAL	DUAL ASPECT
Street Level(North)	LEVEL00G	/	/	/	/	/	
Double Height (North)	LEVEL01G	7	11	1	2	21	4
Street(South)	LEVEL02G	5	8	1	8	22	11
	LEVEL03	6	11	1	6	24	11
	LEVEL04	6	14	1	5	26	12
	LEVEL05	5	14	0	4	23	10
	LEVEL06	5	12	0	4	21	11
	LEVEL07	0	7	0	2	9	6
Total		34	77	4	31	146	No. 65
Total		34	77	4	31	146	No. 65
Percentage mix		23.3	52.7	2.7	21.2		44.5
				24.0			

ALTERNATIVE PROPOSAL

June 2022

	LEVEL	STUDIO (38m2 min)	1BED (45m2 min)	2BED_3P (63m2 min)	2BED_4P (73m2 min)	TOTAL	DUAL ASPECT
Street Level(North)	LEVEL00G	/	/	/	/	/	
Double Height (North)	LEVEL01G	7	11	1	2	21	4
Street(South)	LEVEL02G	5	8	1	8	22	11
	LEVEL03	6	9	1	7	23	11
	LEVEL04	6	11	1	6	24	11
	LEVEL05	5	11	0	5	21	9
	LEVEL06	5	9	0	5	19	11
	LEVEL07	0	7	0	2	9	6
Total		34	66	4	35	139	No.* 63
Total		34	66	4	35	139	No.* 63
Percentage mix		24.5	47.5	2.9	25.2		45.3
				28.1			

*Excludes accommodation that might be provided in Dun Leary House

Appendix 2: Daylight and Sunlight Assessment



Daylight Sunlight considerations on **SCHEME AS LODGED**

Following the submission of the proposed scheme as lodged, the Building Research Establishment (BRE) released an updated version of their “Site Layout Planning for Daylight and Sunlight” Document (BR209 June 2022).

OCSC have reviewed the changes listed in the updated BRE document in the context of daylight results within proposed scheme as lodged.

Internal daylight levels within the proposed apartments

OCSC’s Daylight Sunlight report lodged has stated a compliance rate of 98.9% based on the BS8206 method of calculation.

In our experience with assessing developments similar in scale and location to the as lodged scheme against the new BRE guidelines (BR209 June 2022) and the EN 17037 (Daylight in buildings) standard which now requires climate based modelling, there will be a reduction in the rate of compliance from 98.9% to approx. 93%-94%.

Sunlight and overshadowing

There are no significant changes relevant to the proposed development as outlined within the new BRE “Site Layout Planning for Daylight and Sunlight” document (BR209 June 2022).

Daylight Sunlight Considerations on **ALTERNATIVE PROPOSAL**

OCSC have reviewed the alternative proposals and note that all changes will have a positive impact on:

- internal daylight levels in selected apartments in close proximity to the new set back.
- extent of overshadowing as the building line has been set back.
- Vertical Sky Component (VSC) and daylight experienced in neighbouring apartments (sensitive receptors) in close proximity to the proposed setback.
- There are no downsides from a daylight and sunlight perspective with the proposed alternative.

Appendix 3: Conservation Statement – Supporting Materials



APPEAL TO AN BORD PLEANALA

ORAL HEARING

Former Tedcastles Site Redevelopment

WITNESS STATEMENT OF JAMES SLATTERY M.R.I.A.I. CONSERVATION ARCHITECT

ARCHITECTURAL HERITAGE

Former Tedcastles Site Redevelopment – Architectural Heritage
David Slattery Conservation Architects Ltd
8 Vergemount,
Clonskeagh, Dublin 6

Image 1. This shows the building as it exists today from the east.



Former Tedcastles Site Redevelopment – Architectural Heritage
David Slattery Conservation Architects Ltd
8 Vergemount,
Clonskeagh, Dublin 6

Image 2. This shows the building as it exists today from the west.



Former Tedcastles Site Redevelopment – Architectural Heritage
David Slattery Conservation Architects Ltd
8 Vergemount,
Clonskeagh, Dublin 6

1. I have attached by way of an Appendix to this Witness Statement a report which I have prepared and was submitted as part of the original application.
2. My report is principally based on an inspection and study of the site, my knowledge of the subject building, my consultation with primary research materials, the Relevant Dun Laoghaire Rathdown County Council Development Plans and Records of Protected Structures and the Department of Housing, Local Government and Heritage's '*Architectural Heritage Protection: Guidelines for Planning Authorities*' (2011) among other sources.
3. I am Principal at David Slattery Conservation Architects Limited of 8 Vergemount, Clonskeagh, Dublin 6. I completed a Bachelors of Architecture Degree in 2001 and a Diploma in Architectural Conservation in 2008. I am a member of the Royal Institute of the Architects of Ireland.
4. I have provided expert testimony on numerous cases relating to built and architectural heritage, including oral hearings at An Bord Pleanala relating to the restoration and redevelopment of the **Nationally Significant Protected Structure at Clerys and adjoining protected sites on O'Connell Street** and Marlborough Street, the restoration and redevelopment of the Protected Structure at No.2 Grand Parade as well as within numerous planning applications for conservation and redevelopment including the recently completed restoration and redevelopment of the western side of the south end of Camden Street for Wetherspoons and the conservation of the Gate of Justice at Dublin Castle for the Office of Public Works.
5. I have never previously worked for Ardstone.
6. My Report has been completed on instruction from Brock McClure Planning Consultants.
7. The Bord have requested some additional information in relation to Architectural Heritage and have set out the following agenda for discussion at the Oral Hearing –
 - *"Further elaboration on the extent to which original fabric could be sensitively retained and repurposed including reinstatement of some original features*
 - *Evidence of consideration of residential use within the building or an alternative commercial/office use*
 - *Further elaboration or justification in respect of the removal of the roof and the appropriateness of the proposed 3 floors above."*

Former Tedcastles Site Redevelopment – Architectural Heritage
David Slattery Conservation Architects Ltd
8 Vergemount,
Clonskeagh, Dublin 6

8. *"Further elaboration on the extent to which original fabric could be sensitively retained and repurposed including reinstatement of some original features."*

Our assessment of the building, carried out in accordance with the DoHLGH Guidance, concurred with the view of the Conservation Department of the DLR Executive that the building was not worthy of a Protected Structure status. The detail and logic of this assessment is presented in detail within our report which is appended.

The sensitivity and architectural significance of the building must therefore be considered limited and the previous policy in the Development Plan gives some emphasis to this where it refers directly to its streetscape interest. No particular significance has been ascribed either to interiors or to the overall site to the rear where there have been significant alterations and extension to the building which included the remodelling of the roof and the removal of its original staircase.

All of the most significant fabric is proposed to be retained and restored. This includes all of the granite, brick, ironwork and joinery facing onto the streetscape. It is intended to clean and repoint all of the masonry and for the aluminium windows to be replaced with one-over-one timber sliding sashes.

The elements which are proposed for most significant intervention are the least sensitive and cannot be considered particularly intact or of particular significance architecturally. These elements include the interior layout which has been significantly altered with a poor quality rear extension and replacement staircase and the roofscape which has been completely re-slatted and extended - its original hip to the rear having been removed. It is a very simple, cut roof which comprises no trussed or composite structural elements of interest. There is a modern felt to the underside of the slates and it retains no parging with modern insulation at joist level. The modest interiors retain very ordinary cast cornices and roses and joinery to the window linings. It is intended nevertheless to retain and reinstate these elements within the new spaces behind the retained brick facades.

The current proposal seeks to remove the roof and to retain the brick facades with the new glazed façade setting back slightly behind the capped, brick gable on Dunleary Hill. A similar approach has been undertaken successfully on similar former industrial, waterfront sites at Hanover Quay and North Wall Quay. Both of these buildings are Protected Structures on the Dublin City Council RPS.

Whilst the removal of a roof in its entirety is of course not always considered appropriate, in this former industrial context and given the negligible significance of the fabric and form and the level of modern alteration to the roofs, this was considered an appropriate proposal.

9. *"Evidence of consideration of residential use within the building or an alternative commercial/office use."*

Both uses were considered by the design team as part of the proposals. The importance of providing activity to the retained streetscape at the corner of Dunleary Hill is paramount and suggested that an office use may be more appropriate. It should be noted that the building historically contained both office and residential uses.

Alternative proposals to retain the overall historic footprint have been reviewed by the design team. The architects (MOLA Architecture) have shown in their submissions how both office and residential use can be included within this footprint without radical alteration. The staircase would need to be replaced to accommodate technical guidance in relation to Parts B and M of the Building Regulations but the original footprint would be retained with the new residential or office use.

10. *"Further elaboration or justification in respect of the removal of the roof and the appropriateness of the proposed 3 floors above."*

New Upper Levels: There is a suggestion that the building might be overwhelmed by proposals at the upper levels. It is important to note that the building historically had a very diminutive scale and character within what was an industrial, waterfront context. Development around it to the east has reinforced this aspect and any development on this site is bound to reinforce this diminutive aspect. This has the potential to create a pleasing tension in scale that honours the characteristics of this industrial site.

There are a number of precedents of relevance already noted which are located within similar former industrial, waterfront sites. All of these are Protected Structures of far greater significance than the subject building. The examples on Hanover Quay and North Wall Quay are analogous as they retained roofs of negligible significance which were removed. The roof to the Tropical Fruit Warehouse on Sir John Rogerson's quay is interesting as a contrary example. It retains early 19th Century Queen Post Trusses which formed part of the original interior character and the retention of the roof in its entirety in this case was critical. This retention did not preclude development above the roof however and a number of floors have been added above and behind. The architectural significance of the subject building bears little comparison to that of the buildings referred to here but the proposed approach can be seen as one which can address sensitivity within a former industrial context.

The proposed redevelopment of this underutilised subject site, as per the proposals set out in MOLA Architecture's drawings, will enhance the amenity, character and quality of the streetscape to Dunleary Hill and the surrounding area. MOLA Architecture and Cameo's documentation describe a high quality design response to the site which will significantly enhance the interface with the public realm and streetscape value at a very important and prominent site. The retention of the proposed protected structure and the reinstatement and restoration of historic features including brick and granite cleaning, repointing and repair, replacement of PVC windows with historic, timber, multi-pane sash windows and reinstatement of ironwork will all significantly enhance the character of the streetscape.

The proposed alternative scheme seeks to retain substantial amount of additional fabric on the subject site. In this scheme, the entirety of the front roofscape is now proposed to be retained with the proposed new building set back behind this to the west. In addition, all of the interiors are now proposed to be retained with only minor intervention required to the rear in order to accommodate connection into the building to the rear. Whilst the interior layouts and fabric can only be considered to have minor architectural significance, the revised proposals comprise the retention of almost all of this fabric and represent a far more sensitive approach to the fabric of the subject building.

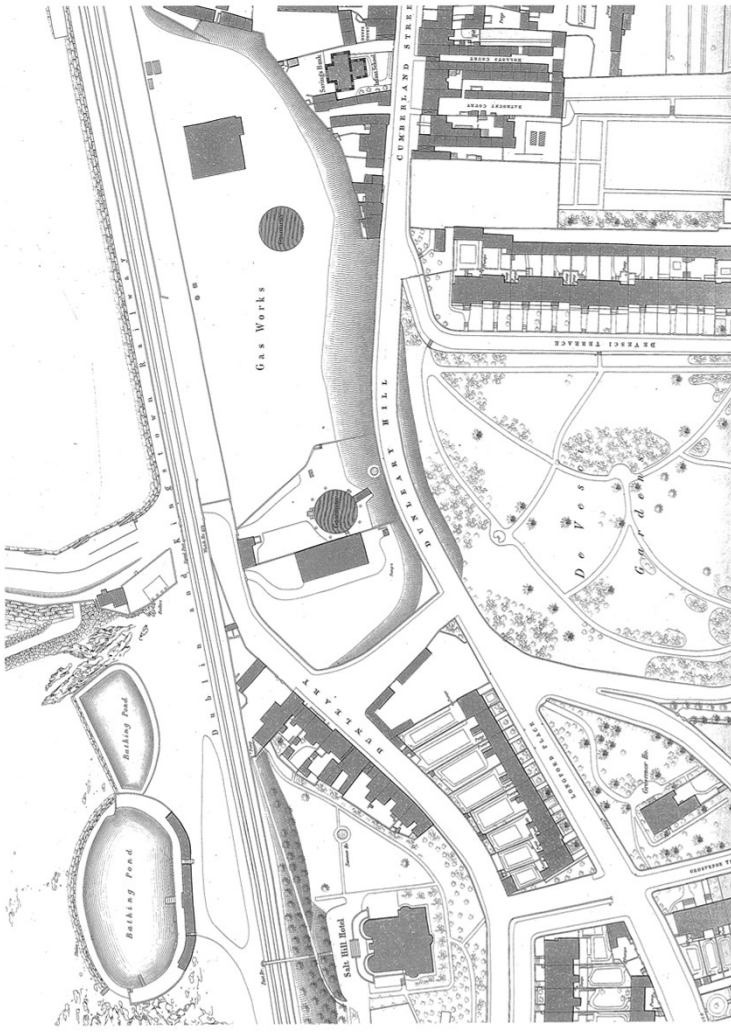
APPENDIX I : HISTORIC MAPS

House at former Tedcastles Site, Dun Laoghaire, Co. Dublin.

Historic Maps



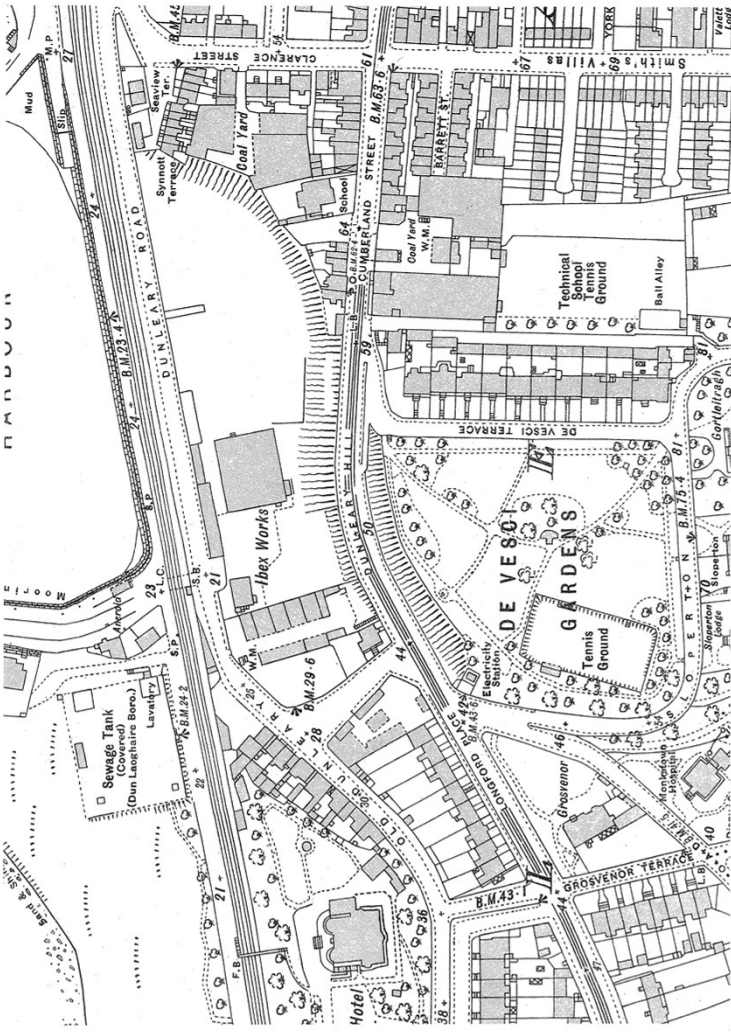
1. Extract from Ordnance Survey Map of Dublin, 1865-68



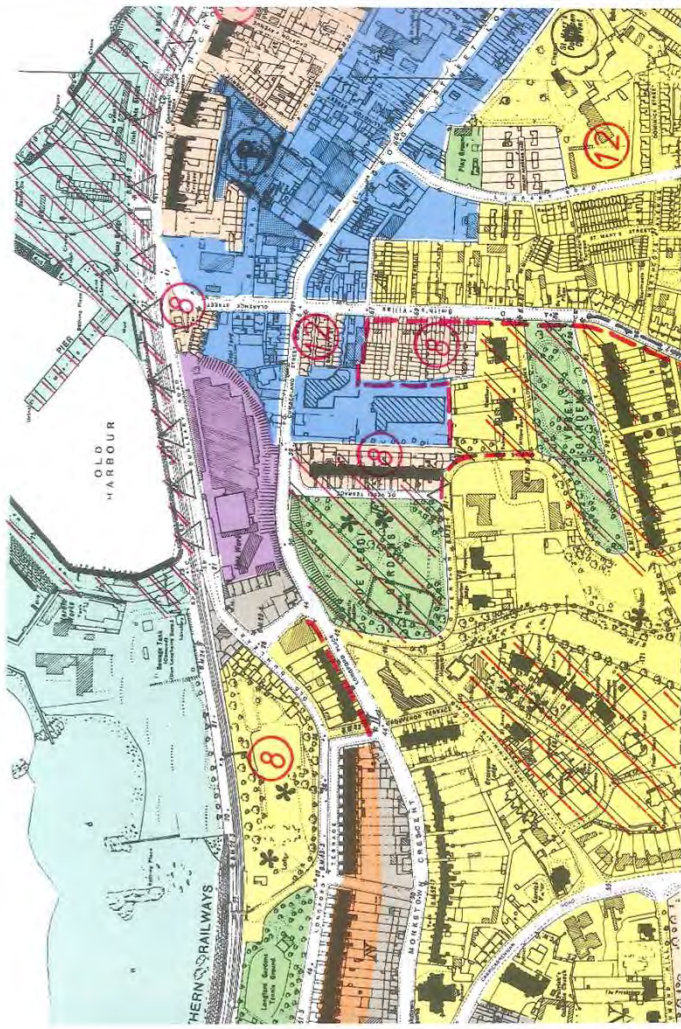
2. Extract from Ordnance Survey Map of Dublin, 1866-70



3. Extract from Ordnance Survey Map of Dublin, 1908-1910



4. Extract from Ordnance Survey Map of Dublin, 1936-40

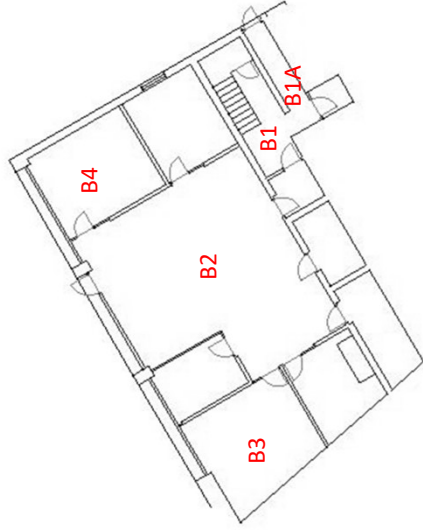


5. Extract from Dun Laoghaire Corporation Development Plan Map, 1984

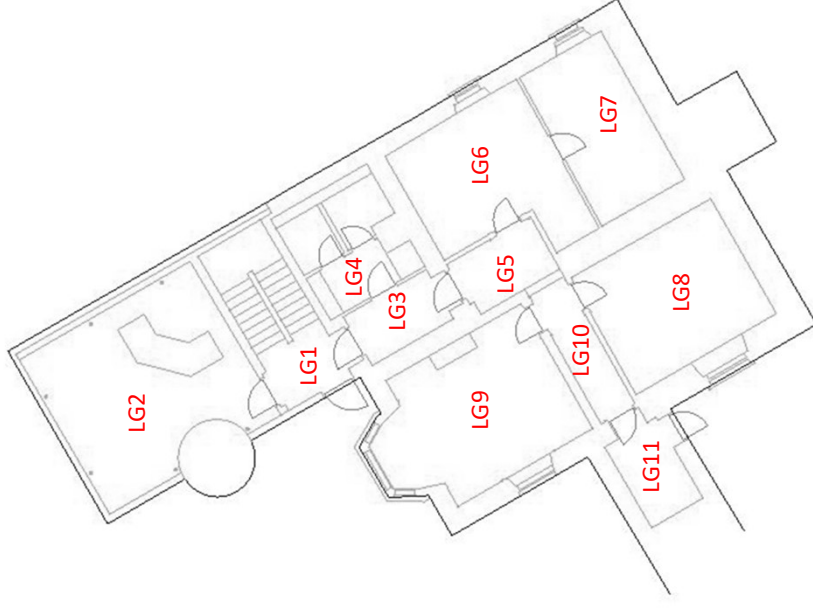
APPENDIX II : KEY PLANS

House at former Tedcastles Site, Dun Laoghaire, Co. Dublin.

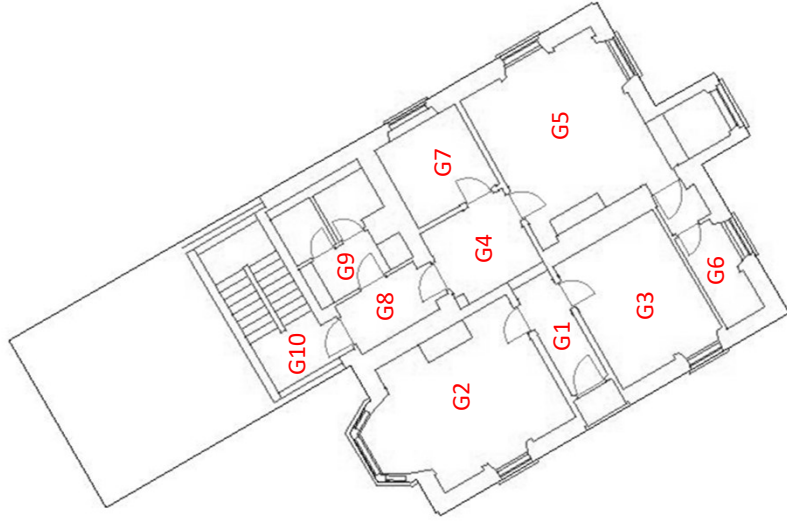
Key Plans



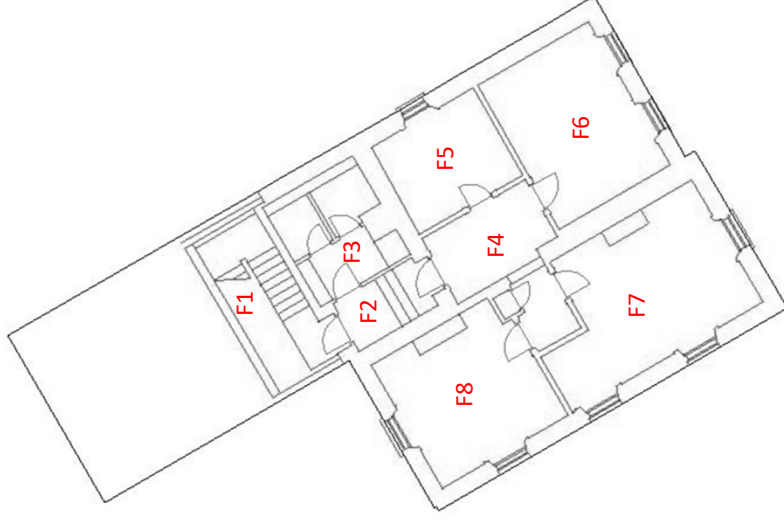
1. Key Plan – Modern Basement Level



2. Key Plan - Lower Ground Floor



3. Key Plan - Ground Floor

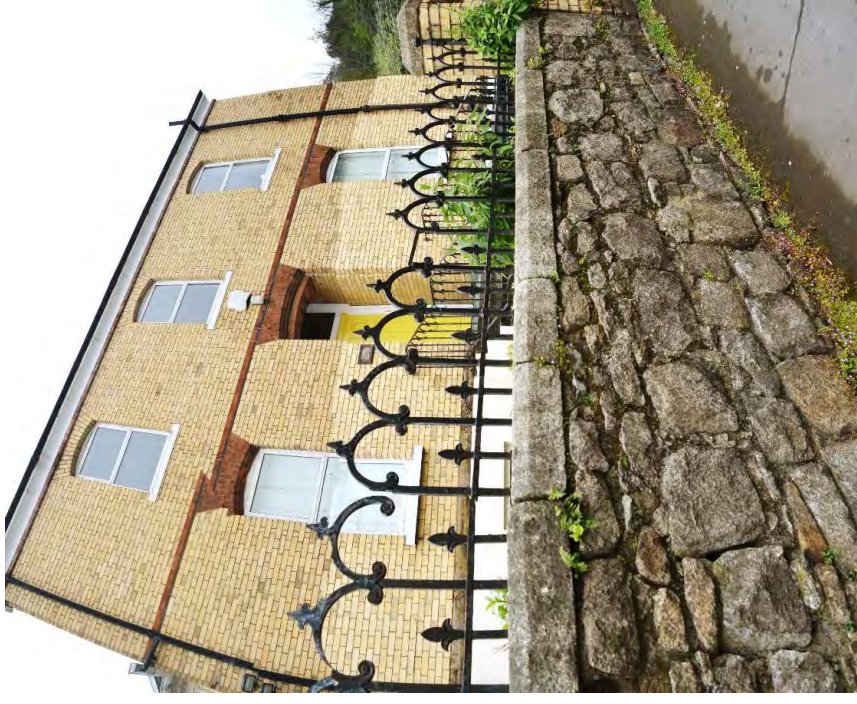


4. Key Plan - First Floor

APPENDIX III : PHOTOGRAPHIC RECORD
– EXTERNAL

House at former Tedcastles Site, Dun Laoghaire, Co. Dublin.

Photographic Record – External



2. Oblique view of boundary wall, railings and front façade



1. View of subject building from opposite street corner, showing front façade and modern extension to the north



3. View of entrance steps and railings to front door



4. View of gate to modern steps to basement area



5. Modern concrete steps to basement area



6. View of boundary wall and entrance gate piers to front façade



7. Oblique view along boundary wall and railings on Longford Hill



8. North-Western façade of the subject building, showing the modern north extension



9. View of North-Western façade of subject building, with modern basement extension in the foreground



10. Panoramic view of wider site, looking South-East towards the subject building



11. Panoramic view of wider site, looking South-East towards the subject building



12. Panoramic view of wider site, looking North towards the subject building



13. View of north-eastern façade of the subject building



14. Panoramic view of streetscape, at junction of Longford Hill and Dunleary Hill



15. Panoramic view of streetscape along Dunleary Hill



16. View of the south-eastern façade of the subject building



17. Panoramic view looking South-West along streetscape of Dunleary Hill



18. Panoramic view of streetscape of Longford Hill, with subject building visible to the right



19. Panoramic view along Old Dunleary Road, towards the subject building

APPENDIX IV : PHOTOGRAPHIC RECORD
– INTERNAL

House at former Tedcastles Site, Dun Laoghaire, Co. Dublin.

Photographic Record – Internal



1. Room B1 - View looking South-West



2. Room B1 – View looking South



3. Room B1A – View looking North-East



4. Room B2 – View looking East



5. Room B2 – View looking West



6. Room B3 – View looking North



7. Room B4 – View looking West



8. Room LG1 – View looking North-East



9. Room LG1 – View looking South-West



10. Room LG2 – View looking North



11. Room LG2 – View looking South





14. Room LG4 – View looking North-East



15. Room LG4 – WC 1



16. Room LG4 – WC 2



17. Room LG5 – View looking South-East



18. Room LG5 – View looking West



19. Room LG6 – View looking East



20. Room LG6 – View looking West



21. Room LG7 – View looking West



22. Room LG7 – View looking North-East



23. Room LG8 – View looking South



24. Room LG8 – View looking North



25. Room LG9 – View looking West



26. Room LG9 – View looking East



27. Room LG10 – View looking North-East



28. Room LG10 – View looking South-West



29. Room LG11 – View looking South



30. Room G1 – View looking South-West



31. Room G1 – View looking North-East



32. Room G2 – View looking West



33. Room G2 – View looking East



34. Room G3 – View looking West



35. Room G3 – View looking East



36. Room G4 – View looking North



37. Room G4 – View looking South



38. Room G5 – View looking East



39. Room G5 – View looking West



40. Room G6 – View looking South-West



41. Room G7 – View looking North



42. Room G7 – View looking South



43. Room G8 – View looking North-West



44. Room G8 – View looking South-East



45. Room G9 – View looking North-East



46. Room G9 – WC 1



47. Room G9 – WC 2



48. Room G10 – View looking North-East



49. Room G10 – View looking South-West



50. Room G10 – View looking South-East



51. Room F1 – View looking South-East



52. Room F2 – View looking South-East



53. Room F3 – View looking North-East



54. Room F2 – View looking North-West



55. Room F4 – View looking South-East



56. Room F4 – View looking North-West



57. Room F5 – View looking North



58. Room F5 – View looking South



59. Room F6 – View looking West



60. Room F6 – View looking East



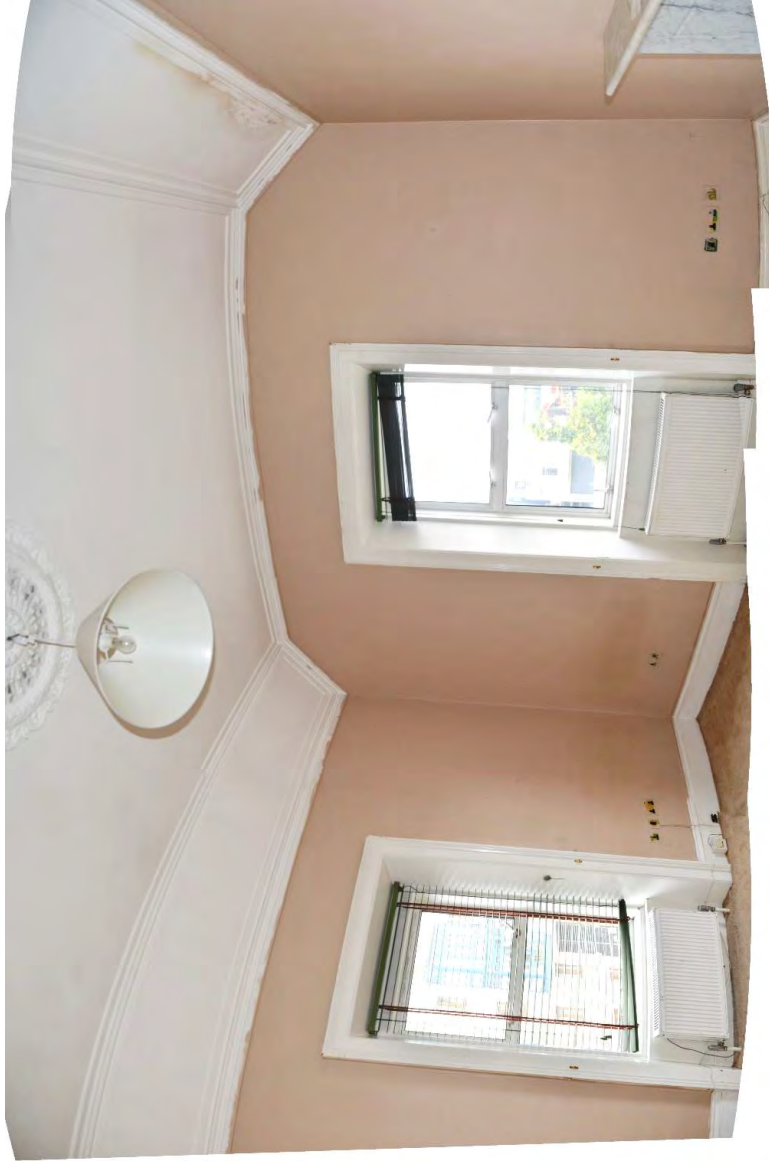
61. Room F7 – View looking North



62. Room F7 – View looking South



63. Room F8 – View looking East



64. Room F8 – View looking West

APPENDIX V : OUTLINE CONSERVATION SPECIFICATION

OUTLINE CONSERVATION
SPECIFICATION
FOR
WORKS TO BE CARRIED OUT
AT
DUNLEARY HOUSE, DUNLEARY HILL & CUMBERLAND STREET,
DUN LAOGHAIRE,
CO. DUBLIN

November 2021



DAVID SLATTERY CONSERVATION ARCHITECTS LIMITED
Historic Buildings Consultants

8, Vergemount, Clonskeagh, Dublin 6, IRELAND.

Tel: 01-2697344

Fax: 01-2696700

e-mail: slatcon@iol.ie

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Section 1 Introduction

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1.1. General

The works shall be carried in compliance with *RIAI Guidelines for the Conservation of Buildings* (3rd edition December 2010), and the conservation charters referenced therein, in addition to the publication *Architectural Heritage Protection: Guidelines for Planning Authorities* (as issued by the Department of Arts, Heritage & the Gaeltacht 2011).

1.2. Preliminary Method Statement

General

The Contractor will be required to prepare a detailed method statement for the works and to amend or augment this statement to take account of matters discovered during the works. He will be required to obtain the Architect's approval for the statement at each stage during the works and amend the statement as necessary to achieve the Architect's approval.

Guidance

The contractor will be advised that all works must be completed in accordance with good conservation practice and in conformity with the publication "*Architectural Heritage Protection: Guidelines for Planning Authorities – DoAHG, 2011.*"

Guidance on the application of conservation practice is to be found in the following documents which shall be adhered to:

- Architectural Heritage Protection: Guidelines for Planning Authorities. Department of the Arts, Heritage & the Gaeltacht 2011.
- Archaeology in the Planning Process. (Planning Leaflet PL13) Department of the Environment, Heritage and Local Government, 2007.

Drawings and Schedules

The Contractor may be required to prepare full survey drawings of each element to be repaired before commencing, together with full size details of the various components, joints, profiles etc. etc. and schedules of the various components to enable the correct procedure for repair. A full photographic record should also be kept. In addition, the various components shall be clearly labelled and recorded on the drawings. When fully examined, the full size details of the various repairs necessary will be prepared by the Contractor before commencing any repair works and all repairs scheduled. The Architect's approval to this documentation shall be obtained at each stage before proceeding to the next stage and two copies of all such documentation shall be given to the Architect for his records.

Deviations

No deviations from the Architect's details will be permitted without prior approval. No deviation from the approved full sized drawings will be permitted without the Architect's prior approval. All dimensions as shown on the drawings shall be finished sizes unless otherwise indicated.

General Matters

All components shall be carefully examined to determine the method of assembly. All items shall be referenced and locations logged. No damage to the items shall be result from these works other than that unavoidable arising from the examination. The full records shall be handed to the Architect upon completion.

Detailed Method Statement

Based on this document and the results of the contractor's preliminary inspection, the contractor will prepare a detailed method statement covering all aspects of the works. He will be required to submit this statement to the Architect before any works is put in hands and to adjust, amend and revise the statement until the Architect is satisfied that it offers the most appropriate methodology for the works and approves the statement. It should be noted that it will be necessary for the contractor to further adjust, amend and revise the statement as works progress to take account of particular matters encountered during the works. Such alterations will be subject to the same approval process as the original statement. Once the statement, or alterations to the statement have been approved, the contractor may embark on the works, however, such approvals shall not relieve the contractor for any liability for unavoidable damage to the items.

Tests

Should the contractor feel that, in order to prepare his detailed method statement, it would be necessary to undertake test disassembly or removal operations, he will be permitted to do so with the prior approval of the Architect and under the constant monitoring of Architect's representatives. The Architect will co-operate with the contractor in designating the most appropriate items to be the subject of such tests. However, if any test is deemed to be causing damage to any item, it must be stopped immediately upon the Architect's request to do so. In such cases, an alternative item may be designated for test if the Architect deems such a course of action is appropriate.

Records

All items shall be fully recorded by photograph, highlighting all extant damage to the items and any other means considered necessary to properly record the extant appearance and condition of the items. The Contractor shall include for all costs in connection with the proper photographic recording of all necessary items including ceilings, walls, tiling, stonework and repair works to same. The contractor will be held responsible for any damage not recorded before removal or disassembly. The precise location shall be recorded and coded so each item or dismantled part of each item can be precisely located. This code shall be marked on each item or dismantled item by such means as cannot be accidentally removed but can be easily removed without blemish upon completion of the repairs at a later stage. Similarly, each individual disassembled part of an item shall be coded so that its relationship to adjoining parts can be precisely identified and recorded on drawings, photographs or other approved means. Two copies of the above records shall be handed to the Architect upon completion of these works.

Detailed Inspection

Before commencing disassembly or removal and following the approval of the Detailed Method Statement, the contractor shall very carefully examine the item to confirm or otherwise the accuracy and effectiveness of his proposed method. The Contractor's attention is drawn to the fact that items may have different methods of assembly or that individual parts may differ from those already disassembled or removed and he will be required to adjust his work methodology to accommodate these variations. He will be required to undertake such detailed inspection on a continual basis during the complete disassembly and removal operations.

Damage

Any damage not recorded before disassembly and removal or arising from disassembly and agreed with the Architect as unavoidable, shall be the responsibility of the contractor. He will be required to repair the damage at his own expense or to reimburse the Architect for the

cost of such repairs by means of deductions from any payments made by the Architect to the contractor.

Repairs

When all of the components are ready for inspection, the Contractor shall, in conjunction with the Architect, prepare a detailed schedule of necessary repairs to the shelving including re-finishing. He shall prepare all necessary full sized details to illustrate each and every type of repair and agree the details with the Architect before commencing the repair operations. All repairs shall be executed as specified later in this document. The Contractor shall note that existing repairs shall be undone and remade if the standard is not acceptable or may be left if the standard is acceptable. The repaired work shall be finished to match the original.. All softwood originally intended to be unfinished shall remain unfinished. All moving or movable parts shall be checked and repaired as necessary to ensure proper operation.

Reinstatement

Reinstatement shall be undertaken in the reverse order of removal. Great care shall be taken to ensure that each item and component is reinstated in its original location. Any damage caused by the reinstatement shall be made good or replaced at the Contractor's expense to the Architect's satisfaction. Any damage to the finishes shall be repaired in such a manner that the repair is not visible.

1.3. General Conservation Methodology

1.3.1. Protection Of Existing Structures And Materials

The Contractor shall ensure that no damage occurs to the Existing Structures as a result of the execution of the Works.

1.3.2. Protection Method Statement

The Contractor shall prepare a site specific method statement detailing the proposed protection measures to be implemented in respect of the Existing Structures. This shall include, as a minimum, details of the following:

- Measures to ensure protection of the existing roof structure and materials during the course of the Works;
- Measures to ensure protection of existing building fabric, both external and internal, during the course of the Works;
- Measures to prevent water ingress during execution of the Works;
- Proposed method of access to roof Areas – both during the Construction Period and Service Period;
- Measures to ensure the stability and protection of Existing Structures during repair and replacement works to the structural fabric of the Existing Structures; and
- Details of other measures required to address Site specific issues.

The Conservation Architect shall review all such method statements for compliance with conservation best practice.

1.3.3. Protection And Storage

The Contractor shall ensure that retained floors along the main construction route must be protected.

Storage of builder's equipment and materials must be in designated compound Area/s. While works are underway, equipment and materials being transported around the Project Facility, temporarily stored and used, must be carefully positioned so that retained historic fabric and surfaces are not damaged.

1.3.4. Movement Of Equipment And Material

Transport & erection of scaffolding poles / planks pose a particular threat to fabric. These and all long items such as floor boards must be carried by minimum of two operatives at all times to ensure no damage and impact to fabric.

Loading

Positioning of any removed or stored materials shall not overload the existing structure.

Fixing to Historical Fabric

Scaffolding and working platforms must be independently supported and may not be fixed to the Existing Structures. Full plywood protections must be provided between scaffolding supports and retained historic flooring / paving of Existing Structures.

Specialist Contractors

The Contractor shall ensure that all parties engaged to undertake works to Existing Structures are competent to undertake the elements for which they are engaged. Contractors must have the relevant training and experience to carry out specialist works within historic buildings.

1.3.5. Works Methodology

The Contractor shall prepare a Site specific method statement detailing the proposed methodology and sequencing to be implemented in respect of the retained fabric of the Existing Structures.

The methodology shall also describe how mitigation measures set out in the conservation impact assessments forming part of the Planning Decision are complied with.

1.3.6. Recording

The Contractor shall clearly and comprehensively record all Areas opened up within Existing Structures through the use of good digital photographs (minimum 10.1MP). Photographs shall record all principle features uncovered including architectural and structural elements, service routes, chases, floor voids and areas that will be closed up. As-built record drawings are to be provided to the Authority at the completion of the works including with referenced digital photographs.

1.4. Extent of Conservation Works

The following is a outline of the work to be carried out. Please refer to drawings, schedules and specifications for more detailed descriptions of the proposal.

The areas for the relevant works are identified on the drawings by MOLA Architects and scheduled in section five of the conservation report accompanying the planning application. Following is a summary of the proposed conservation works –

- Repair and reinstatement to all internal plasterwork to walls
- Repair and reinstatement to all internal joinery
- Reinstatement of all the sash window joinery to correct historic profiles and pattern interior arrangements, linings and associated mouldings etc.
- Repointing of the brick façade and cleaning/ repointing of all granite elements, cappings, plinths and steps.
- Repair and restoration of cast and wrought iron railings

Section 2 Specifications

- 2.1. Brickwork & Repointing**
- 2.2. Cleaning & Repointing granite elements**
- 2.3. Internal Plasterwork and Works to Ceilings**
- 2.4. Repairs to Ironwork**
- 2.5. Fittings - Removal**
- 2.6. Roofworks**
- 2.7. Windows**
- 2.8. Ancillary Joinery**
- 2.9. Services Installation Philosophy**
- 2.10. Painting**

2.1 Brickwork & Repointing

2.1.0 OUTLINE SCHEDULE OF BRICKWORK REPAIRS

The following schedule should not be considered to be exhaustive, but is indicative of the principal tasks to be undertaken. This schedule should be read in conjunction with the drawings, photographs and the rest of this specification. The schedule should also not be assumed to be a sequence in which the works are to be carried out. Refer to drawings for the extent of the works.

All repair work shall be carried in accordance with the '*Guidelines on Architectural Heritage Protection for Planning Authorities : 2011*', published by the Department of Environment, Heritage and Local Government, and in accordance with best conservation practice.

1. Prepare a comprehensive photographic record of all facade elements before carrying out the works. Number individual elements removed and record numbering sequences on detailed drawings for later reassembly of the elements.
2. Carefully dismantle any cracked or broken decorative façade elements and set aside for repair and/or use as patterns for replacement components.
3. Access any structural steel members; cleaning, checking and remedial works to structural steel to be carried out in accordance with the structural engineers' designs and specifications.
4. In conjunction with specialists' and with the architect, assess the suitability of any decorative façade elements for re-use, repair or replacement. Replacement elements shall be matched in colour, texture/sheen, and in sizes and shapes to be fabricated by specialist. Matching of new elements to be carried out by comparison with an undamaged and recently cleaned original.
5. Re-assemble all facade elements in their correct order and place, substituting new elements as required, and make good in accordance with the specifications below.
6. Carry out local repointing to brickwork of the front façades at upper ground and first floor levels and to the chimney stacks.
7. Carry out complete tuck pointing to the upper ground and first floor front façade.
9. Carry out re-setting of brick to front and rear facades in areas where localised settlement or cracking has occurred as indicated on the architects' drawings.
10. Replace areas on non-matching (yellow – Dolphins Barn) brick on the rear façades with brick (new to match existing, or suitable salvaged brick – see below) as indicated on the architects' drawings.
11. Clean down the brickwork to front facades in accordance with the specifications below.

2.1.1 Repair Works to Existing Brick

The Contractor shall ensure that all facade related work and repair is carried out by competent and suitably experienced crafts persons.

Brick shall be of prime quality and match the existing brick on Site.

Code of Practice – Brick

The Contractor will be required to comply with the relevant sections of the latest editions of the following: (Note – Standards listed below, whilst not all explicitly referencing brick in their titles, still contain sections relevant to the work to be carried out) -

- BS 5628 (Parts 1-3) Code of practice for the use of masonry;
- BS 8221-2:2000 Code of practice for cleaning and surface repair of buildings. Surface repair of natural stones, brick and terracotta.
- BS 8221-1:2012 Code of practice for cleaning and surface repair of buildings. Cleaning of natural stone, brick, terracotta and concrete (incorporating corrigendum No. 1).
- BS 5628-1:2005 Code of practice for use of masonry. Structural use of unreinforced masonry (incorporating Corrigendum No.1) (No longer current but cited in Building Regulations)
- BS 7913:1998 Guide to the principles of the conservation of historic buildings.
- IS EN 459-2:2010 Building lime - Test methods.
- IS EN 459-1:2010 Building limes - definitions, specifications and conformity criteria.
- IS EN 12440:2008 Natural stone - Denomination criteria.
- IS EN 12326-1:2004 Slate and stone products for discontinuous roofing and cladding - Product specification.
- IS EN 771 - Specification for masonry units.
- BS 5385-2:1991 Wall and floor tiling. Code of practice for the design and installation of external ceramic wall tiling and mosaics (including terracotta and faience).

BRICKWORK

Standards

The works shall be carried out in all respects to comply with British Standards 1014, 1217, 5589, 5390 and 6270. Scaffolding shall comply with B.S. 5973 and 5974. Variations may be permitted from these standards with the prior written permission of the Architect.

MATERIALS

Brick

The new brick, etc., where required, shall match the existing, when cleaned as specified later, as regards type, colour, texture, porosity, crushing strength, appearance etc. Samples of such brick shall be delivered to the Architect's office for his selection. All brick shall be free of all vents, cracks, fissures, soft beds, firing defects etc. or other defects which may affect durability. All arrises shall be true and straight and no damage will be permitted. The Contractor shall note that it may be necessary to have the brick specially manufactured by an approved manufacturer in order to ensure that the brick properly matched the original in all respects.

The Contractor shall note that different matching bricks may be required for the repairs to the front and rear. In addition, specials, particularly voussoir bricks will be required for the eaves, window heads and these specials will be required to match the brick elsewhere on the elevation. He will be expected to have made all necessary allowances for the amounts of

each distinct type of brick required for the works and no extra will be allowed for his failure to do so.

The Contractor's attention is specifically drawn to the possible different sizes of the existing bricks which will have to be replicated in the repair brickwork. On no account will larger (or smaller) joint dimensions be permitted to allow the use of standard bricks or to reduce the number of differing sizes required for the works.

With regard to the specials, the Contractor will be permitted to arrange for the various sizes and specials necessary to be specially manufactured or to be worked (cut and / or rubbed) from larger sized bricks. In either case, all such bricks shall match the adjacent 'common' brick in all respects as noted earlier and the manufacturing or working process shall in no way interfere with or be damaging to the durability, stability, weathering characteristics or visual characteristics of the brick.

Salvaged Brick

The Contractor shall note that while all the brickwork included in the works has been specified to be new brick, the use of sound salvaged brick will be permitted with the Architect's prior approval. Salvaged brick shall match the original in all respects as specified in the earlier clauses and shall have all old mortar, splashes etc. removed without damage to the fire skin, arrises etc. Salvaged brick may be sourced from a suitable supplier or may be suitable brick arising from the works and will be subject to the Architect's approval. Such approval, once given, shall not relieve the Contractor from his responsibility to ensure that the brick complies with the requirements of this specification. Should any brickwork built from such approved salvaged brick subsequently exhibit any damage or inherent or latent defects that would have led to its rejection at the time of approval if such characteristics had been apparent at that time, it shall be removed and replaced at no additional cost. The Architect's decisions shall be final and binding in all these matters.

The Contractor shall note that it would be the Architect's intention to use as much as possible of the original brick, salvaged from the works and meeting the above specification, in the works. However, it is not possible to give any indication as to the quantities that might be available for re-use. Therefore, any reductions in the amount of new brick necessary for the works arising from the re-use of original salvaged brick shall be treated as a credit on the contract.

Brick for Repair

All brick for repair shall be from bricks specifically selected for that purpose by the Architect and shall match the original in all respects, including size, colour, texture, porosity, finish etc. This brick may be either re-cycled salvaged brick or new brick with the Architect's prior approval. New brick shall be sourced from a specialist manufacturer approved by the Architect as specified earlier. The Contractor shall make provision for the erection of 3 trial panels as directed by the Architect, each panel measuring a minimum of 1 m. x 1 m. All repairs shall be so worked and finished that they are not visible when viewed from a distance of 4 meters. The Contractor's attention is drawn to the construction of flat and arched lintols, where purpose-made shaped voussoir bricks will be required.

Cement

Cement shall be white or grey Portland cement, to comply with BS EN197.

Repair Mortars

Repair Mortars shall be specialised materials supplied by a specialist supplier approved by the Architect. They shall be specially prepared to match the parent material in all respects as regards colour, texture, durability, porosity, density, compressive strength etc. Approved suppliers would include repair mortars supplied by Messrs Keim, Messrs. Jahn, Messrs. Remmers and Messrs. SBD. Samples of the colour matched material shall be approved by the Architect before any work is put in hands. Preference shall be given to mortars that can be left proud and worked back once the initial set has been completed to avoid the 'case hardening' effect of the worked surface and any residual cracking in the completed repair.

Water

Water for the works shall be clean, potable and free from any impurities, deleterious matter or harmful chemicals.

Lime

Lime shall conform to BS EN459 for the purpose required and shall be hydrated or lime putty

Sand

Sand shall comply with BS EN13139. Where sands are to be used in lime mortars or gauged lime mortars, great care shall be taken to ensure that no water retaining properties are contained within sands which would interfere with the carbonation of the lime. The Contractor shall note the coarse and fine sands used in the varying pointing types extant on the building and will be required to obtain sands that will match these gradings.

Mortar Mix

The mortar mix shall be in accordance with Tables 4 and 5 of B.S. 6270 part 1, or as specified elsewhere in this document.

Fixings

All fixings, dowels, cramps, restraints etc. shall be of non-corrodible, non-ferrous metal or stainless steel grade 316 as selected by the Architect to the appropriate B.S.

Cleaning Chemicals

Chemicals for cleaning brickwork shall be approved by the Architect. These chemicals will be from the Neolith, Intrachem, Remmers and or Prosoco ranges of chemicals. Trials must be completed in advance of the cleaning programme to determine the appropriate times for application of chemicals. The Contractor should keep in mind that these materials contain injurious chemicals and the manufacturer's safety precautions must be prominently displayed, and adhered to at all times. The chemicals must be applied in accordance with the manufacturer's recommendations. The recommended Safety First Aid Kit should be maintained on site and readily available during operations.

CLEANING BRICKWORK.

Standards

These works shall comply with the requirements of BS 8221/2:2000 and BS 5390

Cleaning generally

Only fully experienced and trained personnel shall be permitted to carry out cleaning works, and full protection for the operatives, scaffold, woodwork, glass, ironwork, different adjoining masonry material types etc., shall be provided. In addition, full protection for persons and

property in the vicinity of cleaning operations shall be provided. All safety recommendations shall be strictly adhered to.

Extent of the Works

All the existing brickwork shall be cleaned as specified below in such a manner as the surface of the masonry is not damaged in any way and that no harmful residues are left on the surface or within the pores of the masonry.

METHODOLOGY

General

Note : These processes shall be the subject of a number of trials. The Contractor will be deemed to have included for the costs of such trials at the time of tender and the Architect reserves the right to vary or amend this specification, including reversing the order to chemical treatment followed, where necessary, by mild abrasive cleaning, to take account of the results of the trials. The costs of these trials and amendments, variations and, if necessary, reversal of the cleaning order, etc. will be deemed to be included in the price submitted. In addition, the Contractor should particularly note that it may be necessary to clean the building on a number of occasions as blemishes may only appear as the fabric dries- a process that may require the return of the specialist cleaning sub-contractor to site on a number of occasions - and he will be deemed to have included for all such repeat cleaning to ensure a clean even appearance is achieved to the Architect's satisfaction

Abrasive Method

The brick shall be cleaned by the 'NeoClean 300 System' or equal and approved low pressure mild abrasive cleaning system, in strict accordance with the manufacturers' instructions and safety recommendations. The abrasive be used shall be calcium carbonate of the appropriate grade with the water metered to the abrasive at the base of the blast pot. Only the minimum of water to control dust shall be used and on no account shall the brickwork be permitted to become saturated. On no account shall the pressure of the abrasive at the nozzle be permitted to exceed 25 p.s.i. and shall be, wherever possible less to obviate the possibility of damage. As far as practical, the finer grades of abrasive shall be used, but the Contractors attention is drawn to the fact that heavy encrustations of dirt etc. may have to be removed using the coarser grades to reduce the necessary contact time and prevent damage to adjoining fragile brickwork. The Contractor's attention is drawn to the fact that excessive use of 'J-Blast Finesse', fine or medium grade shot and the like, can be harmful to the brick surface and should not be used without the Architect's prior approval, following suitable tests. Before the work commences, the Contractor shall undertake sample panels as directed by the Architect to determine the grade of abrasive, the contact time and the optimum pressure for the operations.

The low pressure cleaning operations shall be undertaken by holding the nozzle approximately 1 meter from the surface of the brick at an angle of 45 degrees to the plane of the surface of the brick, unless the 'Joss' type nozzle, which delivers the abrasive mixture moving in a spiral motion, is being used in which case the nozzle shall be at right angles to the plane of the surface of the brick. The nozzle shall be moved over the surface in gentle, even strokes both vertically and horizontally to achieve an even clean appearance to the brick without causing any damage to fragile areas, particularly fine, weathered arrises. In areas where there is any doubt, cleaning operations shall be suspended before any damage occurs and the residual dirt allowed to remained until such time as the Architect has inspected the work and given instructions as to the procedure to be followed to complete the cleaning work. On no account

shall gun shading of the cleaned areas be permitted to occur or the surface of any brick removed by these operations.

The Contractor shall complete the initial cleaning of each area in a single pass operation and subsequently return to clean isolated areas that have particularly heavy or stubborn accumulations until a clean even visual appearance to the Architect's satisfaction is achieved. The Contractor may, if he so wishes, commence operations by removing the above mentioned heavy or stubborn accumulations at the outset before the general cleaning, but in either case, each section must be completed in a single operation and there can be no instances of a section being left incomplete.

The Contractor shall, before the work commences, agree with the Architect the division of the facade into sections suitable for cleaning. As far as possible, these section boundaries shall occur at natural breaks in the facade, changes of plane, string courses, cornices etc.

Spent abrasive shall never be allowed to accumulate on the scaffold or on the face of the building and must be bagged and removed at appropriate times during the day's work. The Contractor should note that the calcium carbonate abrasive tends to form a slurry and stick to the surface of the work. This must be cleaned away immediately as the effectiveness of the cleaning cannot be determined while such deposits contaminate the surface.

At all times, a pressure gauge incorporating a hypodermic type needle shall be on site to enable the pressure to be checked.

Great care will be required to ensure that no salts within the masonry are liberated by the cleaning which may permit staining due to the deposit of the salt on the surface of the masonry. Iron ores are particularly damaging in this respect. Great care must be taken when cleaning the brickwork to ensure that no damage is caused to brick. It is essential that the cleaning with abrasives is halted before damage to the surface occurs. In all such cases, the Architect shall be consulted where the Contractor is concerned that damage may occur for his decision, either to continue, reduce the pressure or to clean using a wet chemical system as specified below.

When the work has been cleaned to the Architect's satisfaction, the Contractor shall apply an approved chemical to kill all residual spores, roots and other such residues, applied in strict accordance with the Manufacturer's recommendations. Approved chemicals would include the appropriate algacides and biocide as manufactured by Messrs Intrachem, Neolith, Prosoco, Remmers and SBD. It is imperative that the manufacturer's recommendation and data sheets as regards storage, use, application, removal, disposal and safety are strictly adhered to and available on site at all times.

Chemical Method

In situations where the above methodology is unable to remove deposits, surface discoloration or shadowing without damage to the surface or fire skin of the brick, these shall be removed by the use of liquid chemicals or poultice. They shall be cleaned with Intrachem, Neolith, Prosoco or Remmers Chemicals as previously specified or poultices as specified below, in strict accordance with the manufacturers' instructions or data sheets and safety recommendations.

All adjoining different masonry materials, polished surfaces, glass, metalwork etc. shall be carefully protected before commencement.

On no account should any chemical, or rinse water from areas cleaned with chemical, be permitted to come in contact with dry masonry or with areas to be cleaned by a different cleaning system or materials. Areas at particular risk are those underneath the current site of operations. It is imperative that all such areas are either fully protected before operations commence and fully rinsed down upon completion.

Sample panels are to be completed before the cleaning commences in areas selected by the Architect, to enable contact times to be established. In all cases, tests to ensure the surface is chemically neutral shall be undertaken 3 days after completion of the cleaning using litmus or other approved method.

Metallic staining shall be removed by poultice or other methods recommended in B.S. 6270 or B.R.E. Digest 280 and approved by the Architect.

Graffiti or other paint disfigurement shall be completely removed. This may be achieved by the use of Neolith HDL, Intrachem SC100 or other approved similar chemical as specified above, but where this is unsuccessful, or where a 'shadow' of the stain remains, these shall be removed by 'Peelaway', Remmers (Interchem) or Tensid 'AGS Graffiti Removers' or similar and approved paint removal poultice, used in strict accordance with the manufacturer's recommendations. In certain circumstances, the use of the mild abrasive blast as specified above may be permitted with the Architect's prior approval.

As with all operations involving water on the surface of the building, operations shall be suspended during time when freezing conditions apply or can be expected. To this end, no work shall be undertaken below a temperature of 4°C. on a rising thermometer or below 6°C. on a falling thermometer. In addition, the effect of wind conditions may also require the suspension of operations.

Where the cleaning operations are undertaken above the roof level or at junctions with roof finishes etc. great care must be taken to ensure that these operations do not cause damage to adjoining finishes etc.

REPAIRING BRICKWORK

WORKMANSHIP

Removal of damaged brick

All damaged brickwork etc. shall be carefully removed, either in part or in total as indicated on the drawings or directed by the Architect or the Engineer. Temporary support shall be provided as required. Care shall be taken to ensure that no damage occurs to any adjoining brick. Where large amounts of any course are to be removed, great care shall be taken to ensure that the support for the wall above is maintained, this may demand the work to be undertaken in a series of short lengths or other methods approved by the Architect. This will be deemed to be included for the areas of brickwork to be removed to correct the structural deviations of the front wall of the five houses. As far as possible and wherever relevant the removals shall comply with shall comply with the requirements of B.S. 6187, Code of Practice for Demolitions.

All brick shall be cut out carefully and in full. As far as possible, all headers shall be removed and replaced in total in order to retain the bond of the surface to the heart of the wall.

Mortars

Sand for mortars shall conform to BS 1200 and shall be non-staining. Portland Cement and Lime shall be as previously specified. Sand for use in the preparation of Course Stuff shall be as specified in that section. All mortars for bedding and pointing shall be slightly weaker and slightly more porous than the masonry being bedded or pointed. In particular, the Contractor shall ensure that the sands do not contain any material that would tend to retain water or slow the natural drying of the mortar, thus interfering with the proper carbonation of the lime.

The Contractor shall refer to the relevant Technical Guidance Documents published by Historic Scotland for guidance on the proper preparation and use of lime and ensure that the methodology implemented on site complies with their recommendations.

Mortar mixes shall be defined by volume and unless otherwise indicated shall be of the following proportions:-

Mortars for bedding, jointing, pointing and re-pointing porous brickwork be one part cement, 2 parts lime putty and 9 parts crushed limestone/sandstone, prepared from Course Stuff or Fine Stuff as specified below.

Mortars for brick shall normally be cement-lime mortar composed one part cement, one part lime putty and 6 parts sand, prepared from Coarse Stuff or Fine Stuff as specified below.

The Contractor shall note that he will be required to match the pointing mortar to an area sound original pointing selected by the Architect as regards colour, texture, surface finish, grading of grains and, where appropriate pebbles etc. etc.

Preparation of Course Stuff and Fine Stuff

Sand for re-pointing and re-bedding shall generally conform to B.S. 882 and 1199/1200 and the Technical Guidance Documents published by Historic Scotland. The particles shall be sharp and angular and samples delivered to the Architect for approval before work is put in hands. The Contractor shall note the requirement to match the original pointing mortar type and finish extant on the buildings. To this end, the Architect will indicate an area on the building which will be the standard for the mortar and finish which the Contractor will be required to replicate.

For Coarse Stuff it shall be graded as the table below:

Section 3	Sieve Size	% Particles passing
	5.00mm	95%
	2.36mm	80%
	1.18mm	60%
	0.60mm	35%
	0.30mm	22%
	0.15mm	7%

The Contractor shall note that the joint dimension between masonry units may require variations in the grading of the particle size, particularly where in the grading indicated in the table above would result in too coarse a mix. Fine Stuff will be required to be prepared for these situations. Proposals for the adjustments to the grading shall be submitted to the Architect for his approval and samples will be required to be prepared. The Contractor shall note that slight variations may be required in the cement/lime/sands ratio and the Contractor shall refer to publications by Historic Scotland, particularly Technical Guidance Document No. 1, for details of the correct method of assessment. The Contractor should note that the preparation of a number of mixes with differing grading of sands may be necessary to allow for the optimum mix for each joint type and size. He will be expected to have made the necessary allowances for such mixes at the time of tender, including the preparation of test mixes and no extra will be allowed by his failure so to do.

Hydrated lime shall comply with I.S.8. Lime for lime putty shall conform to BS EN 459 high calcium C90 lime and shall be run into lime putty and matured for at least one month before required for use and obtained from an approved source.

Lime Putty:

If the lime putty is delivered in 25kg tubs, it shall be allowed to stand undisturbed for 48 hours before use to allow the fines to settle. Any limewater on top of the tubs when opened shall be carefully decanted and stored for possible use.

Coarse Stuff and Fine Stuff:

Coarse Stuff and Fine Stuff shall be prepared by thoroughly mixing the lime putty and sand. The mixing operation is critical and compression will be required - a roller pan mixer is advisable as the normal rotary drum mixer does not provide the necessary compression. The proportions shall be 1 parts of lime putty to 6 parts sand, by volume which may be adjusted to suit the individual sand with the Architect's approval. There should be adequate water in the lime putty for mixing provided sufficient compression and / or beating and chopping is provided during mixing. If additional water is required, the decanted limewater shall be added in small quantities under strict control. The actual proportions of lime / cement to sands may vary depending on the particular characteristics of the sands. This shall be determined by test and on-site trials.

The mixed Coarse Stuff and Fine Stuff shall be set aside to mature, stored in air-tight containers or a heap covered with hessian or straw etc., kept moist at all times and the air excluded, for a minimum period of 3 weeks.

Knocking up:

When required for use, the coarse stuff or fine stuff shall be taken from storage and re-mixed until such time as the workable material has returned. This may be achieved successfully in a rotary drum mixer or by hand. Any material that has dried or shows any signs of carbonation shall be discarded before the knocking up commences. It should be noted that hand preparation will require a minimum of 15 - 20 minutes for proper mixing and to ensure the proper workability of the mix is achieved without the addition of any water.

Gauging:

When knocking-up is complete, 1 part of white cement shall be added to the mixture and thoroughly blended. In general, it should not be necessary to add additional water to achieve a workable mixture, but if such addition proves necessary, the stored

limewater shall be used in small quantities using the minimum to achieve a workable mix. The Contractor shall note that if the mix is too wet when used, this will contribute to crazing and shrinkage cracks. All work that exhibits any such defects, be they the result of too much water, improper preparation, application, aftercare or from other cause, will be required to be removed and replaced at no cost to the Employer.

Coarse Stuff or Fine Stuff should only be gauged with white cement in quantities that can be used within 30 minutes. Any gauged mix not placed within this time shall be discarded. On no account shall the mixture be knock-up and used after this time.

Where the mortar is required to be black in colour, Lamp Black, or other approved natural colorant, shall be used in sufficient quantities to give the required colour.

Hydraulic Lime.

Should the Contractor desire to use hydraulic lime to replace the non-hydraulic lime or cement in part or in whole, he will be required to submit a method statement to the Architect for his approval. This statement shall be modified as necessary to obtain approval before the works commence and it is likely that sample panels will be required. Only hydraulic lime from an approved source will be permitted and the Contractor will be required to submit certificates confirming that no cement has been used or added to the powder. Hydraulic lime shall be delivered in bags with the manufacture's name, the contents and use-by date clearly marked on the outside. It shall be stored under similar conditions as for cement. All mixes incorporating hydraulic lime shall be placed within 30 minutes of water being added to the mixture, any mixes not used by that time shall be disposed of and never 'knocked up' and used in the work. Approved suppliers would include Messrs Narrow Water Lime Services, St. Astier and Telling Lime Products.

It is essential that the sands, water content, colorant etc. are carefully monitored to ensure that air is able to permeate the mixture to achieve carbonation of the mortar. It is also imperative that the effects of the chosen colorant does not have any adverse effect on the mortar. To this end, trial mixes shall be prepared at the start of the contract for the Architect's approval as to colour, particle size, carbonation, finish, visual appearance etc. well before the mortar is required for use.

Inserting new brick

Where the repair work requires the insertion of new or salvaged brick as previously specified, the area shall be carefully cleaned and all loose or deleterious material removed. The brick shall be laid on a full bed of mortar, and all joints fully filled, including the back and sides of the brick. It is imperative that the top bed is filled with mortar, well rammed home, so that the loadings within the wall are correctly transferred to the masonry below. If deemed necessary by the Architect, the work shall be carefully grouted by hand to ensure all cavities around the repair are fully filled using a method and material approved by the Architect. On no account shall any mortar, grout or other substances be allowed to come in contact with adjoining masonry. All mortar or grout splashes shall be immediately washed off and on no account allowed to dry or stain the masonry. All faces of joints shall be raked out for pointing.

The Contractor shall provide for all necessary non-ferrous metal fixings, cramps, dowels, armatures etc. that may be required or as directed by the Architect. In addition, the Contractor should include for the various relevant structural works as indicated on the Drawings or as directed by the Engineer including the stitching of cracks and insertion of structural connections at party walls, cross walls, floors etc. etc.

Arches

The Contractor's attention is drawn to the construction of flat and arched lintols, where purpose made shaped voussoir bricks will be required. These shall be constructed to match the originals, and on no account will tapered mortar joints be permitted.

Removal of corroded ferrous metal armatures, fixings etc.

All corroded ferrous metal armatures, fixings etc. shall be removed and replaced by non-ferrous metal as previously specified. If, for structural reasons, it is not possible to remove all of such metal, then it shall be cut back as far as possible, grit blasted to remove all visible rust, primed with red lead or a zinc-rich primer and painted with two coats of bituminous paint.

Replacement of missing features

Where a missing feature is to be replaced, it shall be copied from an existing detail on the building as selected by the Architect. In all respects, the provisions of the last clauses shall apply wherever relevant.

Jointing

All bricks shall be set on a full bed of mortar and tapped home. All beds and joints shall be the same width as the existing. Form all joggles with air escape holes as required, mortises, sinkings or ties, cheeks, perforations and grooves for flashing. All arrises shall be left clean.

"Mortar" Repairs

All "mortar" repairs shall be carried out with mortars approved by the Architect as specified, used in strict accordance with the manufacturer's recommendations.

Repair Mortar selection.

The mortars for brick repairs shall be as specified earlier. The contractor shall note that a series of sample panels of each colour will be required to be executed and fully cured to confirm the colour, texture, tool marking and all other aspects of the repair. The Contractor will be required to execute sufficient number of panels to enable the Architect to designate selected panels as the standard against which all executed work shall be judged when complete. Any panels rejected by the Architect shall be immediately removed. The panels designated as 'Standard' shall remain intact on the building until such time as completed work can be designated to replace them, at which time they shall be immediately removed.

Shade Board.

When the colours of the mortar have been approved, the Contractor shall prepare a shade board which will contain cured samples of each approved shade. This board shall be kept on site at all times and shall be used to judge the colour of each brick and the correct colour of the repair mortar to be used.

Storage of Mortars.

The mortars shall be stored in their original bags with the manufacturers' original label clearly legible, including batch numbers and colour codes. The bags shall be stored by batch as specified elsewhere for cement.

Batch and Colour Codes.

The Contractor shall note that there may be slight colour variations between batches. He will not be permitted to mix mortars of the same colour from differing batches and will

be required to check each and every batch as regards colour etc. He should note that, if the colours vary from batch to batch, he will be required to prepare a new shade board to encompass the cured samples of the particular batch.

In addition, the Contractor will be required to record the Batch and Colour Codes of the mortar used for each and every individual repair completed on the building.

Water Content.

The Contractor shall note that the water content of the mixes may have a significant effect on the final colour of the repair. Where the manufacturer recommends a range of values for water content, the Contractor will be required to record the water content of the approved sample and ensure that this is consistent in all mixes prepared from this batch.

Armatures, fixings etc.

The Contractor will be required to provide and fix all necessary armatures, fixings etc. as previously specified to ensure the proper bonding of the repair to the parent brick. In addition, he will be required to provide all such armatures etc. required to control the shrinkage and movement of the mortar during drying and curing. In all cases, these armatures, fixings etc. shall comply with the mortar manufacturers' recommendations and shall be approved by the Architect before the work is put in hands.

As a general rule, in-situ repairs will require a 'cage' of wires or threaded bars to be fixed to the brick before the mortar is applied, while castings will require sufficient reinforcement to ensure the casting can be moved without damage, dry and cure without shrinking or cracking and that the necessary dowels, cramps etc. for fixing to the prepared brick are cast into the casting rather than being fixed when the cast is removed from the mould. Details shall be agreed with the Architect before the work commences and shall be in accordance with the manufacturer's recommendations.

Surface preparation.

The damaged surface of the brick shall be removed as specified previously. The surface of the sound strata of the brick exposed by this operation shall be tooled to achieve an adequate key for the repair mortar. All armatures and the like shall be fixed to the brick by means of non-ferrous screws, dowels etc. using plastic plugs or resin anchors. The wire 'cage' shall be firmly attached to the fixings to the Architect's satisfaction and in compliance with the manufacturer's recommendations.

Repair methodology.

The repair mortar shall be prepared and applied in strict accordance with the manufacturer's recommendations, particular care being applied to requirements in relation to layer thickness and the provision of non-ferrous metal armatures etc. The surface of the repair shall be worked to match the existing in colour, texture and finish, any tool markings etc. being re-created, and no deviation from the original line will be permitted. Mechanical fixings, of Non-ferrous metal as specified for fixings, shall be provided as required or as recommended by the mortar manufacturer. On no account shall the boundaries of the repair be allowed to 'feather' or to contaminate retained surfaces.

As far as possible, the surface of the repair shall be worked proud of the surface and the initial set be allowed to complete before being worked back to the required line. This must ensure that the case hardened surface containing a higher proportion of

finer and binder is removed and that surface crazing of the repair will be avoided. Any repairs that exhibit any cracking, crazing, delamination, bond failure or other defect shall be immediately removed and a new repair completed to the Architect's satisfaction.

Upon completion, the repair shall be treated with an approved pore lining water repellent approved by the Architect. Approved repellents would include Siloxane or Silane repellents as manufactured by Messrs Remmers, SBD, and Wacker.

Provision shall be made for test repairs to be carried out for the Architects inspection before work is put in hands.

RE-POINTING BRICKWORK

Raking-Out

The raking-out shall be carried out using chisels or other appropriate instruments. Mechanical systems, hand saws or hand discs for raking out shall not be used excepts with the prior approval of the Architect and the Contractor, if he desires to use such methods, will be required to demonstrate the effectiveness of the methodology to the Architect. If such demonstrations fail to satisfy the Architect, the Contractor may demonstrate further developments if he so wishes in order to obtain the Architect's approval. However, the Architect retains the right to instruct that the raking out must be undertaken by manual means at no additional cost to the Employer notwithstanding the results of all or any of such tests.

Areas indicated on site and on the drawings by the Architect to be re-pointed shall be carefully raked out to a depth equal to twice the width of the joint with a minimum depth of 15 mm. Great care shall be taken to ensure that the brick or any arrises are not damaged. Upon completion of the raking out all loose matter shall be carefully removed.

Pointing Generally

All the existing brickwork shall be fully re-pointed. The mortar mix shall be as specified above and must always be slightly weaker and slightly more porous than the masonry and bedding mortar being pointed. Re-pointing shall be carried out from the top, the joints having being first wetted, and proceed in one continuous operation, all mortar being carefully rammed well home into the joints to ensure no voids remain. The finishing of the pointing shall be as directed by the Architect and would include a lightly brushed finish.

All areas of pointing shall be fully protected from sun, wind, rain, extremes of temperature etc. to ensure that the mortar dries and cures and carbonates properly. In particular, the Contractor shall guard against any of the protection forming microclimates, wind tunnels etc. which would adversely affect the finished joint - refer to the relevant Technical Guidance Documents published by Historic Scotland.

The amount of water used to dampen the joints shall be carefully controlled to prevent the joints being saturated and only those amounts necessary to adjust the 'suck' due to the porosity of the substrate shall be used. On no account shall water be allowed to lodge in the joints and on no occasion shall any pointing be undertaken while water is lodging. Should any instances of the pointing mortar being damaged by lodging water become apparent, these shall be removed and replaced by the Contractor at his own expense to the Architect's

satisfaction.

All joints between windows and brickwork shall be carefully raked out, packed with a compressible bitumen impregnated foam, and pointed up in mortar. Alternatively, joints may be packed with mortar as required and pointed with translucent or colour matched two pack Polysulphide or Silicon Mastic to B.S. 5215 or 5889 applied in strict accordance with the manufacturers' instructions.

If deemed necessary by the Architect, all joints shall be taped to prevent the mortar staining the surfaces of the masonry. It is imperative that the tape should not damage the face of the masonry and is able to withstand the pointing operations. Samples shall be approved by the Architect before the work is put in hands.

On no account shall individual bricks be pointed in isolation. If necessary, pointing shall be delayed within a 1 m. radius of isolated repairs in order to achieve an acceptable visual appearance. All such instances shall be brought to the Architect's attention and his instructions carefully followed.

Sample Panels

The Contractor shall provide for carrying out sample panels of the pointing under the Architect's direction. When the Architect is satisfied that there is a sample panel for each type of pointing finish required, he will nominate these panels as the standard by which the executed work on the building is to be judged. All rejected panels shall be immediately removed from site or raked out to ensure that no confusion shall exist. The standard panels shall remain undisturbed until such time as the Architect nominates a panel of the completed work to be the standard, at which time the original shall be removed. All pointing work which fails to match the standard shall be raked out and re-pointed to match the standard at no expense to the Employer and the Architect's decision shall be final and binding in all such matters.

Existing Mortar Repairs

Existing Mortar repairs will be removed by the works. All marks, residues etc. of this mortar left on adjoining brick shall be carefully removed without damage to the sub-strata.

Crack Injection

Where indicated on the Drawings or on site by the Architect or Engineer, cracks shall be injected by a specialist company approved by the Architect. In situations where it is necessary to create a structural bond, the injection shall consist of epoxy, polyester or other approved resin. Where a structural bond is not required, the material shall be a non-shrink latex formulation to prevent the ingress of water.

In all situations, care shall be taken in the location and installation of nipples, reservoirs etc. to ensure that no disfigurement of the surface results.

The crack shall be sealed to prevent the spillage of the injected material and to ensure complete filling of the crack. All splashes, runs etc. shall be immediately removed to prevent disfigurement. It may be necessary to use a variety of low viscosity and thixotropic material to ensure complete crack filling and, where appropriate, the proper structural bond is created. The injection shall be undertaken by means of hand pumping and wherever necessary, the resins shall be heated to assist flow characteristics. At all times during these operations, continual monitoring shall be provided to ensure the resin does not emerge where not expected. The nipples, reservoirs shall be so placed to form a checking system of the

penetration as resin exudes from adjoining nipples, but care must be taken that this does not 'short-circuit' the coverage.

Upon completion, the nipples, reservoirs, injectors, etc. shall be carefully removed, the areas cleaned and the surface of the crack pointed in a colour matched mortar so that it is not visible when viewed from a distance of 3 meters from the repair. Particular care shall be taken where the nipple fixative and crack sealant sets to a hard bond to ensure their removal does not disfigure the surrounding brick.

Works to Existing Walls

Opening Up

Any opening up is to be carried out with great care with investigative opening up carried out first to identify the make-up of the wall / partition / ceiling under i.e. brickwork / masonry / timber trussed partition / lath & plaster etc.

Breaking Out, Forming Openings

Brick and masonry are to be carefully toothed out and opening reveal built back in lime mortar bonded salvaged brickwork (half bricks) giving a clean edge.

Reinstatement

Allow for carrying out all reinstatement of fabric with a matching and compatible material – for example – historic brickwork to be reinstated in lime mortar with bonded salvaged brickwork as an approved compatible material with the historic fabric.

Section	2.2	Cleaning & Repointing Granite Steps (and Other Granite Elements)
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2.2 Cleaning & Repointing of Granite Steps (& Other Granite Elements - Cills & Parapet Coping)

OUTLINE SCHEDULE OF WORKS

1. All windows and areas of decorative work to be carefully identified by contractor and protected as works progress.
2. Faces of granite – steps, cills and parapet coping throughout - to be carefully cleaned in accordance with specification below and approved samples. Note that required levels of cleaning on areas may differ.
3. Areas of loose pointing material to be removed and localised repointing carried out in accordance with the specification and with approved samples.

SPECIFICATION

CLEANING STONE

Standards

These works shall comply with the requirements of BS 6270 and BS 5390

Materials

Chemicals for cleaning stone shall be approved by the Architect. Algaecides would include Alkutex paste from the Remmers range of chemicals, Algae-Rem from the Intrachem range of chemicals or Neolith 800 from the Neolith range of chemicals. Cleaning chemicals will be from the Neolith range of chemicals and will include Neolith HDL, or from the Intrachem range of chemicals, including HD400s and SC100 or from the Prosoco range of chemicals, including 766 Limestone & Masonry Prewash, Limestone & Masonry Afterwash and 1217 Heavy Carbon Poulitice. Trials must be completed in advance of the cleaning programme to determine the appropriate times for application of chemicals. As these chemical cleaners differ slightly in their effectiveness on differing substrates, the Contractor shall allow for the Architect to select whichever chemical he deems most effective to be used on the works. The Contractor should keep in mind that these materials contain injurious chemicals and the manufacturer's safety precautions must be prominently displayed, and adhered to at all times. The chemicals must be applied in accordance with the manufacturer's recommendations. The recommended safety First Aid Kit should be maintained on site and readily available during operations.

Cleaning generally

Only fully experienced and trained workpeople shall be permitted to carry out cleaning works, and full protection for the operatives, scaffold, woodwork, glass, ironwork, different adjoining masonry material types etc., shall be provided. In addition, full protection for persons and property in the vicinity of cleaning operations shall be provided. All safety recommendations shall be strictly adhered to.

Extent of Cleaning

The cleaning shall be on all facades with contractor taking note of any tooled areas. The Cleaning shall be undertaken before any loose pointing is raked out and, following raking out,

the Contractor shall agree areas of residues to be cleaned as part of the final rinse down operation.

Procedures to be followed

The Contractor shall note that he will be required to undertake a series of test cleanings of the methodology described below to confirm or otherwise its effectiveness. When the results of these tests are available, the Architect may require alterations to this methodology, including the reversal of the order to commence with chemical cleaning and to subsequently move on to mild abrasive cleaning if the tests indicate that this is necessary. The Contractor will be deemed to allow for such matters at the time of tender and no extra will be allowed for such tests or adjustments.

Initial cleaning shall comprise of the removal of all algaecidal, biocidal and fungicidal growths, particularly where these have built up on the surface of the stonework. The stonework shall then be treated with an approved sterilising fluid as specified earlier (Remmers Alkutex Paste, Intrachem Algae-Rem or Neolith 800) used strictly in accordance with the manufacturer's recommendations and safety requirements. Particular care must be taken to ensure that the chemical is well worked into the friable surfaces of the stone without damaging the stone. It shall be permitted to remain in contact with the stone for the length of time recommended by the manufacturer or as determined by the on-site trials. Upon completion of this contact time, it shall be rinsed off as recommended by the manufacturer using warm water where appropriate, care being taken to ensure that none of the stone is saturated. If necessary, repeat applications shall be applied to ensure all spores, seeds, etc. etc. are fully sterilised.

Following the application of the sterilising fluid, all stone shall be cleaned as specified below. The Contractor should note that while a single manufacturer's product is included in this specification, he may use similar chemicals of other manufacturer's as specified under 'Materials'. The Contractor should note that the Architect may require that the material chemical from one particular manufacturer must be used in the works if the tests indicate that this particular chemical is the most effective. The general intention is that material from a single manufacturer should be used for all stages in this cleaning process.

Stonework shall be cleaned with specific manufacturers' materials as previously specified, always used in strict accordance with the manufacturers' instructions and safety recommendations. In all cases, the cleaning shall be undertaken in panels coinciding with a natural break in the building - details of these panels to be agreed with the Architect before the works commence.

All/any adjoining different masonry materials, quoins, etc, in granite, glass, metalwork etc. shall be carefully protected before commencement. On no account should any chemical, or rinse water from areas cleaned with chemical, be permitted to come in contact with dry masonry. Areas at particular risk are those underneath the current site of operations. It is imperative that all such areas are either fully protected before operations commence and fully rinsed down upon completion.

Particular care must be taken at junctions between stone to be cleaned and areas not being cleaned, particular at the faience surrounds to the 'shopfronts'. On no account shall the cleaning be allowed to affect adjoining materials or to alter the appearance of these materials. In such instances, the Contractor will be required to provide plywood cut-outs or similar and approved protection to ensure that the adjoining stonework is not affected.

Sample panels are to be completed before the cleaning commences in areas selected by the Architect, to enable contact times to be established. In all cases, tests to ensure the surface is chemically neutral shall be undertaken 3 days after completion of the cleaning using litmus or another approved method.

Cleaning Methodology

Cleaning shall be achieved by the following methodology in strict accordance with the manufacturers' recommendations.

Section 4 The masonry shall be cleaned using the NeoClean 300 System or similar and approved mild abrasive cleaning system in strict accordance with the manufacturers' instructions and safety recommendations. The abrasive to be used shall be calcium carbonate of the appropriate grade with the water metered to the abrasive at the base of the blast pot or at the nozzle as approved. Only the minimum of water to control dust shall be used and on no account shall the stonework be permitted to become saturated. Great care will be required to ensure that no salts within the stone are liberated by the cleaning which may result in staining due to the deposit of the salt on the surface of the stone, Iron ores are particularly damaging in this respect. On no account shall the pressure of the abrasive at the nozzle be permitted to exceed 25 p.s.i. and shall be, wherever possible, less to obviate the possibility of damage. As far as practical, the finer grades of abrasive shall be used, but the Contractor's attention is drawn to the fact that heavy encrustations of dirt, plaster residues etc. may have to be removed using the coarser grades to reduce the necessary contact time and prevent damage to adjoining fragile stonework.

Before the work commences, the Contractor shall undertake sample panels as directed by the Architect to determine the grade of abrasive, the contact time and the optimum pressure for the operations.

The cleaning operations shall be undertaken by holding the nozzle approximately 1 meter from the surface of the stone at an angle of 45 degrees to the plane of the surface of the stone, unless the 'Joss' type nozzle, which delivers the abrasive mixture moving in a spiral motion, is being used in which case the nozzle shall be at right angles to the plane of the surface of the stone. The nozzle shall be moved over the surface in gentle, even strokes both vertically and horizontally to achieve an even clean appearance to the stone without causing any damage to fragile areas, particularly fine, weathered arrises. In areas where there is any doubt, cleaning operations shall be suspended before any damage occurs and the residual dirt allowed to remain until such time as the Architect has inspected the work and given instructions as to the procedure to be followed to complete the cleaning work. On no account shall 'gun shading' be permitted to occur or the surface of any stone cleaned by these operations.

The Contractor shall complete the initial cleaning of each area in a single pass operation and subsequently return to clean isolated areas that have particularly heavy or stubborn accumulations, plaster residues etc. until a clean even visual appearance to the Architect's satisfaction is achieved. The Contractor may, if he so wishes, commence operations by removing heavy or stubborn accumulations at the outset before the general cleaning, but in either case, each section must be completed in a single operation and there can be no instances leaving any section incomplete.

The Contractor shall, before the work commences, agree with the Architect the programme and limits of the areas to be cleaned. As far as possible, the boundaries shall occur at natural breaks in the facade, changes of plane, string courses, cornices etc.

Spent abrasive shall never be allowed to accumulate on the scaffold or on the face of the building and must be bagged and removed at appropriate times during the day's work. The Contractor should note that the calcium carbonate abrasive tends to form a slurry and stick to the surface of the stonework. This must be cleaned away immediately as the effectiveness of the completed cleaning cannot be determined while such deposits contaminate the surface.

Under certain exceptional circumstances, the Architect may permit the use of J Blast Finesse without water except where it is necessary to use nebulous water to control dust. The pressure shall not exceed 25 p.s.i. at the nozzle and shall be lower whenever possible. The Architect's approval must be obtained prior to the use of Finesse.

At all times, a pressure gauge incorporating a hypodermic type needle shall be on site to enable the pressure to be checked.

As noted at the beginning of this work section, the Contractor will be expected to have made all necessary allowances for all necessary test cleaning to establish the most appropriate cleaning methodology. This would include a number of distinct visits to site to complete individual trials, time to assess the effects of the cleaning over a period of weeks and the provision to reverse the cleaning process to commence with the NeoClean system and to subsequently clean areas by the chemical cleaning where the NeoClean system has been unsuccessful. No extra will be allowed by his failure to make such allowances or the inadequacy of his assessment.

As an alternative, or in addition to the liquid chemical cleaning, AB57 Poultice may be used on Calcareous materials. The recipe for the poultice and use methodology is contained in an Appendix to BRE Digest 280 and these instructions shall be strictly followed. In particular, the precise type, strength, chemical composition and use of the constituents of the poultice shall be strictly followed and no deviations will be permitted.

Metallic staining shall be removed by poultice or other methods recommended in B.S. 6270 or B.R.E. Digest 280 and approved by the Architect.

Graffiti or other paint disfigurement shall be completely removed. This may be achieved by the use of Neolith HDL or Intrachem SC100 as specified above, but where this is unsuccessful, or where a 'shadow' of the stain remains, these shall be removed by 'Peelaway', Remmers (Interchem) or Tensid 'AGS Graffiti Removers' or similar and approved paint removal poultice, used in strict accordance with the manufacturer's recommendations.

As with all operations involving water on the surface of the building, operations shall be suspended during time when freezing conditions apply or can be expected. To this end, no work shall be undertaken below a temperature of 4 degrees centigrade on a rising thermometer or below 6 degrees centigrade on a falling thermometer. In addition, the effect of wind conditions may also require the suspension of operations.

Where the cleaning operations are undertaken above the roof level or at junctions with roof finishes etc. great care must be taken to ensure that these operations do not cause damage to adjoining finishes etc.

2.3 Internal Plasterwork and Works to Ceilings

INTERNAL PLASTERWORK AND WORKS TO CEILINGS

2.3.1 General

Specification

Lath and Plaster Ceilings

Services may not be pulled over or laid on top of lath and plaster ceilings or decorative plaster mouldings. All services within voids above lath and plaster ceilings shall be supported from the structure above.

Measures shall be put in place to ensure that retained ceilings are protected from above when floorboards are lifted.

Plaster Removal

Care is to be taken where removing existing modern plaster internally to historic masonry, or adjacent to historic plaster, not to damage substrate.

The Contractor shall ensure that removal of defective or damaged lime plaster to masonry is to be carried out in such a way that the absolute minimum necessary amount is removed.

Removal of lime plaster to areas of lath is to be carried out in stages in such a way that the plaster is removed leaving lathing in position. Where sound lathing shall be retained, re-fixed in position, accurately cut if necessary and re-plastered. Lath and plaster must be carefully cut at cornices so that cornices are not damaged.

Plaster Repairs

Must be carried out by suitable experienced crafts people, working under the supervision of the Conservation Architect.

Materials

Cement

Cement for plastering work to be as previously specified.

Sand

Sand for rendering beds and backings shall conform to B.S. 1699.

Sand for finishing shall be fine plastering grade sand.

Lime

Lime shall be hydrated lime and shall comply with I.S. 8. Lime for lime putty shall conform to B.S.890 (Clause A) and shall be run into lime putty and matured for at least three weeks before required for use.

Water

Water shall be clean, fresh and free from organic matter. River water shall not be used.

Beads

Stop beads shall be galvanised mild steel by Expamet Ltd. or equal approved.

Timber formers

Timber formers to arrises and the like shall be 25mm diameter hardwood.

Expanded Metal Lathing

Expanded Metal Lathing for internal use shall be galvanised mild steel 'Riblath' or equal approved.

Plasterboard

Plasterboard shall be gypsum based, securely fixed to substrate.

Scrim

Scrim shall be 100mm wide jute to Architect's approval.

Bonding agents shall be of a type recommended by the manufacturer of the plaster, or other approved.

Workmanship**General**

All materials shall be delivered to the site in their original packages bearing the trade name of the material concerned and shall be stored off the ground, under cover and away from all source of damp.

Store cement, lime and gypsum plaster separately by different types, off the ground, in a dry, well ventilated space.

Use cement in rotation within three months of delivery.

Lime putty shall be matured for at least one month before use.

Internal plastering shall be carried out strictly in accordance with BS 5492:1990

Workmanship

Do not begin work until:

- (1) All required openings, chases or other apertures have been cut,
- (2) All pipes, fixtures, fixing pads and plugs have been fixed,
- (3) All making good has been completed.

Protection

Protect all existing work and approaches, with boards, dust sheets, etc. All droppings on to finished work to be cleaned off immediately. Protect all concrete surfaces from contamination by gypsum plaster.

Cleanliness

Ensure that all plant and tools are kept clean and free from previous mixes.

Scrubbing

Remove all traces of mould oil, paint, grease, dirt and other materials incompatible with plasterwork by scrubbing with water containing detergent.

Scudding

Throw onto surfaces scudding of cement-sharp sand (1:3) and leave rough. Keep wet with fine water-spray until set and allow to harden before applying undercoat.

Protection

Protect surfaces to be coated from weather, to ensure that they are reasonably dry before starting work.

Solid Backgrounds

Before coating, adjust porosity to give uniform suction.

Gauge Boxes

Measure plaster constituents by volume, using gauge boxes made to sizes to suit volumes required. Overfill gauge boxes and strike off excess material with a straight edge.

Contamination

Avoid contamination of one type of plaster by another.

Mix

Mortar thoroughly so that individual constituents are incorporated evenly, and to a consistency suitable for the particular plastering work.

Wash Out

Mixer four times daily if in continuous use, and after each batch if mixer is used intermittently, or if a different constituent is used.

Discharge

Mixes onto a bunker or onto barrows.

Do Not Use

Discard mixes after initial set has taken place. Re-tempering or reconstitution of mixes will not be permitted.

Admixtures

Do not use admixtures without prior approval.

Beads and Stops

Fix plumb, square and true to line and level. Protect cut edges with black tar based paint.

Fix beads to solid backgrounds with plaster dabs each side at 600 centres or less.

Fix beads to timber supports with 38mm clout nails each side at 600mm or less.

Fix rounded arris and panel beads by cross nailing.

Junctions

At junctions in the same plane between differing wall backgrounds fix 1 length metal stop beading to each side with plaster dabs.

Projections

Hack off projections.

Chases

Cover all service chases with expanded metal lath, fixed both sides with plaster dabs at 600mm centres maximum. Cover all conduit not chased in with scrim bedded in finish coat mix, pressed flat and trowelled in.

Brushing

Remove efflorescence, laitance, dirt and other loose material by thoroughly brushing.

Dubbing Out

If necessary to correct inaccuracies, dub out in thickness of not more than 10mm in the same mix as first coat. Allow to dry out before next coat is applied. Cross scratch surface of each coat immediately after set.

2.3.2 Lime Plaster

Plaster Mixes

Sand for render shall conform to BS 1200 and shall be non-staining. Lime shall be as previously specified. Sand for use in the preparation of Course Stuff shall be as specified in that section. In particular, the Contractor shall ensure that the sands do not contain any material that would tend to retain water or slow the natural drying of the render thus interfering with the proper carbonation of the lime.

The Contractor shall refer to the relevant Technical Guidance Documents published by Historic Scotland for guidance on the proper preparation and use of lime and ensure that the methodology implemented on site complies with their recommendations.

Mixes for scudding, scratch coats, base coats, etc., shall be defined by volume and unless otherwise indicated shall be one part lime putty and 3 parts sand, prepared from Coarse Stuff or Fine Stuff as specified below. The mix for finishing coats shall be one part lime putty and 3 parts sand prepared from fine plastering sand, as approved by the Architect.

The Contractor shall note that he will be required to match the render to an area sound original render selected by the Architect as regards colour, texture, surface finish, grading of grains etc.

Preparation of Course Stuff and Fine Stuff

Sand for plasters shall generally conform to B.S. 882 and 1199/1200 and the Technical Guidance Documents published by Historic Scotland. The particles shall be sharp and angular and samples delivered to the Architect for approval before work is put in hands. The Contractor shall note the requirement to match the original plaster type and finish extant on the buildings. To this end, the Architect will indicate an area on the building which will be the standard for the finish which the Contractor will be required to replicate.

For Coarse Stuff it shall be graded as the table below:

Sieve Size	% Particles passing
5.00mm	95%
2.36mm	80%
1.18mm	60%
0.60mm	35%
0.30mm	22%
0.15mm	7%

Hydrated lime shall comply with I.S.8. Lime for lime putty shall conform to B.S.890 (Clause A) and shall be run into lime putty and matured for at least one month before required for use and obtained from an approved source.

Lime Putty:

If the lime putty is delivered in 25kg tubs, it shall be allowed to stand undisturbed for 48 hours before use to allow the fines to settle. Any limewater on top of the tubs when opened shall be carefully decanted and stored for possible use.

Coarse Stuff and Fine Stuff:

Coarse Stuff and Fine Stuff shall be prepared by thoroughly mixing the lime putty and sand. The mixing operation is critical and compression will be required - a roller pan mixer is advisable as the normal rotary drum mixer does not provide the necessary compression. The proportions shall be 1 parts of lime putty to 6 parts sand, by volume which may be adjusted to suit the individual sand with the Architect's approval. There should be adequate water in the lime putty for mixing provided sufficient compression and / or beating and chopping is provided during mixing. If additional water is required, the decanted limewater shall be added in small quantities under strict control. The actual proportions of lime / cement to sands may vary depending on the particular characteristics of the sands. This shall be determined by test and on-site trials.

The mixed Coarse Stuff and Fine Stuff shall be set aside to mature, stored in air-tight containers or a heap covered with hessian or straw etc., kept moist at all times and the air excluded, for a minimum period of 3 weeks.

Knocking up:

When required for use, the coarse stuff or fine stuff shall be taken from storage and re-mixed until such time as the workable material has returned. This may be achieved successfully in a rotary drum mixer or by hand. Any material that has dried or shows any signs of carbonation shall be discarded before the knocking up commences. It should be noted that hand preparation will require a minimum of 15 - 20 minutes for proper mixing and to ensure the proper workability of the mix is achieved without the addition of any water.

In general, it should not be necessary to add additional water to achieve a workable mixture, but if such addition proves necessary, the stored limewater shall be used in small quantities using the minimum to achieve a workable mix. The Contractor shall note that if the mix is too wet when used, this will contribute to crazing and shrinkage cracks. All work that exhibits any such defects, be they the result of too much water, improper preparation, application, aftercare or from other cause, will be required to be removed and replaced at no cost to the Employer.

Coarse Stuff or Fine Stuff should only be gauged with white cement in quantities that can be used within 30 minutes. Any gauged mix not placed within this time shall be discarded. On no account shall the mixture be knock-up and used after this time.

Where the mortar is required to be black in colour, Lamp Black, or other approved natural colorant, shall be used in sufficient quantities to give the required colour.

Hydraulic Lime

Should the Contractor desire to use hydraulic lime to replace the non-hydraulic lime or cement in part or in whole, he will be required to submit a method statement to the Architect for his approval. This statement shall be modified as necessary to obtain approval before the works commence and it is likely that sample panels will be required. Only hydraulic lime from an approved source will be permitted and the Contractor will be required to submit certificates confirming that no cement has been used or added to the powder. Hydraulic lime shall be

delivered in bags with the manufacture's name, the contents and use by date clearly marked on the outside. It shall be stored under similar conditions as for cement. All mixes incorporating hydraulic lime shall be placed within 30 minutes of water being added to the mixture, any mixes not used by that time shall be disposed of and never 'knocked up' and used in the work.

Ambient Conditions

It is essential that ambient climatic conditions are observed during the preparation and use of the mixture and the batch size adjusted accordingly. It is imperative that the mixture is not allowed to become dry or be subject to freezing conditions. In addition, the precaution of suspending operations until the temperature reaches 6°C on a rising thermometer or drops to 8°C on a falling thermometer shall be strictly observed.

Hair

Goat hair or other approved animal hair may be added to the base coat if approved by the Architect. This should be body hair that is clean, free from impurities such as grease, dirt, skin etc., and carefully teased into the mixture to achieve the even dispersion of the hair throughout the mixture.

Dubbing Out

In order to keep the layer thickness as even as possible, major depressions in the wall surface shall be dubbed out in several layers to reduce the possibility of shrinkage as previously specified. In all cases, the previous clauses relating to adjusting the suction and aftercare etc., shall be strictly observed.

Scudding

Where necessary, the surfaces shall be scudded by throwing the gauged mortar onto the surface to obtain an even key. The surface shall be left rough and the clauses relating to aftercare strictly observed until the scudding is set. The clauses relating to adjustment of suction shall be strictly observed.

Base Coat

When a stable keyed base has been achieved, the base coat shall be applied in gauged mortar as specified, with the suction adjusted as previously specified. The mortar shall be applied by trowel, 10 - 12mm thick in diagonal strokes applying a slight pressure to create an effective bond. The coat shall be kept to as even a thickness as possible with only minor fluctuations permitted.

The surface should be scratched immediately in a diagonally crossed pattern to provide a key for the succeeding coat. Great care must be taken to ensure that the scratching is slightly undercut, not too deep and executed in such a manner as not to disturb the bond.

Correct aftercare is essential and the mortar must be dampened from time to time and protected from extremes of temperature etc., as previously specified.

Levelling Coat

When the base coat has dried sufficiently the levelling coat shall be laid on in gauged mortar as specified, with the suction adjusted as previously specified. The mortar shall be applied by trowel, 8 - 10mm thick in diagonal strokes applying a slight pressure to create an effective bond. These strokes shall be in the opposite direction to the base coat. The surface shall be brought to an even level surface using levelling screeds in the normal manner, the screeds being removed and filled with mortar before the initial set has taken place.

Top Coat

When the base coat has sufficiently cured, the top coat shall be applied 4 - 6mm thick by trowel as specified for the base coat, ensuring that the strokes are in the opposite direction to the levelling coat. Particular care shall be taken to ensure all arrises are straight and true and a fair finish is achieved. The proportions of lime to sands will be adjusted for this coat from the base coats as may be the sands grading.

Particular care must be taken to ensure that the surface is "polished" in a manner to avoid any cracking or crazing when the final set is achieved. The surface shall be finished to a fine smooth, regular, surface by the use of a steel float. On no account should any marks of the float or drag marks from the aggregate be visible in the finished work. No textural variations will be permitted.

The provisions of the 'Aftercare' clause shall be strictly observed during curing, a period which shall extend to 28 days after completion of the coat.

Reveals, Jambs, etc.

All arrises etc., shall be true and straight.

Sample Panels

The Contractor shall be required to execute sufficient sample panels to demonstrate the quality and type of workmanship for the Architect's approval. Each sample panel shall measure at least 1 meter x 1 meter. The approved panel shall be retained undisturbed as a quality and finish control panel until such time as the Architect indicates a completed area of render is approved to serve this purpose.

Section 2.4 Repairs to Ironwork

2.4 Repairs to Ironwork

OUTLINE SCHEDULE OF WORKS

1. Railings to be cleaned, repaired and repainted, with missing elements replaced by new elements to a matching historic pattern, and fixed back in original location, all in accordance with the specification below.

SPECIFICATION

2.5.1 CAST IRON AND WROUGHT IRON REPAIRS

Removing Ironwork

Where ironwork is to be removed from masonry, it will be necessary to heat the lead packing sufficiently to release the seating. Great care should be exercised to avoid damage to the plinth. In the event of failure to release the seating by means of heating, or where in the opinion of the Architect damage to the masonry will result, the Contractor may, with the approval of the Architect carefully cut the component from the masonry. On the removal of the component, the residual metal may be removed by drilling.

Welding Cast Iron

Welding of cast iron is only possible with great expertise and careful supervision, and it is not always possible to be sure of the integrity of the repair. Welding of cast iron will require the removal of the section to a workshop where it can be preheated before welding and post-heated after welding to ensure a gradual temperature change within the metal. Welding of large sections of cast iron on site will not be permitted.

As fusion (arc) weld of high integrity is especially difficult to achieve, where welding of cast iron is necessary, metallic bond (gas) welding shall be used.

Welding Wrought Iron

Structural joints shall be butt welded to ensure that all sections of any laminations which may be present will be attached. Fillet welds can be used provided they incorporate a sound edge of wrought section.

Rivets should not be replaced by welded joints. Welding near rivets will not be permitted as distortion may stress these, forming a gap between the joined materials.

Cold Repairs – Castings

Fractures in cast iron may be repaired or stabilized by several 'cold' methods. Stainless steel or non-ferrous metals should be used whenever possible. Cold repair techniques include: straps, threaded studs and dowels or plain pins.

Straps shall where possible be hidden. The plate should be bedded on a suitable medium to prevent a water trap.

Threaded studs should be screwed into both sides of a fracture.

Dowels or plain pins, should have one or both ends threaded and/or glued into prepared recesses.

Generally, cold repair method shall involve the insertion of a shaped piece of wrought iron across a fracture. Once the fracture is realigned, groups of holes shall be drilled across it, to form a series of slots, and locked with work-hardening nickel alloy driven in. Holes are drilled along the line of the fracture between these, then tapped and filled with studs, each stud

interlocking with its neighbour. All excess metal is then sheared off and the surface is ground and painted.

Fillers

Damaged but otherwise serviceable component may be filled with the approval of the Architect. Fillers for this work shall be based on steel particles with an epoxy resin binder.

New Castings

Seriously corroded, broken or missing castings may need to be recast. Grey cast iron should be replaced in the same material. Replacements in cast aluminium shall not be used. Where possible, existing pieces may be used as patterns. Where shrinkage cannot be tolerated or where the shape of the item does not permit direct moulding, a new pattern will need to be made.

Replacement Wrought Iron

Where sections of wrought iron is in need of replacement, re-cycled or salvaged iron should be used.

Rehousing Ironwork

Metalwork should be positioned and maintained plumb, level and square.

Metalwork shall not be distorting when tightening or adjusting.

The ends of all existing ironwork which is to be reset into masonry must be either cleaned and treated thoroughly or replaced. If they are to be reclaimed, abrasive cleaning will be necessary to remove completely all corrosion prior to painting with epoxy paints and fixing with lead or lead wool packing.

Severely corroded ends shall be tipped with stainless steel, Delta bronze or new wrought iron for the distance of the housing plus at least 12 mm from the masonry face. For bronze, a lapped joint shall be formed and bolted with a bed of sealant between the bronze and iron to prevent water penetration. In the case of stainless steel, a welded butt joint shall be formed. Missing studs, stools, etc., should be reattached by welding.

The studs shall be inserted into the housings packed with lead wool, and with hot lead and caulked when cool.

Protection

All metalwork should be protected to prevent distortion, damage to arises, projecting features, and surface which will be exposed in the finished work during transit, handling and storage. All contact with mud, ashes, plaster and cement should be prevented.

2.5.2 NEW WORK

General

Where existing elements are either missing, non-original, or in the opinion of the Architect, are beyond repair, new elements shall be fabricated to match.

New Flat or Round Work

New flat or round work shall be fabricated in mild steel and shall match originals being replicated in section and in all dimensions. All new work shall be continuously welded on all faces.

New Decorative Features

New decorative features shall be of cast iron and shall match originals being replicated in all respects. Replacements in cast aluminium shall not be used. To this end, sample decorative features being replicated shall be carefully removed from the existing, and moulds prepared. Where possible, existing pieces may be used as patterns. Where shrinkage cannot be tolerated or where the shape of the item does not permit direct moulding, a new pattern will need to be made.

Housing New Ironwork

Metalwork should be positioned and maintained plumb, level and square.

Metalwork shall not be distorting when tightening or adjusting.

The studs shall be inserted into the housings packed with lead wool, and with hot lead and caulked when cool.

Refer to repair section of this Specification for further information.

2.5.3 CLEANING AND SURFACE PREPARATION

General

The preparation of a sound surface shall involve removal of old paint, rust, loose mill scale and soluble corrosion salts. It should be noted that paint removal may reveal cracks, corrosion and casting defects which were not previously visible. Allowance should therefore be made at the outset for dealing with these.

Old paint and repainting

All paint which is loose, perished or flaking shall be removed. Only wet hand processes should be used because of the risk from dust from lead pigments.

Small areas of paint can be removed with thixotropic paint strippers such as methylene chloride. Their residues must be removed by white spirit or water, as appropriate.

Flame cleaning and hot air blowers are also effective paint removers. These must be used with care on thin cast iron because of the thermal stresses which can be set up by localised overheating.

Mill Scale

Loose or defective mill scale must be removed. Evidence suggests that wrought iron receives corrosion protection from sound, adherent mill scale, and for this reason flame cleaning is the preferred treatment.

Soluble Corrosion Salts

Ferrous sulphate and ferrous chloride and other water-soluble salts must be removed from the bottom of pits within an iron surface. They are not readily removed by cleaning with large-sized abrasive particles.

Degreasing

All oil or grease shall be removed. Large quantities should be physically removed by scraping. The rest is best removed by warm water and detergent followed by thorough water rinsing. Non-caustic degreasing agents will also be permitted.

Manual Preparation

The simplest form of surface preparation of iron involves chipping, scraping and brushing with hand-held implements. It should be noted that while surfaces prepared in this way may appear burnished and clean, only about 30% removal of rust and scale may be achieved. Scoring of

valuable surfaces and loss of detail may also occur. Manual preparation should therefore only be used where alternative methods are not available. A corrosion-inhibiting primer such as red lead or zinc phosphate should then be used.

Mechanical Preparation

These processes involve use of power-driven tools such as grinders and rotary wire brushes and provide a marginal improvement in efficiency over manual preparation. Rust or other deposits in pits and crevices are rarely removed. Needle-guns, however, can be used successfully to access awkward corners and angles inaccessible to other equipment.

Flame Cleaning

An oxyacetylene or oxypropane flame should be passed across the iron, resulting in the detachment of rust and loose mill scale, which should be removed by wire brushing. Thin sections of wrought iron of less than 2 mm may warp during flame cleaning unless the method is used with care. Extreme care should be taken to avoid the fusing of un-bonded scale and other foreign matter.

Acid Pickling

Items should be immersed in a bath of warm dilute sulphuric acid or dilute phosphoric acid to dissolve and remove mill scale and rust. On removal from the bath the iron must be thoroughly rinsed with clean water. Hydrochloric acid and sodium hydroxide (caustic soda) leave soluble salts on the metallic surface and should not be used. Site application of acid washes will not be permitted.

Dry Abrasive Cleaning

Abrasive cleaning shall be shall only be used for cleaning new work. However, due to the softness of wrought iron it should be noted that the milled or beaten surface may be removed or roughened unless great care is taken. The success of abrasive cleaning is highly dependent on careful work by skilled operatives, the right grits and the right supply of air pressure. Test areas shall be carried out to determine the correct air pressure and size of grit. In general abrasive cleaning to new iron and steel components shall be carried to Swedish S.S.I. 2½ standard.

Wet Abrasive Cleaning.

Wet abrasive cleaning reduces the level of dust, and is preferable to dry especially where lead-based paint is to be removed. Cleaning should be carried out using a nozzle with independent control over air, water and abrasive. Wet abrasive cleaning may, however, cause unwanted water penetration at junctions, and the surfaces should be allowed to dry thoroughly prior to priming.

Precautions for wet and dry abrasive cleaning

For both methods great care must be taken to mask surrounding surfaces. All caulking which is dislodged must be replaced. It is necessary to ensure that operatives are adequately protected and the potential environmental hazards such as dust, spent abrasive, and abrasive-laden run-off are dealt with properly.

Re-rusting of cleaned surfaces

Cast iron or wrought iron members which have been cleaned by flame or dry abrasive should be primed before rust starts to form. If this is not possible the surface should be flash cleaned immediately prior to priming.

Galvanising

On completion of the cleaning and repair work all components shall, if possible, be hot-dip galvanised. Where, in the opinion of the Architect, the assembly of the components precludes galvanising, the Contractor shall prime all surfaces with an approved primer prior to painting.

The importance of good site supervision

Proper site supervision by competent staff is important at all stages of work on a historical iron structure but in particular during the preparation for and application of paint. Test areas on all types of surface present, e.g. bars and decorative work, should be observed to ensure the correct methods of cleaning and painting are chosen.

2.5.4 PAINTING

Primers and inhibiting pigments

All surfaces to be painted shall first be primed with a zinc phosphate primer. A zinc primer may require a sealing coat and subsequent coatings need to be non-saponifiable, such as epoxy paints. As it is almost impossible to produce with one coat a continuous film of adequate and even thickness, free from pinholes, two coats of primer shall be applied.

In the case of galvanised surfaces, appropriate etching primers shall be used.

Where components have been removed from site for workshop repairs and in the case of new work, primers shall be applied prior to delivery, and touched up when fixed in position.

Application of Paints

All metal surfaces to be painted shall receive two brush-applied coats of a selected two-pack epoxy paint such as 'Cotech' or other approved paint, in strict accordance with the manufacturer's instructions.

It should be noted that two-pack epoxy paints are not always suited to brush application, and the manufacturer's specification should be accurately followed.

Section 2.5 Fittings - Removal

2.5 Fittings – Removals

Code of Practice

The works shall comply with the requirements of B.S. 6187.

Taking Down Works

The works may be undertaken by the Main Contractor provided he can demonstrate that the workforce employed on the site has the skill and experience to complete the works without damage to the adjoining structures retained or a specialist approved by the Architect and/or Engineer. In addition, the Contractor shall ensure that no additional damage is caused to the Existing Structures by the removal of services fittings and brackets.

No portion of the works shall be sub-let without the prior written approval of the Architect.

Should approval to sub-let be given it will not relieve the Contractor of his responsibility under this contract and any sub-contractor must accept fully the conditions of contract and work in accordance with the Specification. Furthermore, the Architect shall be empowered to instruct the sub-contractor who will in turn carry out such instructions as if he were the Contractor.

Nature of Site

The Contractor is specifically informed of the restricted and confined nature of the site, the proximity of other buildings. All reasonable measures shall be taken to ensure the minimum disruption to these and to the need for express specific consent regarding any proposed works adjacent to adjoining sites (or buildings).

All plant and equipment to be used in taking down shall be appropriate to the confined location and the sensitive nature of the works.

The Contractor is specifically informed of the historical nature of the site and will be obliged to report any finding which may be of historical interest to the Architect and Structural Engineer and shall await inspection by Archaeologist to assess the significance of any such finding prior to removal or further disturbance of same. In addition, the Contractor shall note that any works which would disturb the ground or other archaeological strata will be the subject of constant inspection by an Archaeologist appointed by the Employer. The Contractor will be required to co-operate with the Archaeologist and to suspend or re-programme the order of the works to facilitate archaeological investigation that may be deemed necessary by the Archaeologist. The Contractor will be deemed to have taken all the matters into account at the time of tender and no extras will be allowed for his failure to do so.

Superintendence

The Contractor shall give all necessary personal superintendence during the execution of the works and keep constantly thereon a competent general foreman with power to act in the Contractor's absence and for all purposes as his general agent.

Survey

Before starting work, the Contractor shall examine all available information, and shall carry out a survey of the structure(s), site and surrounding area and submit a survey report and method statement to the Architect and Structural Engineer covering all relevant matters listed below and set out in the relevant Health and Safety Authority Guidance Notes and the relevant clauses of B.S. 6187:

The form, condition and removal methods of the structures.

The form, location and removal methods of any toxic or hazardous materials.

The type and location of adjoining or surrounding premises which may be adversely affected by noise, vibration, dust or removal of structure.

The identification and location of services above and below ground.

Investigate risks

In accordance with BS 6187, clause 4, the Contractor shall investigate the features of the structure to determine if shock or vibration could damage the buildings being retained, surrounding building, equipment contained in the buildings, buried services and check for the existence of toxic or flammable substances or asbestos. In addition, the Contractor shall decide which portions of the existing structures need to be secured.

Bench Marks

Report to the Architect any bench marks and other survey information found on structure(s) to be taken down. Do not remove or destroy unless specifically instructed.

Feature(s) to be retained

All structure, components and features not specifically identified for removal are to be kept in place and adequately protected.

Insurance

As provided in the contract under insurance clauses, the Contractor shall prior to commencement of the works obtain the Employer's approval for all insurances. Such insurances shall indemnify the Employer against all claims arising out of:

- (1) Collapse, subsidence, vibration or weakening of supports.
- (2) Liability assumed under the Contract.
- (3) Use of mobile or lifting plant.
- (4) Claims for consequential damage and consequent loss
- (5) Fire.
- (6) Public and Employers Liability Insurances against injury to persons and property as required by the contract.
- (7) All Risks Insurance in the joint names of the Employer and the Contractor for the full value of the works and ancillary items required by the contract.
- (8) Collapse, subsidence, vibration or weakening of supports not arising out of the negligence of the Contractor.

Service Regulations

Any work carried out to or which affects new or existing services must be in accordance with the bylaws or regulations of the relevant statutory authority.

Location of Services

The Contractor is specifically informed that live services are located in the vicinity of the site, and he shall ensure that these are investigated, located and adequately protected during the course of the work. Locate and mark the positions of services affected by the work. Arrange with the appropriate authorities for the location and marking of the positions of the mains services.

Existing Services

Disconnect and remove existing services made redundant by the works. Carefully protect all services to be re-used. All structure, components and features not specifically identified for removal are to be kept in place and adequately protected.

Drains in Use

Protect rainwater pipes, hopper-heads, vent pipes and fittings still in use and ensure that they are kept free of debris at all times. Make good any damage arising from demolition works and leave clean and in working order at completion.

Old Materials

In general, old materials removed by the works shall become the property of the Contractor, who will allow credits for any salvage value against the costs of the works. However, materials such as brick, stone, slate etc. which are to be salvaged for re-use shall remain the property of the Employer and shall be sorted and set aside for re-use as specified later. In addition, items of finishes, such as the various joinery elements, access hatches, doors and surrounds etc. shall be carefully removed where necessary, protected as necessary to ensure no damage occurs, and set aside for re-use.

Any coins, fossils, curiosities, money or articles having a monetary or intrinsic value (including historic, artistic or other values) other than ordinary building materials shall become the property of the Employer and must be handed over to the Employer.

Materials to be Salvaged for Re-use

All existing masonry to be removed and the brick (i.e. yellow-brown brick matching the rear facade, likely a 'Dolphin's Barn' or similar), stone and slate to be retained for re-use shall be carefully removed by hand in such a manner that no damage is occasioned to the components being removed. Red brick or other modern bricks used in repair or infill may be discarded. Under the direction of the Architect, the removed materials shall be carefully sorted by and the material for re-use shall be carefully placed on pallets. These materials shall be carefully cleaned to remove old mortar, plaster, render etc. at the time of sorting so that minimal works are necessary during re-building operations. No material shall be disposed off site until such time as its disposal is approved by the Architect and, if required, the Contractor will be required to repeat the sorting operation should any material suitable for re-use be discovered in the materials designated for disposal. The pallets shall be located close to the works so that handling and transport is kept to a minimum and the sorting, cleaning and rebuilding operations minimise any further damage during transport or other re-location of the materials. Samples of the original mortars, renders and plasters shall be retained for analysis. The Contractor shall arrange for samples designated by the Architect to be forwarded to an approved laboratory for analysis of all properties including shape, sizes, texture, grading and binder type and proportion which will be used to replicate by the original mixes.

All material unsuitable for re-use shall be retained on site until its removal is approved by the Architect. Once this approval is given, it shall be immediately removed from the site. Similarly,

any material found unsuitable during the rebuilding operations shall be piled according to type and only removed when the Architect has given his approval.

Joinery elements, etc., shall be similarly carefully removed, sorted, cleaned and set aside for the Architect's approval before any material is disposed of off site - refer to the particular sections of the specification for details.

Taking Down Methods

The Contractor shall only employ such methods that cause no shock or vibration to adjacent buildings and equipment or buried services being retained. In general, sections being taken down should be disconnected from sections being retained by hand methods before any removal is undertaken in order to prevent any accidental damage to the fabric or structure retained. The use of explosives is forbidden.

The Contractor should note the particular difficulties in connection with the taking down works and make his own assessment as to the most appropriate methods to be used at the time of tender. He should note that it may be necessary to undertake the removal works in part or in total by hand demolition.

Where necessary, leave adequate temporary support and protection at each stage and arrange for inspection by the Architect. Maintain and alter temporary supports and protection as necessary as work progresses.

Arrange inspection and approval of a suitably qualified Engineer where any works will involve Mechanical and/or Electrical services.

Take down structure(s) causing a minimum of damage to the houses to be retained and to adjacent property and leave no unnecessary or unstable projections.
Report to the Architect any defects exposed or becoming apparent in adjoining property.

Promptly repair any damage caused to adjacent or adjoining property by demolition work. Make good to ensure safety, stability, weather protection and security.

Structure(s) to be retained

Adequately protect parts of existing structure(s) which are to be kept in place.

Cut away and strip out the minimum necessary and with care to reduce the amount of making good to a minimum.

Prevent debris from overloading any part of the structure which is not to be taken down.

Services which are to remain

Notify the Architect and service authority of any damage. Make all arrangements for repair to the satisfaction of the Architect and service authority. Bear any costs arising.

Method Statement

The Contractor will be required to prepare a method statement detailing the precise details of his proposals for the demolition works and submit same to the Architect for this approval before the work is put in hands. He will be required to modify the method statement as necessary until such approvals are obtained. Such approvals, once given by the Architect shall not relieve the Contractor of any responsibility for any aspect of the taking down works including safety,

preventing damage to fabric retained, preventing damage to materials to be salvaged for re-use etc. etc..

Schedules of Works and Programme.

The Contractor shall submit to the Architect:

- (a) A Schedule of his intended working procedures and taking down works for approval.
- (b) An itemised programme chart. This shall be kept continuously up to date during the progress of the works.

The Contractor shall include for the erection of shores and ties where required. He shall satisfy himself that the proposals are adequate, and shall include for, and put forward his alternative proposals if he feels they are not. Drawings and details of such alternative proposals shall be submitted for comment by the Architect in advance.

All propping, needling and shoring required shall be designed, erected (and, where applicable, removed) in accordance with latest codes of practice.

No approval issued by the Architect shall relieve the Contractor of his responsibility for the safety of the general public, site personnel and adjoining properties during the course of the demolition works.

Safety Precautions

Take all safety precautions necessary, including those noted in BS 6187, Clause 5, and relevant Health and Safety Authority Guide Notes. Site staff responsible for supervision and control of the work are to be experienced in the assessment of the risks involved and in the methods of taking down to be used.

Taking down in confined areas and adjacent to structure and fabric to be retained shall be carried out by hand. On no account shall the buildings, scaffolding etc., become overloaded by debris etc. The site shall be kept secure at all times.

General Precautions to Avoid Damage

The Contractor shall carry out the work in such manner as to cause as little inconvenience as possible to the owners and/or occupants of the adjoining premises or the public and shall include in his tender for any costs such as the provision of water for sprinkling the debris to keep down dust. In particular, noise and vibration shall be kept to a minimum, and the Contractor shall take all necessary steps to abate these to avoid inconvenience to others.

The Contractor shall protect adjoining properties roads and footpaths from damage and provide adequate support to them at each stage of taking down, and adapt and re-arrange such support as necessary from time to time. He shall provide all necessary temporary shoring, screens and coverings.

The Contractor shall make good at his own expense any damage done to public roads and footpaths which may be caused by his operations.

The Contractor shall provide all necessary watching and lighting including lights on hoardings or scaffoldings projecting over public footpaths during the progress of the works and shall be responsible for any damage arising from insufficient watching or lighting.

Temporary Supports

The Contractor shall be responsible for the design and provision of all necessary temporary supports, needling, shoring, raking shoring, horsing etc.

Nuisance

The Contractor shall be responsible for the prevention of all nuisance arising from the works, in particular, noise, dust etc. To this end, all dry material shall be periodically dampened to prevent dust rising and no debris shall be allowed to be deposited on the public roadway or adjoining building either during the works and transport of debris from the site.

Health Hazard

Take adequate precautions to protect site operatives and the general public from health hazards associated with dangerous fumes and dust arising during the course of the works.

Debris.

All debris, demolished materials etc., shall be removed from the site and deposited in an approved site provided by the Contractor.

Burning Material

On no account will the burning of material be permitted on site,

Gas or Vapour Risks

Take adequate precautions to prevent **fire** or explosion caused by gas or vapour.

Decayed Timber

All decayed or infested timber shall be carefully removed to prevent the spread of spores or larvae, immediately wrapped before removal from the building and disposed of off site. Similarly, other materials adjoining the site of such decayed timber shall, if necessary, be carefully removed and disposed of off site or treated with an approved chemical to prevent contamination spreading to adjoining retained structures.

Adjacent Structures

Areas for taking down shall be disconnected from areas being retained by hand by means least likely to cause damage to the retained structures and approved by the Architect. All unnecessary projections shall be removed.

Make Good

The Contractor shall make good as required to ensure safety stability and security of the retained buildings and provide such weather protection to the retained structures as may be necessary.

Protection

Provide all necessary protection as required under BS 6187, Clause 5. In addition, the Contractor shall provide all necessary temporary screens etc., as required for safety, control of noise and dust, temporary weather protection, security etc., or to facilitate the works.

Partly Demolished Structure(s)

Leave partly demolished structure in a stable condition, with adequate temporary support at each stage to prevent risk of uncontrolled collapse.

Prevent debris from overloading scaffolding platforms.

Prevent access of unauthorised persons to partly demolished structure(s). Leave safe outside working hours.

Asbestos-based Materials

Report immediately to the Architect any suspected asbestos-based materials discovered during taking down work. Avoid disturbing such materials. Agree with the Architect / Engineer methods for safe removal.

Unknown Hazards

Inform the Architect of any unrecorded voids, tanks, chemicals, etc., discovered during taking down work. Agree with the Architect and Engineer, methods for safe removal, filling, etc.

Completion

Clear away all debris and leave the site in a tidy and safe condition on completion.

2.6 Roofworks

ROOFWORKS

2.6.1 Roofing

Slating

The slating shall comply in all respects with the requirements of BS 5534 and 8000. In special circumstances, deviations from this standard will be permitted by prior approval of the Architect provided the Contractor shall satisfy the Architect that the proposed deviation shall not reduce the standard of the completed work.

The Contractor shall note that the condition of the slates indicate that an amount of original slate will be available for salvage and re-use. Therefore, he shall include for carefully removing the existing slate to the entire area of the roof, grading and setting aside for re-use as referred to under Taking Down & Removals. The existing fibre cement slates to the roof should be discarded.

Slates

Slates shall be sourced from the Penrhyn Quarry of the Cambrian deposits of Gwynedel, North Wales and shall satisfy the requirements of B.S. 680. They shall be fixed in strict accordance with the manufacturer's recommendations to B.S. 534 incorporation all required battens, counter battens, felt etc.

The use of salvaged slate, either from the building or other sources, will be permitted provided the Contractor can satisfy the Architect that they comply with BS 680 or that such compliance can be reasonably inferred.

New slates are to be pre-holed, centre-nailed 600 X 300 X 6-7mm thick Blue Bangor slates from Penrhyn Quarry in Wales unless approved otherwise by Conservation Architect. The contractor is to assume a salvage of the existing slates of at least 50% and is to notify Conservation Architect if there is any deviation from this without delay. The contractor is to refer to the specification in detail in relation to standards of materials and workmanship etc. required for slating. Salvaged slates are to be stored as close to the roof as possible, in order to avoid possible damage to them in transit. If possible they should be kept in the working area at roof level, making sure they are secured and cannot be a falling hazard.

Grading

The Contractor shall note that the existing slates may be graded according to size, the largest at the bottom and the smallest at the top. This pattern of size shall be carefully recorded before any work of stripping the roof is commenced and the new or salvaged slate shall be laid in a matching pattern.

Salvaged slates shall be graded for re-use. In general, the salvaged slates will be of a larger size than the new slates and shall be used on the outer visual pitches of the roofs.

Ventilation

Ventilation of the roof timbers, where indicated, shall be achieved by means of proprietary p.v.c. continuous eaves ventilators, and/or proprietary p.v.c. in line slate vents, all fitted in accordance with the manufacturer's recommendations. Ventilating slates shall be size and colour matched to the new or salvaged natural slates, shall be fitted with insect mesh, and shall be self-draining.

Ridge and Hip fittings.

The existing ridge and hip fittings shall be re-used where they are in good condition and undamaged. Where insufficient are available from the works, new or re-cycled fittings to match the originals shall be provided to match the original in all respects. All new fittings shall comply with BS 402.

Underlay

Underlay shall comply with BS 747 and shall be reinforced breathable fabric.

Battens and Counter-battens

All battens and counter-battens (if required) shall be completely replaced with new material. New battens and counter-battens shall be pre-treated with double vacuum pressure impregnated softwood, in sizes to suit the application as defined by BS 5534, and replicating the original as previously specified. They shall be free of decay, insect attack, splits, shakes, wany edges etc. and shall have a moisture content of less than 18% when fixed. They shall comply with BS 881 and 589 as regards species and shall comply with BS 4978 as regards grading. All timber shall have the grade marked on each and this shall be re-marked with the prefix 'R' where the original marking is removed by working. The timber shall be of the appropriate grade for the use intended as defined by BS 4978.

All cuts etc. that break the treated timber shall be brush coated with two coats of the same preservative used for impregnation, using the type appropriate for brush application. It is imperative that the pressure impregnation treatment does not adversely affect the fixings.

Boarding

All damaged or defective boarding shall be replaced with new boarding as previously specified in the exact sizes of the original. All relevant aspects of the previous clause shall apply to this clause.

Nails

Nails for fixing slates shall comply with BS 1202 and shall be copper clout nails.

Nails for fixing battens shall comply with BS 1202 and shall be galvanised steel.

Nails for fixing underlay shall be galvanised steel extra-large head to BS 1202.

Mortar

Mortar shall be as specified elsewhere for bedding and pointing.

Undercloaks

Undercloaks shall be formed from the specified slate.

Storing and Handling materials

Shall comply generally with the relevant clauses elsewhere in this specification.

Underlays shall be stored upright on clean, flat, dry surfaces.

Slates shall be stored upright on a level surface of timber battens or in the original pallets and kept dry.

Removal of existing

The existing damaged slates shall be carefully removed by manual means, avoiding all

unnecessary further damage to adjoining slates. The Contractor shall note that this is a difficult operation to complete without damaging the slates etc. In special circumstances, areas where the slate is not of sufficient quality to be re-used shall be agreed with the Architect before the stripping commences and these may be removed and disposed of by the most efficient means.

Protection

The Contractor shall be responsible for providing and maintaining all necessary protection, temporary coverings, temporary roofs etc. to ensure that no water is permitted to enter the building during these works. This shall be deemed to include all work necessary to the roofs, leadwork and other areas affected by the works.

Repairs

The Contractor shall carefully examine the roof structure, wall plates, fixings etc. and carry out all necessary repairs to ensure the roof is structurally sound upon completion. All defects noted during this examination shall be brought to the Architect's attention and the methodology of repair agreed with him before any work is put in hands.

Following the removal of the damaged slates, battens and counterbattens, all the boarding shall be carefully examined. All areas of defective or damaged boarding shall be replaced or repaired as instructed by the Architect.

Preliminary checks

Before commencing the insertion of replacement slates, the Contractor shall check that all necessary repairs, all works to the flashings, rainwater goods, penetrating pipes etc. etc. are complete and shall ensure that all the necessary materials etc. for the completion of the works are on site.

Counterbattening

Counterbattens (if required), as previously specified, shall be laid at the required centres and securely fixed with nails to satisfy BS 5534. Only long lengths, with a minimum length of 2 meters shall be used unless the particular detail on the building demands a shorter length. All the relevant matters of the Clause 'Battening' below shall apply to this clause.

Abutments, Parapets

The slate shall be cut to the required line and fixed with all necessary metal soakers etc. to ensure a watertight finish. The previous requirements in relation to short slates shall apply here.

Completion

The entire work shall be completed to the Architect's satisfaction, all debris removed and the roof left in a neat weathertight condition.

2.7 Windows

WINDOWS

2.7.1 General

General.

This specification is outline in nature and intended to provide the basis for which the windows will be repaired. The Contractor will be required to prepare a detailed method statement and to amend and adjust it until such time as the Architect approves the document. The Contractor will be required to continually update the method statement as the work proceeds to take account of the various matters discovered during the works and to obtain the Architect's approval for each update as required for his original statement.

Existing Windows

All existing windows being retained are to be carefully removed and set out to enable a detailed assessment of their condition and the necessary repairs to be undertaken. The Contractor shall carefully record the original position of each window and code the opening and window as the numbering system shown on the drawings, to ensure each window is returned to its original opening. It is the intention to repair the windows as far as possible as opposed to replacements; however, there are a considerable number of modern replacements which do not match the original style and these are to be replaced with new windows to match the original style. Upon completion of the repairs, the windows are to be reinserted into their original opes with new fixings and all plasterwork, window boards, linings etc. to be reinstated or renewed as necessary.

Removal of Windows

The Contractor shall carefully remove all windows from their openings. It is likely that this will require the careful removal of the window boards and the stripping of any plasterwork to the reveals. Where decorative linings, shutter boxes etc. are encountered, these are to be removed as a single composite item as far as possible unless the Contractor can demonstrate to the Architect that it is necessary to remove them by element. In all cases, no damage shall be allowed to occur to the windows or any associated items of joinery as mentioned above and he will be responsible to repair or replace any damaged at his own expense and as decided by the Architect and at his own expense. The Demolition Contractor will remove windows from the areas of the building to be removed and these will be available for salvage and as components for repairs to those retained. In the case of the modern windows or incorrect style, these shall be disposed of off-site by the Contractor.

Once removed, the windows shall be stored in dry, well ventilated conditions in such a manner that no damage, distortion or other harm comes to them. In addition, to enable a full assessment to be undertaken, the sashes shall be removed from the frames and any sash weights or other mechanical components shall be labelled with the window code and location of the component and safely stored. All such windows and components shall be stored in such a manner that they can be fully accessed to enable a detailed assessment of the windows and associated components to be completed.

Historic Glass

The Contractor's attention is drawn specifically to the sashes that contain historic glass – that is, glass manufactured by historic processes. Generally, this appears to be spun cylinder or cathedral glass. He should note that such glass tends to be thinner than modern glass and is brittle and very easily broken. He will be required to protect all such glass and any pane broken during the works shall be replaced with modern glass manufactured by the historic process to

replicate the original panes. **The Contractors attention is specifically drawn to the cost of such glass, which is considerably in excess of modern glass.**

Detailed Assessment

The Contractor shall undertake a detailed assessment of each window to be retained and schedule the repairs necessary to return it to a durable working condition. It is the intention that any repairs or replacements should not be visible when the repairs have been completed and the window re-inserted in its original opening and decorated. When the detailed assessment has been completed, the Contractor shall agree the repairs necessary to each window with the Architect before the work is put in hands – the Contractor shall note that he may be required to amend the works to the window before the Architect's approval is obtained. In the case of the modern windows to be replaced, no detailed assessment will be required as new windows to match the original style are to be provided.

Repairs

Where repairs are being undertaken, the decayed timber shall be carefully cut out and replaced with new timber approved by the Architect. As far as possible, timber match the original grain density and pattern should be used, salvaged timber from demolished buildings may offer a source of such timber or suitable hardwood should be used. In all cases, the timbers shall be carefully jointed in such a manner as to provide a durable joint that will exclude water. All staff beads and parting beads shall be renewed in hardwood to match the size and moulding except in areas where the Architects indicate that draught-proofing will be required when an approved system such as 'Ventrolla' or similar and approved shall be provided by the Contractor. All foxings shall be reinstated to form a draught-proof seal or new foxings provided.

It may be necessary to remove the glass from the sashes to effect proper repairs. In cases where historic glass is present, the Contractor will be required to carefully remove the panes without any damage. Should a pane become damaged during the work, the Contractor will be required to replace it with matching historic glass at his own expense. To avoid any confusion, the Contractor will be required to prepare a survey of all damaged glass panes in the windows before the work commences and to supply copies to the Architect for his approval before any work is put in hands.

All timber shall be stripped back to the original face and all paint removed. Particular care shall be taken to ensure that the weathered surface of timbers, any existing shakes, splits etc. are all stabilised and, if necessary filled, to ensure the durable adhesion of the new paint coatings.

All loose or perished putty shall be carefully removed and replaced with putty to match the original profile. Any damaged glazing beads shall be replaced in timber as noted above and re-building in putty or other materials will not be permitted.

Hanging Sashes

All sashes to be hung shall be carefully weighed and the existing sash weights adjusted as required. Where sash weights are missing or cannot be altered sufficiently, the Contractor shall provide new sash weights of the appropriate weight. Upon completion, the windows should open and close with the minimum of effort and should remain in the position set and not slide up or down. Only best quality cotton sash cord of the appropriate grade shall be used.

Installing Windows

All repaired or replaced window frames shall be reinstated in their original openings using new grounds and fixings to match the originals or alternatives that have been approved by the Architect. In all cases, the external interface with the masonry, rendered or other walls shall be neatly pointed with a two pack polysulphide or silicon mastic bed.

All internal window boards, plaster linings and linings, shutter boxes etc. shall be reinstated in such a manner that, when the decoration is complete, there is no evidence of their removal.

Decoration

All surfaces of the windows shall be prepared, primed and undercoated before installation. After installation, any damage to the undercoat shall be repaired, the exposed surfaces gently sanded and painted with one coat undercoat and one finishing coat to selected colours. When the paint has been fully dried, each window shall be checked to ensure it operates properly and any that fail to do so shall be adjusted as required. On no account shall the sash cord be painted and any contaminated with paint shall be replaced at the Contractor's expense.

2.8 Ancillary Joinery

ANCILLARY JOINERY

2.8.1 General

General Joinery

Timber for joinery to be decorated with opaque coatings (paint) be as follows:

- a) Hardwood shall be Class 2 to BS 1186, specially selected as suitable for usage intended as described in Appendix B and C. Hardwoods described as 'resinous' shall not be used.
- b) Moisture content shall not exceed the recommendations set out in Section 3 and Table 3. On no account shall the moisture content for external joinery exceed 17%.
- c) No exposed piths, arris knots, shakes, compression wood, sapwood, brittle heart, plugs, inserts or other natural defects or repairs will be permitted on any face of the hardwood. All timber shall be free from all decay and insect attack.
- e) The grain shall be clean and straight with clearly defined arrises, with the grain slope not exceeding 1:8. Exposed faces shall show the same grain characteristics throughout and shall be free from knots, stains, discoloration and checks.

Samples

The Contractor shall provide samples of the types of hardwood he proposes to use for the Architect's approval. All hardwoods used in the works shall be of an equal or greater standard to the approved sample.

Timber for Grounds etc.

Timbers to be permanently concealed and used for grounds etc. shall be free from decay and all defects that would affect its long term stability and durability or the accuracy of the completed works. It shall be treated with an approved preservative.

Hardwood for Lippings, Beads etc.

Hardwoods for lippings, beads etc. shall be virtually straight grained with good matching qualities and be of the same species as the Hardwood for the joinery.

Timber Sizes

Sizes shall be finished sizes and no deviation from these sizes will be allowed without the Architect's prior approval. In general, they should comply with the requirements of BS 5450.

Seasoning and Moisture Content

All timber shall be seasoned to the specified moisture content before the works commence. The Contractor shall prepare kiln drying schedules to ensure that the required time for drying, seasoning, sections size and ultimate usage are taken into account and kilning defects are avoided.

Plywood

Generally shall comply with BS 1455. Use as follows:

Grade 1 veneer	where clear finish required
Grade 2 veneer	where oil painting required
Grade 3 veneer	for concealed surfaces
Bonding type M.R.	for interior use

Bonding type W.B.P	for exterior use
Bonding type I.N.T.	not to be used
Marine plywood to BS 1088	for exterior use.

Medium Density Fibreboard

Medium density fibreboard shall be 'Medite' from Medite Ltd. Clonmel or other equal and approved, shall be the waterproof quality (Medite 313 - Moisture Resistance M.D.F.) with given centre core to the thickness shown on drawings.

Fixings

Fixings and adhesives shall be as specified in CARPENTRY.

Nail Lengths

Nail lengths to be not more than total thickness of sections to be joined less 3mm but otherwise not less than 2 times thickness of board/strip at point of fixing.

Screw Lengths

Screw lengths to be not more than total thickness of sections to be joined less 3mm but otherwise not less than twice thickness of board/strip at point of fixing.

Mastic

Mastic shall be non-setting butyl mastic to the approval of the Architect.

Glue

Glue shall be best quality synthetic resin glue and shall be approved by the Architect.

Adhesives

Adhesives for exterior use shall be synthetic resin type complying with BS 1304: Part 1, type "W.B.P." Adhesives for interior use shall be synthetic resin type complying with BS 1304: Part1, type "M.R." Unless otherwise stated, the following grades of glue bonding shall be used:

- a) INT for internal work.
- b) MR for internal work in humid areas.
- c) WBP for external work.
- d) Mastic shall be non-setting non-staining two pack polysulphide or silicon mastic to BS 5215 or 5889 to the approval of the Architect.

Workmanship

Standard

Frame accurately and execute in a sound workmanlike manner in accordance with best practice and complying with BS 1385: Part 2, but to true lengths and levels and avoid the use filling pieces.

Profiles and Mouldings

Existing mouldings and profiles, both for new works and repair works, shall be accurately replicated and the Contractor's attention is drawn to the subtle variation that exists throughout the six houses and that will be required to be replicated. The Contractor will be required to submit full sized drawings of each and every moulding and profile type to the Architect and shall be responsible for the accuracy of all such mouldings and profiles. Full sized samples of the original fabric (where these are available) and the Contractors proposed replicas shall be submitted to

the Architect to demonstrate compliance with this requirement. Profiles of sections shall not be modified from those shown on drawings without prior approval.

Surface Treatment

Sand and produce a smooth surface to joinery requiring a clear finish. Use approved filler to overcome the coarse grain, to uneven suction conditions or where growth rings are coarse. Coat all knots and stop nail and other holes to match adjacent wood. Joinery detailed to be oil painted is to give a surface such that if it is properly painted in gloss paint no imperfections will be apparent.

Finish

Plane, thoroughly clean, sandpaper and leave unstained for finishing as required.

Arrises

Arrises shall be as shown on drawings.

Punching

All nail heads shall be punched below timber surfaces which will be visible when completed.

Countersinking

All screw heads shall be countersunk not less than 2mm.

Pelleting

All screw heads shall be sunk 6mm below timber surfaces that are to be clear finished. Grain matched pellets not less than 6mm thick and cut from matching timber shall be glued in place and finished off flush with face.

Proprietary components

All proprietary components shall be fixed in accordance with manufacturer's recommendation.

2.8.2 Fixing Frames: Preparation and Positioning

Priming and Sealing

All frames shall be primed or sealed as specified before fixing.

Loading

Frames must not carry any structural loads unless designed to do so.

Opening Lights

All opening sections shall be kept closed and secured during all operations until fixed, retaining any clamping devices in position.

Horns

All horns shall be removed before fixing.

Placing

All frames shall be plumb, level and square.

Damp Proof Courses

D.p.c.'s shall not be displaced and should be positioned correctly in relation to frames.

Building In

All frames shall be supported and braced as necessary to prevent distortion during erection of adjacent structure.

Prepared Openings

All joints shall be packed to maintain specified widths, including at positions where fixings tighten frame against structure.

Packing

The unobstructed depth of joint recommended by manufacturer of sealants shall be strictly observed.

Distortion

Extreme care should be taken to avoid distortion of frames when driving edges or other packing, or when tightening fixings. Adequate clearance shall be maintained for opening parts. If necessary, packing and fixings should be adjusted to eliminate binding. On no account should frames be cut, plane or sand to remedy distortion.

Fixing Positions

Fixings shall be at approximately 150 mm. from bottom edge and not more than 600mm centres unless shown otherwise.

Architraves

Architraves shall be fitted in un-jointed lengths with mitred angles between joints unless otherwise specified, and fixed securely to prevent pulling away, deflection etc., during use.

2.9 Services Installation Philosophy

SERVICES INSTALLATION PHILOSOPHY

In general, the electrical works should attempt to reuse existing cable and duct positions, improving or adding to these where necessary. The addition of new trunking, ducting and cabling for the electrical will therefore be decreased and any new chasing/opening-up/notching etc. will be significantly reduced.

There is no existing mechanical provision in the house so any mechanical works will be more intrusive than the electrical services. In general, mechanical services will follow the lines of existing joists and, in all cases, will avoid the removal of any decorative fabric.

A brief list of 'dos' and 'don'ts', in relation to the M&E interventions is given below. It is not exhaustive but has been useful in guiding the design.

Do's

Make redundant, unsightly wiring, through use of wireless systems.

Removal of unsightly redundant wiring, surface trunking etc.

Existing services routes which are seen to be particularly intrusive within the historic structure should be revised and routed away to less critical locations.

Careful patching, making good and redecoration of any chases/holes in plasterwork and joinery that have been made previously.

Repairs of any notching in structures that has caused weakening.

Confine works, where possible, to single vertical and horizontal locations, away from areas of decoration.

Don'ts

Where possible, avoid any chasing into walls. If required, note on drawings now.

Where possible, avoid any opening up of ceilings or other historic fabric. If required, note on drawings now.

Drop down boxings to contain new ducts are not acceptable and are likely to be unsightly and have an impact on architectural features. If absolutely necessary, these should be noted on drawings now.

2.10 Painting

PAINTING

2.10.1 General

Standards

The works shall comply with the requirements of BS 6150, BS 5593 and BRE Digest 261 as relevant.

White Spirit to be to I.S. 17.

Knotting shall be made with pure shellac and industrial methylated spirits conforming to I.S. 17.

The priming paint for woodwork to be oil painted, shall comply with I.S. 18.

The primer for ironwork shall be red lead priming conforming to I.S.18.

The primer for galvanized metalwork shall be an etching type primer or Calcium plumbate primer to B.S. 3698 Type A.

Red oxide linseed oil priming paint shall be to B.S. 2524.

Emulsion Paint shall not be of lesser standard than that required by I.S. 179

Oil Finishing Paint shall not be of lesser standard than that required by I.S. 32

Breathable paints shall have an Sd (permeability) value of around 0.02m to 0.5m.

Materials

Paint removers, cleaning agents, rust inhibitors, glue size, knotting, stopping, fillers and other preparation materials for painting work shall be types recommended by the manufacturer of the coating to be used.

Stopping for woodwork to receive opaque finish, plywood, and fibreboard, shall be as approved and tinted to match colour of undercoat.

Stopping for woodwork to receive clear finish, shall be tinted to match surrounding Woodwork.

Woodwork to be oil painted, shall be an approved oil resin primer containing aluminium of the same manufacturer as the undercoating.

Primer and thinner for polyurethane lacquer shall be as recommended by the Manufacturer of the lacquer being used.

Coating materials are to be delivered in sealed containers, clearly labelled as follows:

1. Type of material.
2. Brand name.
3. Intended use.
4. Manufacturer's batch numbers.

Batch deliveries of coating materials dated for use in order of delivery.

Paints other than water based and bituminous, delivered in containers of not more than 5 Litres capacity.

Store materials in a clean, dry area protected from extreme temperatures.

Priming coats, undercoats and finishing coats for any one surface must be obtained from the same manufacturer.

All materials shall be used in strict conformity with the manufacturer's recommendations, paying particular attention to initial preparation of the base.

Preparation

Prepare surface for decorative coating in accordance with the manufacturer's recommendations.

Strippers.

Use paint strippers, cleaning agents, etching solutions, mould inhibitors, rust inhibitors, size, stopping, knotting and fillers in accordance with their manufacturer's recommendations.

Defects.

Ensure that all holes, cracks, defective joints and other defects in surfaces to be prepared and coated have been made good.

Pre-Primed Surfaces.

Ensure that surfaces have been properly prepared and that primer is of suitable type firmly adhering and in good condition.

Drying Out.

Before decorating allow surfaces to dry thoroughly.

Brush Down.

Brush down all surfaces, immediately before decorating, to remove dust, dirt and loose material.

Sample Areas.

Before applying coatings, prepare representative areas of each type of surface, to Architect's approval.

Existing Surfaces.

Existing woodwork shall have all existing coatings removed to expose the original timbers. Any timbers showing defects shall be repaired to the Architect's satisfaction; any loose or defective putty shall be removed and replaced. New and existing timber surfaces shall be sanded to form a smooth, stable base. Knot, stop, prepare, prime and paint all surfaces with two coats undercoat and one coat full gloss oil paint to colours selected by the Architect.

Painting Work To Be Done

Preparation.

Prepare as specified generally. Prime, stop, fill, prime again and paint two undercoats and one finishing coat.

All existing joinery shall be stripped to the bare wood, sanded smooth and painted as specified for new wood.

Newly plastered internal walls, finished in lime, shall not be painted until the lime has cured sufficiently, and shall be painted with breathable paint

Newly gypsum skimmed plasterboard shall be primed and painted as specified.

Coating materials generally

Check that all materials to be used are recommended by their manufacturers for the particular substrate and conditions of exposure, and that they are compatible with each other. Inform the Architect of any discrepancy and obtain instructions before proceeding with application of coating.

Generally.

Control Sample(s)

Complete representative sample areas of each type of coating, including preparation of surfaces. Obtain approval of appearance before proceeding.

Previous Treatments

Where surfaces have been treated with preservatives or fire retardants, check with treatment manufacturer that coating materials are compatible with the treatment.

Cleanliness

Keep all brushes, tools and equipment in a clean condition. Keep all surfaces clean and free from dust during coating and drying. Provide suitable receptacle for liquids, slop washings etc.

Preparation Of Materials

Generally

Prepare coating materials as recommended by their manufacturers.

Strain

Through fine gauze any coating materials showing bittiness in application.

Do Not Intermix different coating materials.

Stir coating materials to attain an even consistency before use unless otherwise recommended by manufacturers.

Protection

Damage

Adequately protect freshly applied surface coatings from damage.

Adjacent Surfaces

Adequately protect surfaces adjacent to those being covered.

Generally

Apply coatings in accordance with their manufacturers' recommendations, to clean, dry surface in dry atmospheric conditions and after any previous coats have hardened.

Unsuitable Conditions

Do not apply coatings to surfaces affected by moisture or frost, when ambient temperature is below 4 degrees C or when heat is likely to cause blistering or wrinkling.

Priming Generally

Apply priming coats by brush unless other methods are approved by the Architect. Work primer into surface, joints, angles and end grain. Ensure that priming coats are of adequate thickness and suit surface porosity. Ensure that any primed surfaces which have deteriorated on site or in transit are touched up or re-primed.

Priming Joinery

Prime all surfaces before joinery leaves the joinery shop.

Priming Metal

Prime metal surfaces on same day as they have been cleaned.

Undercoats

Apply an even film over all exposed surfaces, avoiding uneven thickness at edges and angles.

Use different tints for successive coats.

Finishing Coats

Apply an even film over all exposed surfaces avoiding brush marks, sags, runs and other defects.

Rub Down all priming and undercoats to a smooth surface with abrasive paper and remove all dust before applying the next coat.

Cut In neatly and cleanly. Do not splash or mark adjacent surfaces.

Brush Painting

Apply all paints by brush unless otherwise specified. Lay off all areas evenly, and ensure that finished surfaces are free from brush marks.

APPENDIX VI : CVS

PRACTICE DESCRIPTION.



DAVID SLATTERY – Architects – Historic Buildings Consultants

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www.slatteryconservation.ie

e-mail: info@slatteryconservation.ie

DESCRIPTION OF PRACTICE

The practice was established in 1990 office location No. 8 Vergemount, Clonskeagh, Dublin 6. The works and projects undertaken are solely of a conservation nature.

In addition to completing major projects for clients, the practice provides specialist consultancy services to other architectural practices. The repair and conservation of historic stonework, brickwork and metalwork; the preparation and use of historic materials such as lime and the conservation and repair of decorative plasterwork, joinery and statuary are areas where the practice has a particular expertise and substantial experience. In addition, the practice has completed a substantial number of assessments of historic buildings and has provided consultancy services for the historic fabric aspects of a number of larger mixed developments.

The practice has seven permanent members of staff and carries Professional Indemnity Insurance.

The practice has worked jointly and in a consultancy role on complex new design and conservation projects on many occasions. It has a proven ability to work as part of a design team.

The practice was part of the Design Team and advising on conservation issues regarding the proposed Terminal 2 at Dublin Airport and conservation architects to the Railway Procurement Agency on Metro North and LUAS Line BXD and to C.I.E./Iarnrod Eireann on the DART Underground Project. The practice was commissioned to act as Conservation Advisors to the E.S.B. on their proposal to redevelop their premises at Lower Fitzwilliam Street. The practice provided advice on the restoration and redevelopment of the former Central Bank Site Dame/College Street now under construction. The practice was also engaged as Conservation Consultants on conservation and repair works carried out on St. Muredach's Cathedral, Ballina, Leinster House, Belvedere College and on the Irish Stock Exchange at Foster Place/College Green.

The Practice is providing ongoing conservation advice on the Bolands Mills Project in the Docklands and on the restoration and redevelopment of No. 2 Grand Parade, Dublin 6 (former Carrolls building) on the Grand Canal as well as the works to the Tropical Fruit Warehouse on Sir John Rogerson's Quay.

CURRICULUM VITAE - JAMES SLATTERY



CURRICULUM VITAE - JAMES SLATTERY

Name: James Slattery, B Arch MRIAI DiplABRCons.
Position: Principal
Profession: Conservation Architect, Historic Buildings Consultant.

Professional Affiliations:

- * BArch Degree in Architecture, UCD-1995-2001.
- * Member of the Royal Institute of the Architects of Ireland.
- * Diploma in Applied Building Repair and Conservation from Trinity College, Dublin, 2007-2008.

Brief Summary of Experience:

- | | |
|--------------------|--|
| 2001-2006 | <u>BCDH/BDA Architects</u> |
| 2004-2006 | U2 Tower-Competition Winning Scheme & Design up to Tender Stage for DDDA. |
| 2005-2006 | Lead designer on the 2nd placed design for the Irish World Performing Arts Village at UL and on shortlisted scheme for Anthony Fokker Park, Schiphol, Holland. |
| 2001-2005 | Residential Development to Protected Structure (Regional Significance) at 30-32 S.J.R.Q., Dublin 2 up to Planning Stage |
| 2006-
2006-2012 | <u>David Slattery Conservation Architects Ltd.</u>
Conservation Architect for Restoration of the National Maritime Museum Protected Structure (National Significance), Haigh Terrace Dun Laoghaire within the former Mariner' Church including roofworks, restoration of stonework, stained glass repairs and protection, interior restorations and new interventions to improve functionality. Lead sketch, planning, tender, construction phases. |
| 2007-2009 | Protected Structure (Regional Significance) at No. 13 Stephen's Green, Dublin 2-Conservation Architect for Restoration of external fabric (decorative stucco, sash windows and slate roof) and interior alterations. Lead sketch, planning, tender, construction phases. |
| 2007-2008 | Redevelopment of the Humewood Castle Protected Structure (National Significance), Co. Wicklow- Conservation Consulatatnt to successful |

planning for redevelopment of the gothic revival estate which was recently completed.

- | | |
|-----------|--|
| 2008-2012 | Kent Station (Protected Structure of National Significance) Redevelopment Masterplan, Horgan's Quay, Cork - Conservation Consultant up to planning stage. |
| 2008- | Dartry House (Protected Structure of National/Regional Significance), Rathmines-Restoration - Conservation Consultant though planning, tender and on site stage of a number of phases of work to main house and to Dartry road. |
| 2008-2009 | 65 Fitzwilliam Sq, Dublin 2 (Protected Structure of National/Regional Significance) – Conservation Consultant to planning stage for conversion of former house in offices back to a single family dwelling. |
| 2008-2010 | Ardeevin, Otranto Place, Sandycove (Protected Structure Regional Significance) - Conservation Architect for Extension and Restoration of detached Victorian House by the sea. Sketch, Planning, Tender and Construction stages. |
| 2009-2014 | Redevelopment of Ballroom and Stables at K-Club, Straffan House (Protected Structure of Regional Significance)-Conservation Consultant |
| 2008-2012 | Works to Railway Stations at Newbridge, Kildare, Sallins, Ballinasloe, Tullamore and Drogheda- (all Regionally Significant Protected Structures) Conservation Consultant. |
| 2008-2012 | Dart Underground-Conservation-Consultant for Design, EIS Preparation etc. to successful Railway Order. |
| 2008-2012 | Luas Line BXD-Conservation Consultant for Design, EIS Preparation etc. to successful Railway Order for works affecting numerous Nationally and Regionally significant Protected Structures and National Monuments within ACA and CAs in Dublin City. |
| 2009-2012 | Redevelopment of interior to Powerscourt Townhouse (Protected Structure of National/Regional Significance) and Restoration Works to Front Setting, Sth William St, Dublin 2 - Conservation Consultant and Architect. |
| 2009-2012 | Redevelopment of Doyles/Times Hostel, Fleet Street, Dublin 2 (including Regionally Significant Protected Structures) - Conservation Consultant. |
| 2010-2014 | NUI Galway – Reroofing Quadrangle Building – Protected Structure and Refurbishments to Aula Maxima – Conservation Architect for planning, tender and construction. |

2010-	Redevelopment of RTE Campus, Dublin 4 (including assessments of Protected Structures of Montrose and Mt Errol and the STW campus itself) - Conservation Consultant.to Planning and Tender for Restoration Works to Montrose House redevelopment.
2010-2015	Redevelopment of Irish Distiller's Site, Smithfield - Conservation Consultant.
2010-2012	Redevelopment and Restoration of CWU Headquarters, NCR, Dublin 3- Conservation Consultant for planning, tender and construction phases of works to former early Georgian house (Protected Structure of Regional Significance).
2010-2012	Restoration of Seatown Road Parochial House Swords - Conservation Consultant for planning, tender and construction phases of works (Protected Structure of Regional Significance).
2010-2012	Restoration to Interiors of St. Francis Xavier's Church (Protected Structure of National/Regional Significance), Gardiner Street, Dublin 1-Conservation Consultant
2011-2013	Redevelopment of Former Ford Factory Site (Protected Structure of National Significance), Marina Park, Cork-Conservation Consultant. Sketch and planning stage.
2011-2013	Restoration Works to Macroom, Carrig, & Kildare Bridges-Conservation Consultant. Planning and Tender Stages.
2011-	Restoration of Leinster House External Fabric (Protected Structure of National Significance) - Conservation Architect to Tender Stage.
2011-2012	Restoration of Fire Damaged Church, Ballinroad, Waterford (Protected Structure Regional) – Conservation Consultant. Tender and Construction stages.
2011-2015	Restoration of Olympia Roof and Interiors, Dublin 2 (Protected Structure Regional) – Conservation Consultant. Tender and construction stages.
2011-2012	Redevelopment of former Dutch Billy at No. 50 Mary Street, Dublin 3 (Regionally Significant Protected Structure) - Conservation Architect. Planning and Tender stages.
2011-2013	Restoration of Stonework and Copper Lamps and Standards to Sarsfield Bridge, Limerick (Regionally Significant Protected Structure)- Conservation Consultant. Planning, tender and construction stages.

- 2012- Belvedere House – Belvedere College – Conservation Architect planning tender and construction stage.
- 2012- Restoration and protection of Apse Roofs to Pugin Chapel, Slate Roofs to Apple Store and Redevelopment of Stoyte House and Kitchen Courtyard all at St. Patrick’s College Maynooth including a number of Nationally Significant Protected Structures. Conservation Architect for planning, tender and construction stages.
- 2012-2013 Restoration & Redevelopment of Marley Grange, Rathfarnham (Regionally Significant Protected Structure) - Conservation Consultant for planning and tender stages.
- 2012-2016 Redevelopment of former Georgian Houses at Nos. 18-20 Merrion Street, Dublin 2 (Protected Structures of Regional Significance) - Conservation-Architect for planning, tender and construction stages.
- 2012- Restoration of Glendruid House, Cabinteely (Protected Structure of Regional Significance) - Conservation Architect for planning, tender and construction stages. Conservation consultant for redevelopment of estate.
- 2012- Restoration and Redevelopment of Ashbourne Church and Parish House (two Regionally Significant Protected Structures), Ashbourne, Co Meath- Conservation Consultant for planning consents, tender and construction stages of restoration and extension works.
- 2013 Redevelopment of Site of Former Celbridge Workhouse, Co. Kildare (Regionally Significant Protected Structure) - Conservation Consultant for planning stage.
- 2013- Restoration of the Church of Our Lady and St. David, Co. Kildare (Regionally Significant Protected Structure) -Conservation Architect for planning, tender and construction stages of restoration.
- 2013-2014 Tyrconnell Bridge Reconstruction, Donegal, Co. Donegal (Regionally Significant Protected Structure) - Conservation Consultant to planning and tender stages.
- 2013- Redevelopment of Former Late-Georgian Terraced Houses at Camden Street Upper to Camden Street Hotel, Dublin 8 (Protected Structures of Regional Significance) - Conservation Consultant to Planning stage.
- 2013 Garryduff Bridge in BNM Land - Conservation Consultant in Relation to Proposed Inclusion on RPS.

2013-2016	Restoration of No. 70 Blessington Street, Dublin-Conservation Consultant for planning, tender and construction stages of work to restore a mixed surgery and apartment use to the former Georgian House.
2013-	Redevelopment of Regionally Significant (not on RPS) Ormond Hotel and adjoining Protected Structures, Ormond Quay, Dublin 1 - Conservation Consultant planning stage.
2013-2016	Redevelopment of Fleet Street Hotel, Westmoreland Street, Dublin 2 above former Bewleys premises (Protected Structure Regional) - Conservation Consultant for planning, tender and construction stages.
2013-2014	Redevelopment of Molesworth Street to South Frederick Street Block, Dublin 2-Conservation Consultant planning stage.
2014-2015	Redevelopment of Chatham House, Chatham Street, Dublin 2-Conservation Consultant planning stage.
2014-	Boland's Mills Redevelopment – Conservation Architect for planning, tender and construction stages.
2014-	Spire Restoration at Pro-Cathedral of Saints Peter and Paul, O'Connell Street, Ennis, Co. Clare (Protected Structure Regional) - Conservation Architect tender stage.
2014-2015	Former Dowager House (Now BOI) Restoration, Westport, Co. Mayo (Protected Structure Regional) -Conservation Consultant planning stage.
2014-2016	Works to Trinity Hotel, Dublin 2 Site of Former Tara St Fire Station (including Regionally Significant Protected Structures) - Conservation Consultant planning stage.
2015-	Trinity College Business School including Restoration and Adaptation of former houses on Pearse Street - Conservation Architect for Planning, Tender and Construction stages.
2015-	Restoration of Gate of Justice, Dublin Castle, Dublin 2 (National/Regional Significance Protected Structure) - Conservation Architect for Tender and construction stages.
2015-	Extension and Restoration of Regionally Significant Arts and Crafts Protected Structure at “Seaside”, Burrow Road-Conservation Architect for Planning, Tender and Construction stages.

- 2015- Restoration and Redevelopment of Irish Stock Exchange and Armoury Building, Anglesea Street/College Green (National/Regional Significance) - Conservation Consultant for planning, tender and construction stages.
- 2016- Restoration of single family dwelling to former Georgian house at No. 5 Mount Street Crescent, Dublin 2 (Regionally Significant Protected Structure) - Conservation Consultant for planning stage.
- 2016- Restoration and redevelopment of former Clerys Site, Dublin 1 – Nationally Significant Protected Structure - Conservation Consultant for planning and tender stage.
- 2016- Restoration and redevelopment of No. 2 Grand Parade, Dublin 6 (former Carrolls building) National/Regional Significant Protected Structure - Conservation Consultant for planning and tender stage.
- 2016- Restoration and redevelopment of site of former Hampton Carmelite Convent and Pugin Chapel, Drumcondra, Dublin 3 (Regionally Significant Protected Structure). Conservation consultant planning and tender stage.
- 2016- Works to original Fitzgerald airport terminal for DAA (Regional Protected Structure) – Conservation Consultant planning stage.
- 2016- Restoration and redevelopment of former 19th Century Hotel at Crofton Hall, Crofton Road, Dun Laoghaire (Regional Protected Structure) – Conservation Consultant planning stage.
- 2016- Restoration and reinstatement of residential use to no. 61 Merrion Square, Dublin 2 (Regionally Significant Protected Structure) – Conservation Consultant planning and tender stage.
- 2016- Restoration and redevelopment of former Central Bank Site Dame/College Street including one National/Regional Significant Protected Structure (No. 9 College Street) - Conservation Consultant for planning stage.
- 2017- Redevelopment at Howth Castle Masterplanning – Conservation Consultant.
- 2017- Restoration and Extension to No.16 St. Stephen's Green – Nationally Significant Protected Structure - Conservation Consultant for planning stage.
- 2017- Restoration and Extension to former Ardmore House within the UCD Estate – Nationally Significant Protected Structure - Conservation Consultant for planning stage.

Appendix 4: Material Contravention Statement



**Material Contravention
Statement Regarding
Dún Laoghaire Rathdown
County Development Plan
2022-2028**

Proposed SHD – BUILD TO RENT

**Lands at the former TedCastles site
And DunLeary House (a
Protected Structure RPS No. 2131),
Old Dunleary Road,
Cumberland Street,
Dun Leary Hill,
Dun Laoghaire,
Co. Dublin.**

On behalf of

Ted Living Limited

June 2022



Planning & Development Consultants

63 York Road

Dún Laoghaire

Co. Dublin

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1 INTRODUCTION

We, Brock McClure Planning & Development Consultants, 63 York Road, Dun Laoghaire, Co. Dublin are instructed to prepare this Material Contravention Statement on behalf of **Ted Living Limited, Riverside One, Sir John Rogerson's Quay, Dublin 2.**

The application for this proposed development was lodged on 26 November 2021. At that time, the relevant Development Plan in force was the Dún Laoghaire-Rathdown County Development Plan, 2016 - 2022 (the "Old Development Plan"). This application was scheduled for decision on or before 28 March 2022. A new Development Plan was adopted and came into effect on 21 April 2022. This new Development Plan is the Dún Laoghaire-Rathdown County Development Plan, 2022-2028 (the "Development Plan"). This Material Contravention Statement has been prepared in respect of the Development Plan.

The development proposal which is the subject of this statement provides for construction of 146 **Build to Rent** residential units, a retail unit, conversion of DunLeary House (a Protected Structure RPS No. 2131) to co-working office space and associated ancillary residential tenant amenity spaces, all located on a site of c. 0.55 ha on lands at the former Tedcastles Site and Dun Leary House, Dun Leary Road, Cumberland Street and Dunleary Hill, Dun Laoghaire, Co. Dublin.

A full description of the development is contained within the accompanying application documentation. For the purposes of this statement, we specify the proposed development provides for:

- **Building Heights generally from 5 to 8 storeys.**
- **The refurbishment, partial removal and adaptation of a 4 storey building on site known as “DunLeary House” (a Protected Structure RPS No. 2131) to provide co-working office suites**
- **Residential Unit Mix of:**
 - **34 no. Studio units (23.3%)**
 - **77 no. 1 bed units (52.7%)**
 - **35 no. 2 bed units (23.9%)**
- **Residential Density of 261 units (gross) or 474 units (net) per ha.**
- **Parking provision of 0.3 spaces per residential unit**
- **Dual Aspect Provision 44.5%**

The Board has invited the applicant to consider amendments to the scheme as lodged in order to address identified conservation issues. The alternatives presented at an Oral Hearing on June 22nd would result in the following changes to the scheme:

- Building heights generally from 5 to 8 storeys with set back in roof over Protected Structure
- 139 no. BTR units
 - 34 x studio (24.5%)
 - 66 x 1 bed (47.5%)
 - 39 x 2 bed (28.1%)
- Residential density of 249 units (gross) or 450 units (net) per ha
- Parking provision of 0.3 spaces per residential unit
- Dual Aspect provision 63 (45.3%)

The Development Plan notes ‘Build to Rent’ (BTR) accommodation is permissible in suitable locations throughout the County, as set out in Policy Objective PHP28:

“It is a Policy Objective to facilitate the provision of Build-to-Rent in suitable locations across the County and accord with the provisions of ‘Sustainable Urban Housing: Design Standards for New Apartments’, 2020 (and any amendment thereof). Proliferation of Built to rent should be avoided in any one area.”

The Plan states that BTR shall be located within a 10 Minute walking distance from high frequency public transport routes and is ‘open for consideration’ on lands zoned NC. The subject site is zoned NC and is within 10 minute walking distance of high frequency public transport.

The Development Plan states that BTR development must comply with all apartment standards set out in Section 12.3.5 and Car Parking must comply with the requirements set out in Section 12.4.5.

This statement details the basis for consideration of a material contravention of the Dún Laoghaire Rathdown County Development Plan 2022-2028 in relation to:

- ⇒ Building height,
- ⇒ Residential mix,
- ⇒ Residential density,
- ⇒ Private open space,
- ⇒ Car parking
- ⇒ Dual Aspect
- ⇒ External Storage
- ⇒ Transitional Zones
- ⇒ SLO153

It is acknowledged that it is ultimately the decision of An Bord Pleanála as to whether the proposed development represents a material contravention of the County Development Plan. If it so concludes, the Board has power to grant permission for the proposed development by reference to the provisions of Section 37(2)(b) of the Planning and Development Act 2000 (as amended).

1.1 Legislative Context

This Statement has been prepared in compliance with **section 8(1)(a)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act, 2016**. The relevant text is set out below:

Section 8(1)(a)(iv)(II) of the Planning and Development (Housing) and Residential Tenancies Act, 2016:

“Section (8)(1) Before an applicant makes an application under Section 4(1) for permission, he or she shall –

(a) Have caused to be published, in one or more newspapers circulating in the area or areas in which it is proposed to carry out the strategy housing development, a notice – ...

(iv) stating that the application contains a statement – ...

(II) Where the proposed development materially contravenes the said plan, other than in relation to the zoning of the land, indicating why permission should nonetheless, be granted, having regard to a consideration specified in section 37(2)(b) of the Act of 2000.”

Section 9(6) of the 2016 Act provides that, save for cases where the proposed development contravenes materially the development plan or local area plan insofar as the zoning of the land is concerned, the Board may decide to grant permission for a proposed strategic housing development on foot of an application under Section 4 even where the proposed development (or a part of it) materially contravenes the development plan or local area plan in issue. This is subject to s.9(6)(c), which provides:

“Where the proposed strategic housing development would materially contravene the development plan or local area plan, ... other than in relation to the zoning of the land, then the Board may only grant permission in accordance with paragraph (a) where it considers that, if section 37(2)(b) of the Act of 2000 were to apply, it would grant permission for the proposed development”.

Section 37 (2)(b) of the Planning and Development Act, 2000 (as amended):

“37 (2)(b) Where a planning authority has decided to refuse permission on the grounds that a proposed development materially contravenes the development plan, the Board may only grant permission in accordance with paragraph (a) where it considers that—

*(i) the proposed development is of **strategic or national importance**,*

*(ii) there are **conflicting objectives in the development plan or the objectives are not clearly stated**, insofar as the proposed development is concerned, or*

*(iii) **permission for the proposed development should be granted having regard to regional spatial and economic strategy for the area, guidelines under section 28, policy directives under section 29, the statutory obligations of any local authority in the area, and any relevant policy of the Government, the Minister or any Minister of the Government, or***

*(iv) **permission for the proposed development should be granted having regard to the pattern of development, and permissions granted, in the area since the making of the development plan.”***

This material contravention statement is submitted on the basis that (i) the proposal currently before An Bord Pleanála is of strategic importance; and (ii) the proposal can be positively considered on the basis of Section 28 guidelines published.

In the first instance, the proposed development is considered to be of strategic importance, that being, the proposal qualifies as a Strategic Housing Development by virtue of the nature of the definition identified under the Planning and Development (Housing) and Residential Tenancies Act, 2016. The proposed development is considered of strategic and national importance as it contributes positively to the national shortfall in housing supply, thereby addressing the ongoing housing and homelessness crisis in the State. Further detail on this is included in Section 3.

In the second instance, is submitted that the overall proposed development aligns with the national policy mandate and Section 28 ministerial guidelines.

In considering material contravention issues, it is also necessary to consider the requirements of Specific Planning Policy Requirements (SPPRs) under relevant ministerial guidelines issued pursuant to section 28 of the Act of 2000. Such guidelines include in particular:

- The Urban Development and Building Heights Guidelines for Planning Authorities (December 2018)
- The Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, 2020
- Sustainable Residential Development in Urban Areas (2009)
 - Urban Design Manual - Best Practice Guidelines
- Delivering Homes, Sustaining Communities (2008)
 - Best Practice Guidelines - Quality Housing for Sustainable Communities

Section 9(3) of the SHD Act refers to SPPRs and provides:

(3) (a) When making its decision in relation to an application under this section, the Board shall apply, where relevant, specific planning policy requirements of guidelines issued by the Minister under section 28 of the Act of 2000.

(b) Where specific planning policy requirements of guidelines referred to in paragraph (a) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.

(c) In this subsection “specific planning policy requirements” means such policy requirements identified in guidelines issued by the Minister to support the consistent application of Government or national policy and principles by planning authorities, including the Board, in securing overall proper planning and sustainable development.

It is submitted that the overall proposed development aligns with national policy and Section 28 ministerial guidelines.

We now invite An Bord Pleanála to consider the justification set out in this report, which supports this position.

2 STATUTORY PLANNING POLICY

The relevant provisions of the Dun Laoghaire Rathdown County Development Plan 2022-2028 are outlined in detail below. This document is the key statutory policy guidance framing the development of the site.

2.1 Building Height

The Building Height Strategy for the County is in Appendix 5 of the Development Plan. Section 1.4.2 of the Building Height Strategy for the County sets out the requirements of the planning authorities to consider the policies and objectives contained in the 'Urban Development and Building Heights – Guidelines for Planning Authorities 2018 when making their development plans.

The Guidelines put forward both an area based and performance criteria-driven approach as opposed to generic maximum height limits. The achievement of height is linked in the guidelines to increasing densities, although it is recognised that height does not necessarily mean higher densities.

The subject site is within Dun Laoghaire and is located in close proximity to 2no. DART stations as well as Dublin bus services. In addition, it is noted that the subject site is close to (albeit not directly adjoining and set back from) the West Pier and the coast/harbour area.

In this regard, the subject site may be considered to fit into two of the categories listed in the Building Height Strategy as follows:

- **Dun Laoghaire**
- **Coastal Fringe**

In relation to Dun Laoghaire Section 3.3 of the height strategy identifies:

- The coastal County town of Dun Laoghaire is designated as a Major Town Centre.
- Traditional building heights range from 2-4 storey, with some post war developments of 4-5 storey and more recent schemes up to 7 storeys.
- In the wider Dun Laoghaire area, more recent sustainable neighbourhood development at Cualanor and Honey Park – on the former Dun Laoghaire Gold course has included buildings heights up to 7 storeys.
- An Urban Structure Plan is included within the County Development Plan as an interim measure in the absence of a Local Area Plan for Dun Laoghaire
- The Urban Structure Plan aims to ensure that new development should be contextual, should seek to re-establish streetscapes, should be appropriately scaled and be rich in materials and detail consistent with the existing typology of the Town Centre.
- It is entirely appropriate, however, to provide landmark buildings at strategic points throughout the Town Centre.
- The specific wording of the Urban Framework Plan which states *“There is however, no implications that a “landmark building” should be interpreted as having to be a higher building than its surrounding”*
- The Height Strategy states that *“The Victorian -era floor to ceiling heights of many of the terraces along the shorefront of Dun Laoghaire results in a built form that can be significantly taller than modern apartment schemes.”*

Section 4 of the Building Height Strategy sets out a policy approach for the assessment of building height in the County which aligns with the Section 28 Guidelines. The policy approach builds on the principle of allowing taller buildings in town centres, district centres, **areas close to high frequency public transport** and some other areas identified as suitable for height.

To ensure application of the SPPRs and having regard to the other content of the Guidelines a number of policies have been formulated in the Building Height Strategy which support increased building height and/or taller buildings at appropriate locations. Policy Objective BHS1 – Increased Heights states:

- **BHS 1** - It is a policy objective to support the consideration of increased heights and also to consider taller buildings where appropriate in the **Major Town Centres of Dún Laoghaire** and Dundrum, the District Centres of Nutgrove, Stillorgan, Blackrock, and Cornelscourt, within the Sandyford UFP area, UCD and in suitable areas well served by public transport links (**i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route**) provided that proposals ensure a balance between the reasonable protection of existing amenities and environmental sensitivities, protection of residential amenity and the established character of the area.

(BMC Emphasis added)

The subject site is located 300m from Salthill/Monkstown DART station and 900m from Dun Laoghaire DART Station in addition to a number of bus stops are located within close proximity to the site including the no. 7, 111 and the 46A.

Section 4.3.2 of the Building Height Strategy notes that in relation to Protected Structures: *New developments should respond to local character and protect and enhance the built heritage and new buildings should not have an adverse effect on a protected structure in terms of scale, height, massing, alignment and materials.*

It is submitted that the subject proposal allows for the adaptation of the Protected Structure to allow development of this underutilised brownfield site. The heritage value of the building is considered to be its contribution to the streetscape, which is fully retained and enhanced by way of the scheme.

The Building Height Strategy sets out in Section 5 “Performance Based Criteria” that the Planning Authority will use in assessing applications for increased height in the County. The Criteria and the scheme’s compliance with same are set out as follows:

At County Level
<p><i>“Proposal assists in securing objectives of the NPF, in terms of focusing development in key urban centres, fulfilling targets in relation to brownfield, infill development and delivering compact growth.”</i></p> <p>The proposed development will strongly support key objectives of the NPF. The site is considered a central and accessible urban site and one that is appropriate for increased residential densities and heights. This is particularly the case given proximity to public transport nodes. Most notably, the site is located adjacent to 2 no. DART stations at Salthill/Monkstown and Dun Laoghaire. The site is therefore well placed in terms of exceptional public transport accessibility.</p> <p>The site represents a central location in the Dun Laoghaire urban core which can accommodate a high quality landmark residential development. The proposed development ensures a cohesive and efficient use of a serviced underutilized site. This aligns with NPF objectives:</p> <p>NPO 2a – <i>“A target of half (50%) of future population and employment growth will be focused in the existing five cities and their suburbs.”</i></p> <p>NPO 3a – <i>“Deliver at least 40% of all new homes nationally, within the built-up footprint of existing settlements.”</i></p> <p>NPO 3b – <i>“Deliver at least half (50%) of all new homes that are targeted in the five Cities and suburbs of Dublin, Cork, Limerick, Galway and Waterford, within their existing built-up footprints.”</i></p>

<p>NPO 5 – “Develop cities, towns and villages of sufficient scale and quality to compete internationally and to be drivers of national and regional growth, investment and prosperity.”</p> <p>NPO 35 – “Increased residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site-based regeneration and increased building heights.”</p> <p>Please refer to the Planning Report by Brock McClure Consultants for further discussion on alignment with the NPF.</p>
<p><i>“Site must be well served by public transport – i.e. within 1000 metre/10 minute walk band of LUAS stop, DART Stations or Core/Quality Bus Corridor, 500 metre/5 minute walk band of Bus Priority Route - with high capacity, frequent service and good links to other modes of public transport.”</i></p> <p>The site is c.300m from the Salthill/Monkstown DART Station and c. 900m from Dun Laoghaire DART Station. There are bus stops (namely bus no. 7, 111 and the high frequency 46A) located in close proximity to the subject site. The site is located on the Coastal Mobility Cycle Route.</p>
<p><i>“Proposal must successfully integrate into/enhance the character and public realm of the area, having regard to topography, cultural context, setting of key landmarks. In relation to character and public realm the proposal may enclose a street or cross roads or public transport interchange to the benefit of the legibility, appearance or character of the area.”</i></p> <p>The existing public realm and junction layout surrounding the site is considered to be of poor quality, for both vehicular traffic and pedestrian use. There is an opportunity to provide tangible improvements to this context by way of the subject proposal with vibrant, active street frontages and the provision of a new large corner plaza with associated pedestrian amenity works on Cumberland Street and landscape measures to create a distinctive sense of place.</p> <p>The proposed scheme presents in a series of new residential blocks which are focused on placemaking. The architectural language responds to the context of the surrounding buildings, in particular the Victorian terraces, and provides 3No. terraced building linked by the central circulation atrium.</p> <p>The integration of DunLeary House and associated boundary into the scheme retains the original streetscape character and cultural context.</p> <p>The proposed development will deliver a strong presence whilst ensuring a sensitive approach along site boundaries, particularly where the subject site adjoins existing residential development to ensure an appropriate transition in scale.</p>
<p><i>“Protected Views and Prospects: Proposals should not adversely affect the skyline, or detract from key elements within the view whether in foreground, middle ground or background. A proposal may frame an important view.”</i></p> <p>As detailed in the enclosed LVIA, the subject site is not proximate to the principal line of sight of any Protected Views or Prospects.</p>
<p>At District/Neighbourhood/Street Level</p>
<p><i>“Proposal must respond to its overall natural and built environment and make a positive contribution to the urban neighbourhood and streetscape.”</i></p>

The subject site does not have any notable natural features, being a brownfield former industrial complex. In terms of built environment, the scheme integrates DunLeary House successfully into the new development, while maintaining its original character and streetscape context.

The proposed development will make a positive contribution to its neighbourhood through the delivery of a much improved public realm pedestrian and traffic safety improvements and the integration of DunLeary House and boundary into the scheme.

“Proposal should not be monolithic and should avoid long, uninterrupted walls of building in the form of slab blocks. “

MOLA Architecture has ensured that long, uninterrupted walls are avoided and appropriate fenestration is delivered on all proposed elevations. The proposal will provide a vibrant urban edge and a focal point at the prominent corner of Old Dunleary Road and Cumberland Street thereby significantly improving the legibility of the area. The proposal provides for a mix of uses (retail, office, residential and residential amenity) appropriate to the Neighbourhood Centre zoning on the subject site as well as providing a range of dwelling typologies.

“Proposal must show use of high quality, well considered materials. “

Appropriate use of materials and fenestrations details are proposed by MOLA Architecture, as set out in the Architect’s Design Statement. Please refer to Section 5.5.2 of the Design Statement ‘Approach to Materials and Detailing’.

As noted by MOLA, a considered palette of materials has been selected which are able to age gracefully over time and bring a timeless quality to the new buildings. The buildings are predominantly brick with crisp detailing and full brick reveals to all windows. A more expressive detailing of brick is employed around the more civic areas of the scheme such as the entrance lobby where ‘layering’ of bricks of different courses are used.

Glazed balconies and ground floor stone walls are intended to bring a more delicate quality as a counter point to the predominantly brick elevations. Powder coated solid metal panels are introduced on certain facade and are coloured to match window frames and bring a level or ornament to the design of the buildings. The roofscape will feature a contrasting metal and glass cladding which is setback in plane and/or recessed behind the strong brick base.

“Proposal where relevant must enhance urban design context for public spaces and key thoroughfares and marine or river/stream frontage. “

The proposal offers significant enhancement to the local public realm by way of new public realm spaces, pedestrian and traffic safety improvements and the integration of DunLeary House and boundary into the scheme, new retail unit and office space providing activity and animation at key corners.

There is no inland waterway or marine frontage within the current proposal. We can confirm that DBFL Consulting Engineers have completed a Flood Risk Assessment Report, which confirms that there will be no inappropriate flood risk as a result of the proposal.

“Proposal must make a positive contribution to the improvement of legibility through the site or wider urban area. Where the building meets the street, public realm should be improved.”

Improvements to the public realm particularly at this critical junction between Dun Laoghaire and Monkstown can greatly improve the pedestrian experience and local amenity. A new pedestrian crossing at Old Dunleary Road will assist pedestrian access to the DART station.

On Old Dunleary Road the building is set back to improve sight lines and safety for Car Park Entrance and cycle parking;

On Cumberland Street there is an enhanced Public Realm at Retail; Own Door Residential (above street level) and Amenity Reception. Wider footpaths are provided, along with an improved road alignment and traffic junction.

On Dunleary Hill there is Own Door Residential and Own Door Co-Working Office Suites providing animation and vibrancy to a currently inactive corner.

“Proposal must positively contribute to the mix of uses and /or building/dwelling typologies available in the area. “

An appropriate mix of units types and sizes are incorporated into the development proposal. The applicant has undertaken significant research into the local demographic profile and the mix delivered is a direct reflective of current and future forecast market demands. The application as lodged was accompanied by an assessment prepared by KPMG Future Analytics entitled “Demographic Drivers and Changing Housing Demands in Dublin over the coming decade”. This Assessment concludes that the average household size in Dublin is steadily decreasing. In 2016, the average household size in Dublin (city and suburbs) was 2.73 persons per household. This is down from 2.99 in 1996 and 3.94 in 1971. The proportion of 1 and 2 person households within the Dublin suburban area is also increasing, up from 42.8% in 1996 to 50.8% in 2016^a

The pattern of falling household sizes is set to continue and this is something that must be addressed by the introduction of new housing models. The proportion of adults living alone has also increased between 1996 and 2016 and population of Dublin is further set to expand with a population of 1.60 million expected by 2029.

When this empirical evidence is considered, the rationale for the delivery of BTR development comes to the fore. BTR development is a critical solution to addressing falling household sizes, demographic change and an increasing population.

Proposal should provide an appropriate level of enclosure of streets or spaces. “

The scheme presents a series of new residential blocks and the enhancement of DunLeary House on a prominent corner. The scale of the buildings and stepped approach to height provides an appropriate level of enclosure and the creation of a new urban edge. The public realm improvements to Old DunLeary Road and Cumberland Street offer a distinct and tangible element of planning gain.

Proposal should be of an urban grain that allows meaningful human contact between all levels of buildings and the street or spaces”

The design of the proposed development aims to provide a high-quality build-to-rent development with interface elements at ground floor level which provide an active frontage at the Old Dunleary Road/Cumberland Street junction, which will be complimentary to the commercial elements across the road. The scale of the proposed development overall is also broadly in keeping with the adjacent residential developments along the seafront. This, and its proposed lighter-toned finishes, offer continuity and harmony to the full complement of seafront

<p>buildings along this part of the town, as evidenced by the views looking back from the harbour area. The subject site is eminently suitable for such development, however in addition, the proposed design will provide a gateway to the town, of appropriate scale and of significant architectural quality.</p>
<p><i>“Proposal must make a positive contribution to the character and identity of the neighbourhood.”</i></p> <p>The proposed development has been designed to provide a positive contribution to the character and identity of the neighbourhood, for the following reasons:</p> <ul style="list-style-type: none"> • Reinforces the Urban Core of Dun Laoghaire and creates a landmark entrance development at the Gateway into Dun Laoghaire from the west. • Creates an Architectural language which responds to the context of the surrounding buildings, in particular the Victorian terraces, and provides 3No. terraced building linked by the central circulation atrium. • Provides a landmark 'high profile' corner terminating distant views in accordance with the Dun Laoghaire Rathdown Urban Framework Plan. • Provides a scale, height and massing which responds to its status within the Urban Core of Dun Laoghaire and surrounding buildings. • Delivers a strong presence whilst ensuring a sensitive approach along the site boundaries, particularly where the subject site adjoins existing residential development to ensure an appropriate transition in scale. • Delivers a distinctive sense of place by mean of the quality Architectural form and design as well as the provision of extensive public realm improvements and the provision of a wide range of residential amenity facilities. In combination these elements will encourage social integration through the creation of a local sense of community.
<p><i>“Proposal must respect the form of buildings and landscape around the site’s edges and the amenity enjoyed by neighbouring properties.”</i></p> <p>The proposed development’s height and block massing have been carefully designed to respect the existing properties on neighbouring sites. The proposal provides appropriate set backs from the site boundary to Clearwater Cove (an adjoining residential complex) and Dun Leary Hill.</p> <p>The design of the scheme has ensured that there is no significant overshadowing to adjoining properties or internally within the scheme.</p>
<p>At Site/Building Scale</p>
<p><i>“Proposed design should maximise access to natural daylight, ventilation and views and minimise overshadowing.”</i></p>

As detailed in the enclosed Sunlight & Daylight Analysis Report prepared by OCSC:

The analysis confirms that across the entire development excellent levels of internal daylight are achieved. The majority of apartments not only meet but greatly exceed the recommendations outlined within the BRE Guidelines and British Standard BS8206, achieving a 98.9 % compliance rate across the proposed apartments using the 2% Average Daylight Factor (ADF) benchmark.

Sunlight to proposed development amenity spaces

In terms of sunlight access, excellent levels of sunlight are experienced across the proposed development. The communal amenity spaces and roof top terraces provided exceed the BRE guidelines for sunlight on the test day of 21st of March. Also, excellent levels of sunlight will be achieved during the summer.

Sunlight to windows within the proposed development

The annual probable sunlight hours assessment has shown that 46% of the windows across the development achieve the recommended APSH values stated in the BRE Guidelines, while 48% of windows achieve the recommended values during the winter months, when sunlight is more valuable.

Impact to surrounding properties

The Vertical Sky Component analysis has shown that the surrounding properties will perceive an impact due to the proposed development over the existing scenario, this is normal due to the comparison between an empty brownfield site and the construction of any new development higher than that. However, the Average Daylight Factor analysis shows that the adjacent properties will still achieve excellent levels of daylight in the majority of surrounding properties once the proposed development is built.

The annual probable sunlight hour (APSH) analysis has shown that the adjacent properties will still receive good levels of sunlight once the proposed development is constructed. Only two of the windows selected for analysis will perceive an impact on sunlight during the annual period. All selected windows meet the recommended APSH winter time values, when sunlight is more valuable. In relation to overshadowing, negligible impact will be perceivable to adjacent open spaces.

In relation to the Alternative tabled at Oral hearing on 22 June 2022, OCSC have reviewed the alternative proposals and note that all changes will have a positive impact on:

- Internal daylight levels in selected apartments in close proximity to the new set back.
- Extent of overshadowing as the building line has been set back.
- Vertical Sky Component (VSC) and daylight experienced in neighbouring apartments (sensitive receptors) in close proximity to the proposed setback.

There are no downsides from a daylight and sunlight perspective with the proposed alternative.

“Proposal should demonstrate how it complies with quantitative performance standards on daylight and sunlight as set out in BRE guidance “Site Layout Planning for Daylight and Sunlight” (2nd Edition). Where a proposal does not meet all the requirements, this must be clearly identified and the rationale for any alternative, compensatory design solutions must be set out. On relatively unconstrained sites requirements should be met.”

The enclosed Sunlight & Daylight Analysis Report prepared by OCSC details compliance with the relevant Guidance.

"Proposal should ensure no significant adverse impact on adjoining properties by way of overlooking overbearing and/or overshadowing."

As set out above, the proposed development has been carefully designed to ensure that it is not overbearing in its design. Its stepped heights and distributed massing result in a scheme that respects existing and proposed developments. Furthermore, windows have been orientated and/or obscured to prevent future residents of the development imposing upon the privacy of others.

In relation to the Alternative tabled at Oral hearing on 22 June 2022, OCSC have reviewed the alternative proposals and note that all changes will have a positive impact on:

- Internal daylight levels in selected apartments in close proximity to the new set back.
- Extent of overshadowing as the building line has been set back.
- Vertical Sky Component (VSC) and daylight experienced in neighbouring apartments (sensitive receptors) in close proximity to the proposed setback.

There are no downsides from a daylight and sunlight perspective with the proposed alternative.

"Proposal should not negatively impact on an Architectural Conservation Area (ACA) or the setting of a protected structure."

It is proposed to incorporate the Protected Structure into the proposed development for the overall site and to make it a focal point with the main entrance formed against the northern façade of the building. This will involve the retention of key facades and the repointing and repair of the brickwork and granite fabric as well as the reinstatement of one over one timber sash windows to the facades and the repair and reinstatement of the historic ironwork to the boundary. The bay window element to the northern façade is also to be retained and restored.

It is proposed to retain the main spaces within the building as historic office suites serving the overall development with cornices, internal window and door linings and leafs all retained and reinstated. It is proposed to provide additional floors of accommodation above on an identical footprint but in a contemporary manner.

It is also proposed to demolish non-original extensions to DunLeary House and carry out works necessary to incorporate the existing building into the development. The works will include partial removal of original walls and floors, removal of non original extensions to DunLeary House, repointing and repair of brickwork and granite fabric, reinstatement of timber sash windows, removal of existing roof, removal; alteration and reinstatement of internal floor layouts, reinstatement of entrance point on DunLeary Hill, removal of non original level 00 and linking the existing building to the new development from level 00 to level 03 with the construction of 3 new floors of development (with set back at roof level) above the existing building.

The Slattery Conservation Assessment states:

It is proposed to retain and restore the former house/office building and carry out restoration works to its façade fabric - including the reinstatement of historic, multi-pane, timber sash windows, cleaning and repointing of brick and granite to the facades and boundary constructions - and to incorporate ancillary 'historic' office suites into the restored interiors which will retain and reinstate cornices and linings to windows and doors.

It is considered that the proposed redevelopment of the subject site is an appropriate proposal that respects the architectural heritage value of the former/house/office building. It is considered that the proposal will have a positive impact on the site, returning it to use after several years of sitting vacant. This will in turn have a positive impact on the character of the wider context.

The visual presence of the two front façades to the former house/office building has been respected in the proposed works, and this façade will be retained and conserved, thereby enhancing the contribution it makes to the character of the surrounding area.

Reinstatement of historic sash windows to match the original pattern and profile on the primary facades of Block A will have a positive impact and enhance the architectural heritage significance of the building.

The retention of the proposed protected structure and the reinstatement and restoration of historic features including brick and granite cleaning, repointing and repair, replacement of PVC windows with historic, timber, multi-pane sash windows and reinstatement of signage and ironwork will all significantly enhance the character of the streetscape.

The impacts of the proposed development with regard to the historic architectural character of the neighbouring Monkstown Architectural Conservation Area, De Vesci Gardens and Terrace Candidate Architectural Conservation Area and Dun Laoghaire Harbour Candidate Architectural Conservation Area, as well as on the protected viewpoints noted in the Dun Laoghaire Rathdown County Development Plan 2016-22 have been assessed. It is found that the development will have a slight, and in some cases imperceptible, impact when viewed from these areas and that this impact will be neutral.

Proposals must demonstrate regard to the relative energy cost of and expected embodied and operational carbon emissions over the lifetime of the development. Proposals must demonstrate maximum energy efficiency to align with climate policy. Building height must have regard to the relative energy cost of and expected embodied carbon emissions over the lifetime of the development."

The Design Team has given due consideration to the energy costs and efficiency associated with the proposed development, both in terms of its construction and embodied carbon and in terms of its operation and occupation. Although the delivery of the development will result in the emission/production of carbon and other greenhouse gases, it is intended that these will be minimised wherever practicable, with the net gain associated with the provision of a high-quality, sustainable development close to public and amenities considered to be significant.

A Energy & Sustainability Report was submitted with the Application prepared by OCSC Consulting Engineers. The document sets out the energy design approach that requires the design to initially focus on an energy demand reduction. This will primarily be through passive strategies such as an energy efficient envelope, which in turn reduces the demands relating to items such as HVAC and renewable energy systems. This initial approach in reducing the energy demand significantly aids the project in obtaining the desired energy goals while reducing running costs. A Building Energy Rating (BER) of A2/A3 has been targeted for the development and the submitted Report demonstrates how this will be achieved.

County Specific Criteria

"Having regard to the County's outstanding architectural heritage which is located along the coast, where increased height and/or taller buildings are proposed within the Coastal area from

Boooterstown to Dalkey the proposal should protect the particular character of the coastline. Any such proposals should relate to the existing coastal towns and villages as opposed to the coastal corridor."

The project architects considered the site's context on the coastal fringe of the County. The team reviewed the existing grain of the urban fabric in Dún Laoghaire and surrounding area. In addition the Architectural team studied the variety of Urban block options based on an analysis of the existing Urban forms. As is clearly set out in Section 3.5 of the Design Statement, the long linear forms of the Victorian Terraces are one identifiable form of building on approach to the proposed site. What is also evident is the variety of block size and configuration in the context of this project (plan arrangement and scale).

The predominant characteristic of the urban grain and architecture of Dun Laoghaire waterfront is more eclectic than one unique building form. In addition it must also be noted that within the design of the Victorian Terraces on approach from Monkstown ACA, there is also a further level of variation in architectural language and form. The subject scheme complements the varied character of this portion of the coast and assimilates successfully into the built environment.

Having regard to the high quality mountain foothill landscape that characterises parts of the County any proposals for increased heights and/or taller building in this area should ensure appropriate scale, height and massing so as to avoid being obtrusive."

This criterion is not deemed applicable to the subject site or proposed development, as it is not situated in or near mountain foothill landscape.

Specific Assessments such as assessment of microclimatic impacts such as down draft

We refer the Board to the enclosed Pedestrian Comfort Wind Assessment prepared by O Connor Sutton Cronin which concludes that overall the proposed development will be a high quality comfortable environment for occupants throughout the year.

"Potential interaction of building, materials and lighting on flight lines in locations in proximity to sensitive bird/bat areas."

The appointed ecologists, Openfield have confirmed that the matter of collision for bird or bat species is not a significant phenomenon known in Ireland in terms of the buildings of the height proposed. For this reason, the potential impact of height is not addressed in the Ecology Reports submitted.

The building materials used contain less reflective materials, which further supports the reduction in potential for bird collision.

We can confirm that the impact of lighting on bats has been fully assessed within the submitted Bat Assessment prepared by Brian Keeley. Within the Section 'Impacts of the Proposed Development, the issue of 'Disturbance from lighting' is assessed as having a 'permanent moderately negative impact'.

Assessment that the proposals allow for the retention of telecommunications channels, such as microwave links."

<p>Independent Site Management (ISM) prepared a specific assessment submitted with the application which demonstrates that the scheme allows for the retention of important Telecommunication Channels such as microwave links. This Report is entitled “Specific Assessment – Section 3.2 of the Building Height Guidelines (2018)”.</p>
<p><i>“An assessment that the proposal maintains safe air navigation.”</i></p> <p>In preparation of this planning application, the applicant has entered into pre-planning discussions with the IAA who had no significant comment to make on the proposal. As identified in the appendix to the rear of this report, the IAA in their review conclude that “Based on the information provided, it is likely that only general observations would be issued during the planning process relating to the construction process and the notification of proposed crane operations with at least 30 days notification to the Authority.”</p>
<p><i>“Relevant environmental assessment requirements, including SEA, EIA (schedule 7 information if required), AA and Ecological Impact Assessment, as appropriate.”</i></p> <p>The relevant environmental assessments were submitted with the application. We note as per the EIAR Screening Statement enclosed herewith that an EIAR is not required.</p>
<p>Additional criteria for larger redevelopment sites with taller buildings</p>

<p><i>“Proposal should make a positive contribution to place making, incorporating new streets where appropriate, using massing and height to achieve densities but with variety and scale and form to respond to scale of adjoining development.”</i></p> <p>A comprehensive Design Statement has been prepared by MOLA Architecture and was submitted with the Application. This statement addresses the site context and proposed design in urban design terms and sets out in clear detail the design rationale for the current proposal submitted.</p> <p>The impact of the proposed development on the historic built environment has been specifically assessed as part of the Report on the Heritage Impact of the Proposed Development prepared by Slattery Conservation Architects.</p>
<p><i>“For larger unconstrained redevelopment sites BRE standard for daylight and sunlight/any forthcoming EU standards on daylight sunlight should be met.”</i></p> <p>The subject site is not considered to be unconstrained, therefore, this criterion does not apply to the development. However, An Bord Pleanála is redirected to the response in relation to daylight and sunlight above.</p>

On the basis of the above, it is submitted that the proposed height that ranges from 5 – 8 storeys accords with the necessary performance criteria prescribed by the Planning Authority. Notwithstanding this, it could be interpreted that a Material Contravention in respect of height is occurring in this instance and this is a matter for An Bord Pleanala to ultimately adjudicate on.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the same potential contravention arises and the same justification applies.

2.2 Potential Material Contraventions

2.2.1 Residential Mix

Section 12.3.3.1 of the County Development Plan sets out the requirements in relation to the mix of units provided. Table 12.1 sets out the requirements for new apartment developments that are over 50+ units in existing built-up areas as follows:

Area	Threshold	Mix Studio/1/2 bed Requirement (Apartments and duplexes)	3+ bed Requirement (Apartments)
Existing Built up area.	Schemes of 50+ units	Apartment Developments may include up to 80% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios	Minimum 20% 3+ bedroom units

Figure 1 - DLR Development Plan 2022 - 2028 Apartment Mix Requirements Table 12.1 (p237) Adapted by BMC

Section 12.3.3 of the Plan states that ‘The requirement for certain percentages of 3 bed units in apartments shall apply to “Build to Rent developments”’. By reason of section 31(6) of the Planning Acts, this paragraph of the Plan is not yet in force. That is because this paragraph of the Plan is referred to in a notice given to the Council by the Minister under section 31(3). Specifically, the Minister has given notice that the relevant part of the Plan is inconsistent with Ministerial Guidelines issued under section 28 of the Planning Acts, namely, SPPR 8(i) of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2020) and issued a draft direction to require the Council to amend the Plan to remove the paragraph. The draft direction has been the subject of public consultation, and the final outcome is awaited.

In any event, the Plan acknowledges that derogations from unit mix may apply for build to rent units. Specifically, section 12.3.6 states “Where any derogations in standards including standards relating to unit mix, open space, car parking and storage are availed of, a condition should be attached to any grant of permission to state that planning permission must be sought for a change of tenure to another tenure model following the period specified in the covenant.” Therefore, the Plan ensures that the Board can consider this BTR development on its merits.

The proposed development provides for the following mix of units:

- **34 no. Studio units (23.3%)**
- **77 no. 1 bed units (52.7%)**
- **35 no. 2 bed units (23.9%)**

The percentage of units with a floor area over 80sqm is 5.4% (8 out of the 146 units proposed).

The subject application is a specific BTR development as such SPPR8 applies in this case, which states: (i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;

In case the Board were to consider that the proposed development would give rise to a Material Contravention of the Development Plan in respect of development mix, we have set out a full justification in respect of this matter in Section 3 of this report.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the contravention is similar with the new alternative mix: 34 x studio (24.5%), 66 x 1 bed (47.5%) and 39 x 2 bed (28.1%) deviating from the Development Plan requirement and the same justification applies.

2.2.2 Residential Density

Chapter 4 of the Development Plan 2022-2028 sets out the policies and objectives in relation to 'Neighbourhood – People, Homes and Place' and section 4.3.1.1 refers to residential Density. The proposed material amendments to the plan have recommended amending Policy Objective PHP18 as follows:

"It is a Policy Objective to:

- Increase housing (houses and apartments) supply and promote compact urban growth through the consolidation and re-intensification of infill/brownfield sites having regard to proximity and accessibility considerations, and development management criteria set out in Chapter 12.
- Encourage higher residential densities provided that proposals provide for high quality design and ensure a balance between the protection of existing residential amenities and the established character of the surrounding area, with the need to provide for high quality sustainable residential development."

Section 12.3.3.2 of the current Dún Laoghaire-Rathdown County Council Development Plan 2022 - 2028 identifies that the number of dwellings to be provided on a site should be determined with reference to the *Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities (2009)* and the *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2020)*.

A density of 261 units per ha is proposed at a rate of 146 units on a site area of approx. 0.55 ha. The net density, excluding the public realm works is 474 units per hectare, which is based on the immediate ownership site of 0.308ha. This is considered appropriate and achievable at this location given the quality of the scheme proposed, the proximity to public transport, and the protection of existing levels of residential amenity for sites surrounding. We note in particular:

- The layout and heights proposed have ensured that existing levels of residential amenity associated with the neighbouring development at Clearwater Cove is maintained.
- A quality proposal is delivered with the majority of units providing for in excess of the 10% uplift in floor areas.
- The daylight and sunlight analysis enclosed herewith sets out that the scheme performs exceptionally well in terms of daylight access to new units and existing residential development and also in terms of sunlight access to key areas of open space and adjoining properties
- Significant public realm upgrades are provided with this development

It is therefore submitted that the proposed development gives rise to a Material Contravention of the Development Plan in respect of residential density.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the contravention is similar with the alternative net density being 249 dph and the gross being 450 dph and the same justification applies.

We therefore set out a full justification of this matter in Section 3 of this report.

2.2.3 Car Parking

Section 12.4.5 of the Dún Laoghaire-Rathdown County Development Plan, 2022-2028 sets out the minimum standards for the quantum of car parking that are to be provided in new developments. The Council's car parking standards have also been informed by the *National Planning Framework, Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (2018)* including SPPR 8 and SPPR 9. It is in this context where Government policy promotes a modal shift to more sustainable forms of transport and changing commuting patterns where the councils car parking standards have been developed.

Section 12.4.5.1 of the Development Plan has broken down the County into four Parking Zones, the subject site is located within Parking Zone 1 where the Maximum car parking standards have been set for all uses including residential. These are areas, which are generally characterised by:

- Access to a high level of existing and planned public transport services (rail and bus) with good interchange potential.
- A high level of service accessibility, existing and planned, by walking or cycling.
- A capacity to accommodate high density retail, office and residential developments.

The maximum car parking standards set out in the County Development Plan are as follows:

Land Use	Zone 1 MTC Areas and Blackrock	Zone 2 Near Public Transport	Zone 3 Remainder of the County
1 Bed Apt	1	1	1
2 Bed Apt	1	1	1*
3 Bed Apt +	1	2	2*

Table 1 - Car Parking Standards in the Draft DLRCC Development Plan 2022-2028

When the above car parking standards for Zone 1 are applied to the proposed development, a total of 146 no. of car parking spaces are required.

The proposed development provides 52 no. car parking spaces overall with 44 no. car parking spaces at level 00 and 8 no. on street spaces will be provided on Cumberland Street.

At level 00, 277 no. bicycle spaces are provided for the residential component of the proposed development (in the form of bicycle stands and bicycle storage room) and 4 no. motorcycle spaces are proposed.

It is acknowledged that the proposed development does not meet the standards set out in the Development Plan, as the provision is 0.35 spaces per unit. A deviation from the car parking standards may be considered by the Planning Authority as long as it complies with the assessment criteria in section 12.4.5.2(i) of the Development Plan which is as follows:

Assessment Criteria for deviation from Car Parking Standards

- Proximity to public transport services and level of service and interchange available.
 - ⇒ The Site is located 300m from Salthill/Monkstown DART station and 900m from Dun Laoghaire DART Station in addition to a number of bus stops are located within close proximity to the site including the no. 7, 111 and the 46A. Dún Laoghaire DART Station is a major modal interchange.
 - ⇒
- Walking and cycling accessibility/permeability and any improvement to same.
 - ⇒ The site is located on the Coastal Mobility Route, which provides dedicated safe cycle route along the coast between Dún Laoghaire and Blackrock.
 - ⇒ The proposed development provides public realm improvements including a new pedestrian crossing enhancing accessibility for pedestrians to the DART.
- The need to safeguard investment in sustainable transport and encourage a modal shift.
 - ⇒ As a BTR scheme, residents will be encouraged to use sustainable transport.
 - ⇒ Increased population along the Coastal Mobility Route supports its long term viability.
- Availability of car sharing and bike / e-bike sharing facilities.
 - ⇒ A Car Sharing space is provided as part of the development and a letter of support from GoCar was submitted with the application.

- ⇒ The ebike share service Bleeper Bike operates in the vicinity of the site.
- Existing availability of parking and its potential for dual use.
 - ⇒ A Parking Management Strategy will be prepared by the development management to manage the daily usage of the 44 no. car parking spaces provided as part of the development. The parking strategy is founded on the principles that none of the residential units will be allocated a parking space as part of the rental agreement for the property.
- Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).
 - ⇒ As a BTR development car parking usage can be strictly controlled and residents directed to sustainable modes of transport.
- The range of services available within the area.
 - ⇒ The site is located within the Major Town Centre of Dún Laoghaire and proximate to Monkstown village. There is a wide array of facilities and services in the immediate area.
- Impact on traffic safety and the amenities of the area.
 - ⇒ The subject proposal includes measures to actively improve traffic safety through improved junction design.
- Capacity of the surrounding road network.
 - ⇒ The Traffic & Transport Assessment prepared by DBFL for the application concluded that road network had ample capacity for the proposed development.
- Urban design, regeneration and civic benefits including street vibrancy.
 - ⇒ The scheme includes notable civic benefits including the provision of a large corner plaza, wider footpaths on Cumberland Street, new pedestrian crossing and landscape planting to create a distinctive sense of place.
- Robustness of Mobility Management Plan to support the development.
 - ⇒ Robust Mobility Management Plan prepared by DBFL was submitted with the application, including monitoring measures. As a BTR scheme, this Plan can be implemented in full by the Development Manager.
- The availability of on street parking controls in the immediate vicinity.
 - ⇒ There is ample on street parking in the vicinity of the site, which is controlled by the Council's parking scheme.
- Any specific sustainability measures being implemented including but not limited to:
 - The provision of bespoke public transport services.
 - The provision of bespoke mobility interventions.
 - ⇒ The scheme proposes a new signalised pedestrian crossing on DunLeary Road and a key desire line for access to Salthill DART station.

Notwithstanding the above, the Board may consider that the proposed development gives rise to a Material Contravention of the Development Plan in respect of car parking. We therefore set out a full justification of this matter in Section 3 of this report and specifically how the proposal complies with the Ministerial Guidelines for Apartments '*Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2020)*'

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the contravention is similar with 0.37 spaces per unit and the same justification applies.

2.2.4 Private Open Space

In respect to Private Open Space, Section 12.3.6 refers to Build to Rent schemes in the case where there may be a reduction in the area of private open space serving each unit the County Development Plan states:

‘A reduction in the area of private open space serving each unit will only be considered in instances where at least an additional 10% high quality, useable, communal and/or additional compensatory communal support facilities are provided.’

There are 16 units within the scheme which do not have a private balcony. Due to their largely north facing orientation, they are provided with a dedicated communal terrace which provides more useable and pleasant space for residents of these units. A total of 163sqm additional landscaped communal amenity has been provided for these 16no. units. As a further provision to the above, 10no. of these 16 units are oversized and enjoy attractive views to the Seafront.

Notwithstanding the fact that Section 12.8.3.3 of the Development Plan states: *“In exceptional cases in ‘urban centres’, for reasons of maintenance of streetscape character, or the preservation of residential amenity of adjoining property, the Planning Authority may accept the provision of communal open space in lieu of private open space.”*

We submit that the 16 units materially contravene the Development Plan. However, as demonstrated within this Report, the subject development fully accords with National planning policy and we invite An Bord Pleanála to grant permission on this basis.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the same contravention arises and the same justification applies.

2.3 Dual Aspect

Section 12.3.5.1 of the *Dún Laoghaire-Rathdown County Development Plan, 2022-2028* prescribes minimum standards for the quantum of dual aspect apartments that are to be provided in new developments.

Section 12.3.5.1 states that SPPR 4 of the *Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (2018)* provides guidance in relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme. The Development Plan classifies Dun Laoghaire Rathdown as a suburban or intermediate location and states the following in relation to dual aspect in apartments

- *‘There shall generally be a minimum of 50% dual aspect apartments in a single scheme.’*
- *‘For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, DLR may exercise discretion to consider dual aspect unit provision at a level lower than the 50% minimum outlined above on a case-by case basis, but subject to the achievement of overall high design quality in other aspects.’*

Having regard to the site configuration and the requirements for open space, daylight/shadow considerations and privacy, it is submitted that the proposed layout is the optimum design response and is in accordance with national planning policy as set out in this Statement. The rationale for the site layout is clearly detailed in the Design Statement prepared by MOLA Architecture and we trust the Board will note that there is a strong mandate to deliver a scheme of scale on this grossly underutilised and centrally located site. The provision of 146 new homes, a retail unit and office space represents sustainable development within an existing built up urban area.

Furthermore, this is a Build to Rent scheme which is in accordance with SPPR 8 (i) of the Design Standards for new Apartments (2020). SPPR 8 states:

“For proposals that qualify as specific BTR development, in accordance with SPPR8:

- (i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;***

Notwithstanding this, we note that the Guidelines include SPPR 4 in relation to the aspect issue, which states:

“In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:

- (i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.***

The former Ted Castles site is defined as a central and accessible location on the basis of its location adjacent to an existing public transport services (namely the DART and Dublin bus routes) and so the 33% dual aspect requirement is an appropriate benchmark for this site, notwithstanding the exemption to these standards for Build to Rent development. The scheme provides 65no. dual aspect units (44.5%) which maximise sunlight as well as providing cross ventilation into these units. Living spaces are carefully placed to maximise daylight in these areas.

It is worth noting that the subject scheme delivers excellent street frontage, having active and vibrant facades on all 3 street elevations which is a marked contrast to the existing context.

Nonetheless, we submit that a material contravention of Section 12.3.5.1 has occurred. As demonstrated within this Report, the subject development fully accords with National planning policy and we invite An Bord Pleanála to grant permission on this basis.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the contravention is less material as the Dual Aspect provision would be 45.3% and the same justification applies.

2.4 External Storage

Section 12.3.5.3 of the *Development Plan* notes the following in relation to storage provision:

Unit Type	Minimum Storage Space Requirement
One Bedroom	3 sq m
Two Bedrooms (3 persons)	5 sq m
Two Bedrooms (4 persons)	6 sq m
Three bedrooms	9 sq.m

“Internal storage standards for apartments shall accord with, or exceed the levels outlined in Table 12.3 below:

o Storage should be additional to kitchen presses and bedroom furniture.

o Hot press/boiler space will not count as general storage.

o No individual storage room should exceed 3.5sq.m. and shall be provided within the apartment unit.

Apartment schemes should provide external storage for bulky items outside individual units (i.e. at ground or basement level), in addition to the minimum apartment storage requirements. These storage units should be secure, at ground floor level, in close proximity to the entrance to the apartment block and allocated to each individual apartment unit.”

All units will meet, and exceed in many cases, the internal storage standards and requirements set out in Table 12.3 of the *Development Plan*. Please refer to the Housing Quality Assessment Tables prepared by MOLA. Space for Heat Pumps has been shown and has been excluded from all storage calculations. If bedroom furniture has been included, its associated area has been excluded from the bedroom area. No storage room exceeds 3.5 sq m.

There is no external storage provided outside of the individual units. No quantitative standard is prescribed by the *Development Plan* and thus it could be considered that the objective in relation to external storage provision is not clearly stated and the development can therefore be facilitated in accordance with Section 37 (2)(b)(ii) of the Act. External storage has not been included as part of the development, as the level of residential amenity, storage space and unit sizes were considered to be sufficient to cater for the needs of residents.

Furthermore, we note that Appendix 1 of the *Apartment Guidelines, 2020* does not set out minimum storage areas for external storage. The internal storage provided complies with the minimum standards set out in Appendix 1 (and exceeds the minimum storage standards in some cases). In summary, it is considered that the storage provision internal to the apartments is sufficient and copious and exceeds the minimum standards in many cases. This item is included in this Material Contravention Statement also should An Bord Pleanála consider this to material contravene the *Development Plan*.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the same contravention arises and the same justification applies.

2.5 Transitional Zones

The subject site is zoned NC 'neighbourhood centre' and directly bounds lands to the east zoned "A" for Residential uses:

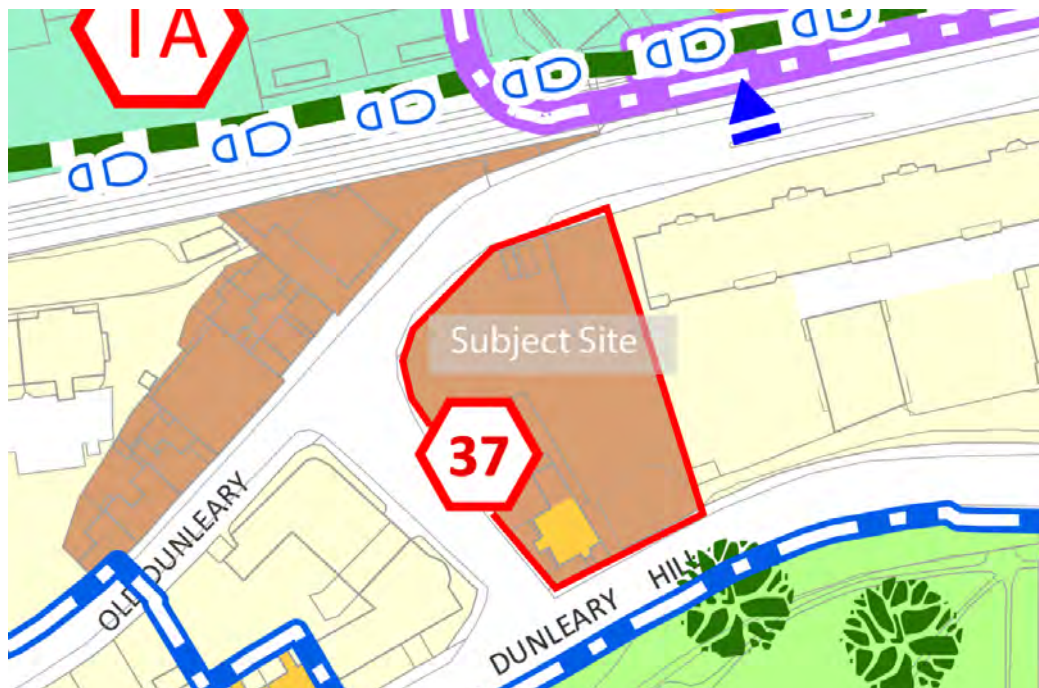


Figure 2: Extract from DLR Development Plan Zoning Map 3

Section 13.1.2 of the Development Plan sets out that:

“The maps of the County Development Plan show the boundaries between zones. While the zoning objectives and development management standards indicate the different uses and densities, etc. permitted in each zone, it is important to avoid abrupt transitions in scale and use in the boundary areas of adjoining land use zones. In dealing with development proposals in these contiguous transitional zonal areas, it is necessary to avoid developments which would be detrimental to the amenities of the more environmentally sensitive zone. For instance, in zones abutting ‘residential areas’ or abutting residential development within mixed-use zones, particular attention must be paid to the use, scale and density of development proposals in order to protect the amenities of these residential properties.”

In consideration of the above provision, we are of the view that the current proposal for residential development along the shared boundary is an appropriate land use with no perceived negative impact.

The residential use on the neighbouring site is Clearwater Cove, an apartment development extending to 6 and 7 storeys in height. The subject development does therefore not represent an ‘abrupt transition’ in scale or use between the neighbourhood and residential zones, as evidenced by this extract from MOLA Architecture’s Drawings:



Figure 3: Extract from MOLA Drawing ‘Proposed North & West Elevations’

The subject scheme has been designed to have the same land use (residential) as that bounding the site, and to be similar in height and scale. The proposed buildings are stepped to 5 storeys at the boundary with Clearwater Cove (6 storeys) to provide an appropriate transition. Furthermore, the open space areas of the proposed development have been designed to address the boundary with Clearwater Cove, so that the new development is set back from its residential neighbour and provides appropriate breathing space.



Figure 4: Extract from Drawing C0101L101 prepared by Cameo & Partners

The open space in the proposed development mirrors that in Clearwater Cove, though the space in that development appears to be dedicated to surface car parking.

All considered, the subject scheme is considered a positive contribution to this particular transitional zone and accords with Council policy on this issue.

Notwithstanding this, it could be interpreted that a Material Contravention in respect of a transitional zoning is occurring in this instance and this is a matter for An Bord Pleanála to ultimately adjudicate on.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the same contravention arises and the same justification applies.

2.6 SLO No. 37

There is an overall objective relating to the site signified by the hatched red line on the Development Plan zoning map – it is referenced as Objective 37 in the County Development Plan.

Objective 37 states that:

“The Dunleary House (Yellow Brick House) and associated boundary be retained in situ and renovated and ensure its rehabilitation and suitable reuse of the building which makes a positive contribution to the character and appearance of the streetscape at this location.”

The subject development proposes the incorporation of DunLeary House (a Protected Structure RPS No. 2131) into the overall development. This will entail the refurbishment, partial removal and adaptation of the existing 4 storey building as detailed on the enclosed drawings by MOLA Architecture. The works will include partial removal of original walls and floors, removal of non original extensions to DunLeary House, repointing and repair of brickwork and granite fabric, reinstatement of timber sash windows, removal of existing roof, alterations to internal floor layouts, reinstatement of entrance point on DunLeary Hill, removal of level 00 and linking the existing building to the new development from level 01 to level 03 with the construction of 3 floors of development (with set back at roof level) above the existing building. It is proposed to repair, reinstate and improve the existing boundary treatment to DunLeary House.

The renovated building will become co-working office suites, available for use by the general public.

It is considered that the works proposed to the building accord with SLO No. 37 which seeks the renovation of the House and the retention of the boundary. It is clear that the architectural value of the existing building and boundary is the contribution of its two principle elevations to the streetscape at this corner of DunLeary Hill. This streetscape value is retained and enhanced by way of the subject scheme.



Figure 5 CGI View by 3D Design Bureau – existing boundary retained and enhanced

Notwithstanding this, it could be interpreted that a Material Contravention in respect of a SLO No. 37 is occurring in this instance and this is a matter for An Bord Pleanála to ultimately adjudicate on.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, DunLeary House would have a significantly greater proportion of internal fabric retained and the new development would step back from the main roof of the House. The Board may still interpret this as a Material Contravention of SLRO37 and the same justification applies.

3 MATERIAL CONTRAVENTION JUSTIFICATION

In the event that the Board considers that the proposed development constitutes a material contravention of the Development Plan by virtue of the proposed building heights, mix of units, density, car parking, private open space, dual aspect, transitional zoning, SLO No. 37 and/or Zoning the justification for deciding to grant permission in circumstances of such a material contravention is set out below.

The full title of the Planning and Development (Housing) and Residential Tenancies Act 2016 is as follows:

“An Act to facilitate the implementation of the document entitled “Rebuilding Ireland – Action Plan for Housing and Homelessness” that was published by the Government on 19 July 2016, and for that and other purposes to amend the Planning and Development Acts 2000 to 2015, the Residential Tenancies Acts 2004 to 2015 and the Housing Finance Agency Act 1981, to amend the Local Government Act 1998 in relation to the Local Government Fund and to provide for connected matters.”

The *Housing for All: A New Housing Plan for Ireland*, and consequently the 2016 Act, recognise the importance of larger residential developments (including developments of over 100 residential units) in addressing the ongoing housing shortage and homelessness crisis.

This proposal contributes positively to the current national shortfall in housing supply. The Government's new plan *Housing for All: A New Housing Plan for Ireland* and the 2016 Act recognise the importance of larger residential developments (including those over 100 units) in addressing the ongoing housing and homelessness crisis, in an effort to increase housing supply. *Housing for All* states that an average of 33,000 no. homes must be provided every year between now and 2030 with a total of 6,500 no. of new private rental homes to be provided annually up to 2030.

The significant shortfall in housing output to address current and projected demand is a national problem, with lack of housing having social and economic ramifications for sustainable national growth. The pressing need for housing development is recognised in the National Planning Framework (e.g. National Policy Objective 32: To target the delivery of 550,000 additional households to 2040; National Policy Objective 33: Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location). Therefore, the proposed development is of both strategic and national importance.

Having regard to this legislative and policy context, it is considered that this proposed Strategic Housing Development is important for the purposes of section 37(2)(b)(i) of the 2000 Act as amended, and therefore should the proposal be determined to be a material contravention of any of the policies set out above, the Board is empowered to, and should, decide to grant permission for the proposed development pursuant to the provisions of section 37(2)(b)(ii) of the Planning and Development Act 2000, as amended.

3.1 Compliance with National Policy and Section 28 Ministerial Guidelines

The following section demonstrates how the proposed building heights, residential mix, density, car parking, private open space, dual aspect provision, transitional zoning, SLO37 and Zoning are justified in the context of recent National Planning Policy and Section 28 Government Guidelines, which seek to increase residential densities on zoned serviced lands adjacent to public transport corridors, and which have been published prior to the adoption of the Dun Laoghaire Rathdown County Development Plan 2022-2028. These include:

- Project Ireland: National Planning Framework 2040
- Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities (Apartment Guidelines 2020)
- Urban Development and Building Heights, Guidelines for Planning Authorities (2018)

3.1.1 Project Ireland: National Planning Framework 2040

The National Planning Framework (NPF) is the Government's plan to cater for the extra one million people that will be living in Ireland, the additional two thirds of a million people working in Ireland and the half a million extra homes needed in Ireland by 2040. As a strategic development framework, 'Project Ireland 2040' sets the long-term context for our country's physical development and associated progress in economic, social and environmental terms and in an island, European and global context.

The 'National Planning Framework 2040' sets out the following Objectives:

National Policy Objective 11:

"In meeting urban development requirements, there will be a presumption in favour of development that can encourage more people and generate more jobs and activity within existing cities, towns and villages, subject to development meeting appropriate planning standards and achieving targeted growth."

- ⇒ The site is of strategic importance both within the settlement of Dun Laoghaire, Monkstown and within the County area. The lands in question are significantly underutilised; are brownfield in nature; and have the benefit of immediate adjacency to existing public transport services at Salthill/Monkstown DART station and Dun Laoghaire DART station as well as Dublin Bus services. The site is also appropriately zoned to deliver residential development with supporting commercial spaces.
- ⇒ The proposal offers a range of benefits and wider planning gain including an exceptional public realm proposal; quality residential amenity facilities, coworking office space and a retail unit all delivered at the subject site which has access to a wide range of services/facilities and exceptional public transport connections.
- ⇒ The development has the potential to add a significant population to the local area (c. ranging between 315 -435 persons (given the quantum of studios and 1 beds in the proposed scheme it is likely the population range will be towards the lower end of the range.) and has direct access to a high quality public transport corridor including DART and Commuter rail facilities. New residents will support the vibrancy and vitality of the existing settlements at Dun Laoghaire and Monkstown and have easy access to local employment centres as well as Dublin City centre.

National Policy Objective 13:

“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.”

- ⇒ The subject proposal has been designed as an exemplar architectural model by award winning architects, MOLA Architecture.
- ⇒ The development meets and exceeds all relevant performance criteria, as set out in the Reports accompanying this application.

National Policy Objective 33:

“Prioritise the provision of new homes at locations that can support sustainable development and at an appropriate scale of provision relative to location.”

- ⇒ The site is critically underutilised (in that it is disused and proximate to existing public transport services), serviced, zoned land, in close proximity to existing DART stations as well as Dublin bus routes. It is eminently suitable for increased building height and residential density.
- ⇒ The development responds to its context and provides a successful transition in scale with appropriate set backs at boundaries and responds to the context of the surrounding buildings, in particular the Victorian terraces and the residential developments proximate to the site. There is a clear urban design rationale for the transition in height, which is carefully modulated to respond to its context.
- ⇒ The scheme has fully considered existing levels of residential amenities at adjoining residential developments. We note in particular that adjoining developments were a primary focus of the design evolution of the scheme. The development has been carefully designed to ensure there are no significant/adverse impacts arising by way of overlooking, overbearing or overshadowing of existing units by way of this proposal.
- ⇒ As set out in Architectural Design Statement, in terms of height there are a number of similar developments along the coast, which set precedent for taller buildings. In this regard it is considered that the proposed architectural language responds to the

context of the surrounding buildings, in particular the Victorian terraces, and provides 3No. terrace buildings linked by the central circulation atrium.

National Policy Objective 35:

“Increase residential density in settlements, through a range of measures including reductions in vacancy, re-use of existing buildings, infill development schemes, area or site based regeneration and increased building heights”.

⇒ The scheme for 146 residential units in a development which ranges in height generally from 6-8 storeys (with sets backs) is a well designed, high quality scheme and one that delivers an appropriate residential density, which is mandated by national planning policy.

When considering the density per hectare it is important to note that this is a dedicated BTR proposal with the resultant unit mix weighted towards one bedroom and smaller units which results in a higher density than an equivalent Build To Sell development.

Based on the above, it is respectfully submitted that the development accords with the key principles of the National Planning Framework.

In relation to some of the specific items within this Material Contravention Statement, we note the following:

Unit Mix

There is no national policy objective specific to housing mix. The NPF also acknowledges that decreasing household sizes is an established trend, which is reflected in policy terms under SPPR1 of the Apartment Guidelines 2020. We also refer the Board to the enclosed ‘Demographic Drivers & Changing Housing Demands in Dublin Over the Coming Decade’ prepared by KPMG Future Analytics which presents quantitative analysis that 1 person unit demand is going to increase significantly over the next decade and there is a lack of appropriately sized residential development forthcoming to accommodate it.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the contravention is similar with the new alternative mix: 34 x studio (24.5%), 66 x 1 bed (47.5%) and 39 x 2 bed (28.1%) deviating from the Development Plan requirement and the same justification applies.

Building Heights

The National Plan places a clear emphasis on increasing building heights at appropriate locations in urban centres that have good connectivity to public transport. The proposed heights deliver a density of development that is in line with government guidance for sustainable residential development.

The height strategy for the site has been carefully considered by the project architects and is considered appropriate given its location and the availability of public transport.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the same potential contravention arises and the same justification applies.

Car Parking

The NPF advises “general restrictions on building height or universal standards for car parking or garden size may not be applicable in all circumstances in urban areas and should be replaced by performance-based criteria appropriate to general location, e.g. city/ town centre, public transport hub, inner suburban, public transport corridor, outer suburban, town, village, etc.”

It also advises that ***“there should also generally be no car parking requirement for new development in or near the centres of the five cities, and a significantly reduced requirement in the inner suburbs of all five.”***

On this basis, we submit that the scheme complies with the requirements of the National Planning Framework.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the contravention is similar with 0.37 spaces per unit and the same justification applies.

Private Open Space

Objective 4 of the NPF is to *“ensure the creation of attractive, liveable, well designed, high quality urban places that are home to diverse and integrated communities that enjoy a high quality of life and well-being”*.

It is submitted that the 16 units without private balconies comply in full with this objective of the NPF. The units are provided with excellent compensatory communal amenity space, significantly in excess of Development Plan provision for similar balconies. The communal space is better located and orientated to be of more functional value to residents. communal terraces, will have high quality landscaping and will be protected from the wind. Furthermore 10 of the 16 units are oversized and enjoy attractive views of the seafront.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the same potential contravention arises and the same justification applies.

Dual Aspect & External Storage

There is no national policy objective specific to dual aspect or external storage provision. The NPF also acknowledges the need to increase density on well located sites in built up urban areas, which is reflected in policy terms under SPPR4 and SPPR 8 of the Apartment Guidelines 2020, and thereby supporting the dual aspect provision and storage levels proposed for the subject site.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the same potential contravention arises and the same justification applies.

3.1.2 Apartment Guidelines (2020)

The **‘Sustainable Urban Housing: Design Standards for New Apartments (2020)’** are also relevant for consideration in this report given the Section 28 Ministerial nature of this guidance document. This guidance was published prior to the publication of the Dun Laoghaire Rathdown County Development Plan 2022-2028.

The Specific Planning Policy Requirements (SPPR) take precedence over policies and objectives of development plans and local areas plans. Where such conflicts arise, Section 9(3)(b) of the 2016 Act, as amended, provides that to the extent that they differ from the provisions of the Development Plan or Local Area Plans, the provisions of SPPRs must be applied instead. Section 9(3) provides:

“(3)(a) When making its decision in relation to an application under this section, the Board shall apply, where relevant, specific planning policy requirements of guidelines issued by the Minister under section 28 of the Act of 2000.

(b) Where specific planning policy requirements of guidelines referred to in paragraph (a) differ from the provisions of the development plan of a planning authority, then those requirements shall, to the extent that they so differ, apply instead of the provisions of the development plan.

(c) In this subsection “specific planning policy requirements” means such policy requirements identified in guidelines issued by the Minister to support the consistent application of Government or national policy and principles by planning authorities, including the Board, in securing overall proper planning and sustainable development.”

Section 2.2. of the Guidelines stated that “apartments are most appropriately located within urban areas. As with housing generally, **the scale and extent of apartment development should increase in relation to proximity to core urban centres and other relevant factors.** Existing public transport nodes or locations where high frequency public transport can be provided, that are close to locations of employment and a range of urban amenities including parks/waterfronts, shopping and other services, are also particularly suited to apartments.”

Section 2.23 of the Guidelines also recognises that the National Planning Framework “signals a move away from **rigidly applied, blanket planning standards in relation to building design, in favour of performance-based standards to ensure well-designed high-quality outcomes. In particular, general blanket restrictions on building height or building separation distance that may be specified in development plans, should be replaced by performance criteria, appropriate to location.**”

As set out above, the 2020 Apartment Guidelines explicitly direct that the scale and extent of apartment development should increase on sites that are proximate to urban centres and public transport. The subject site is located adjacent to high frequency public transport services (the DART stations at Salthill/Monkstown and Dun Laoghaire and Dublin Bus services including no.’s 7, 46A and 111) and is located in close proximity to the existing settlement of Dun Laoghaire and Monkstown, with easy access to a wide range of existing services, shops and amenities. The scale of development proposed in this case is therefore supported by the Apartment Guidelines and any material contravention of specific Development Plan policies such as SLO37 and/or Transitional Zoning may be permitted by the Board.

The Guidelines also state that the rigid application of numerical limits on height and performance based standards should be relied upon in the assessment of such schemes. It is submitted that the proposed development performs exceptionally well when tested against the relevant criteria – as set out in the following section of this Report.

In relation to some of the specific items within this Material Contravention Statement, we note the following:

Unit Mix

Full details on consistency with the Apartment Guidelines 2020 are set out in the Statement of Consistency and the MOLA Architects HQA submitted with the application. We note that in this case SPPR8 applies to the subject development, which places no restriction on the unit mix with ‘Build to Rent’ Developments.

The inconsistent language within the Plan, at section 12.3.3, is not in force and is the subject of a draft direction from the Minister to require the Council to amend the Plan to remove the paragraph.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the contravention is similar with the new alternative mix: 34 x studio (24.5%), 66 x 1 bed (47.5%) and 39 x 2 bed (28.1%) deviating from the Development Plan requirement and the same justification applies.

Building Height

The Apartment Guidelines state that Central and/or Accessible Urban Locations are generally suitable for small- to large-scale (will vary subject to location) and higher density development (will also vary), that may wholly comprise apartments, and are classified as follows:

- ‘**Sites within walking distance (i.e. up to 15 minutes or 1,000- 1,500m), of principal city centres, or significant employment locations, that may include hospitals and third-level institutions;**

- Sites within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m) to/from high capacity urban public transport stops (such as DART or Luas); and
- Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) to/from high frequency (i.e. min 10 minute peak hour frequency) urban bus services'.

The site is located within a "Central and/or accessible urban location" as defined by the Guidelines as it is within 5 minutes walking distance of 2no. high capacity urban public transport stops (both DART) and 250m walking distance of the 10 minute peak hour frequency 46A Bus Route.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the same potential contravention arises and the same justification applies.

Car Parking

As stated previously, the subject site is within a 'central and accessible urban location' as defined by the Apartment Guidelines. On such sites, the Guidelines state:

*In larger scale and higher density developments, **comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances.** The policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems such rail and bus stations located in close proximity.*

Furthermore, the subject site is a Build to Rent development and as such SPPR8 applies, where item (iii) states:

There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the contravention is similar with 0.37 spaces per unit and the same justification applies.

Private Open Space

the subject site is a Build to Rent development and as such SPPR8 applies, where item (ii) states:

'flexibility shall apply in relation to the provision of a proportion of... private amenity space associated with individual units as set out in Appendix 1'.

We submit that the 16 units within the scheme that are without private balconies warrant acceptance under the flexibility provided for in SPPR8. A total of 163sqm additional landscaped communal amenity has been provided for these 16 no. units. This is in excess of the 102sqm required as the standard private amenity space combined for these units. (See table on Page 6 in the HQA). As a further provision to the above, 10no. of these 16 units are oversized and enjoy attractive views to the Seafront.

The design proposal provides for these residents to have controlled access to dedicated shared large south facing terraces to address the private amenity space provision.

These communal terraces, will have high quality landscaping and will be protected from the wind, offering an excellent level of amenity for residents.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the same potential contravention arises and the same justification applies.

Dual Aspect

This is a Build to Rent scheme which is in accordance with SPPR 8 (i) of the Design Standards for new Apartments (2020). SPPR 8 states:

“For proposals that qualify as specific BTR development, in accordance with SPPR8:

- (ii) ***No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;***

Notwithstanding this, we note that the Guidelines include SPPR 4 in relation to the aspect issue, which states:

“In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:

- (i) ***A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.***

The former Ted Castles site is defined as a central and accessible location on the basis of its location adjacent to an existing public transport services (namely the DART and Dublin bus routes) and so the 33% dual aspect requirement is an appropriate benchmark for this site, notwithstanding the exemption to these standards for Build to Rent development.

It is worth noting that the subject scheme delivers excellent street frontage, having active and vibrant facades on all 3 street elevations which is a marked contrast to the existing context.

In relation to the alternative tabled at Oral Hearing on 22 June 2022, the contravention is less material as the Dual Aspect provision would be 45.3% and the same justification applies.

3.2 Urban Development and Building Heights (2018)

The ‘Urban Development and Building Heights, Guidelines for Planning Authorities (2018)’ which were issued in December 2018 under Section 28 of the 2000 Act set out national planning policy guidelines on building heights in relation to urban areas.

Under section 3.1 of the Guidelines, three following broad principles or criteria must be applied in considering development proposals for buildings taller than prevailing building heights in urban areas in pursuit of these guidelines:

- ***Does the proposal positively assist in securing National Planning Framework objectives of focusing development in key urban centres and in particular, fulfilling targets related to brownfield, infill development and in particular, effectively supporting the National Strategic Objective to deliver compact growth in our urban centres?***

As set out in Section 3.2.1 above, the proposal secures the relevant objectives of the National Planning Framework. The location of the proposed development is on a brownfield infill site and is considered a unique opportunity for the delivery of strategic housing and the delivery of compact growth in accordance with national strategic planning policy.

- ***Is the proposal in line with the requirements of the development plan in force and which plan has taken clear account of the requirements set out in Chapter 2 of these guidelines?***

Other than as set out in this Material Contravention Statement, the proposal is in line with the Development Plan. The Development Plan allows an assessment of development proposals with increased height and sets out principles that will be considered when assessing capacity for height.

It is our professional planning opinion that the heights proposed are appropriate at the subject lands especially having regard to the site’s location in order to accord with Government policy to increase building heights in sustainable locations.

- **Where the relevant development plan or local area plan pre-dates these guidelines, can it be demonstrated that implementation of the pre-existing policies and objectives of the relevant plan or planning scheme does not align with and support the objectives and policies of the National Planning Framework?**

The Development Plan allows an assessment of increased height to be carried out (Table 5.1 of Appendix 5). We have provided a detailed response to Table 5.1 and in our opinion, the proposed is appropriate for the subject site. However, we have included building height in this Material Contravention Statement in the event that An Bord Pleanála consider the increase in building height to represent a material contravention of the Development Plan.

In addition, section 1.14 of the Guidelines published, reflecting the statutory position as set out below, states:

*“Accordingly, where SPPRs are stated in this document, **they take precedence over any conflicting, policies and objectives of development plans**, local area plans and strategic development zone planning schemes. Where such conflicts arise, such plans/ schemes need to be amended by the relevant planning authority to reflect the content and requirements of these guidelines and properly inform the public of the relevant SPPR requirements.”*

Specific Planning Policy Requirements

SPPR 3A of the Urban Development and Building Heights Guidelines 2018 requires applicants for planning permission to set out how the proposal complies with the “*criteria above*”. This refers to the Development Management criteria at Section 3.2 of the Guidelines, which are discussed below.

If the Board is satisfied that the criteria under section 3.2 have been met, it “*may approve such a development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise*”. The paragraph introducing SPPR 3 itself is set out below for ease of reference, following which, each of the criteria (denoted by italics) are considered in turn:

“Where the relevant planning authority or An Bord Pleanála considers that such criteria are appropriately incorporated into development proposals, the relevant authority shall apply the following Strategic Planning Policy Requirement under Section 28 (1C) of the Planning and Development Act 2000 (as amended).

SPPR 3 (A)

“It is a specific planning policy requirement that where;

- (A) **1. an applicant for planning permission sets out how a development proposal complies with the criteria above; and**
- 2. the assessment of the planning authority concurs, taking account of the wider strategic and national policy parameters set out in the National Planning Framework and these guidelines; then the planning authority may approve such development, even where specific objectives of the relevant development plan or local area plan may indicate otherwise.”**

The performance of the proposal vis a vis the building height criteria is further assessed below in sub-section ‘Development Management Criteria’. The consistency of the proposal with the National Planning Framework has been considered above.

Development Management Criteria

The Guidelines clearly set out that 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 a number of criteria. The relevant criteria are set out in bold below, followed by the applicant’s response:

At the scale of the relevant city/town:

- ***“The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.***

The site is situated c.300m from the Salthill/Monkstown DART Station and c. 900m from Dun Laoghaire DART Station. In addition, the site is proximate to high frequency bus stops (namely the 46A). The mobility management plan enclosed from DBFL sets out that the site is a highly accessible location for both existing public transport nodes and future improvements for proposals.

- ***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. Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.***

Careful consideration has been given to the successful integration of the scheme into the existing character and topography of the site and area. The steep topography of the site has been addressed and reflected in the careful design integrating the development into its local environment.

With a maximum height of 8 storeys, the scheme is not out of scale with neighbouring developments, and is in keeping with prevailing heights in the area. To the east and west of the site are 6/7 and 5 storey apartment developments.

The new building provides a strong sense of place and a much improved public realm, enhancing amenity and accessibility for pedestrians. The enclosed elevations from MOLA Architects illustrate the proposed building height in the context of the existing urban environment.

DunLeary House (a Protected Structure) has been a central consideration in the design evolution of this scheme from the outset. The design concept detailed by MOLA Architecture is to redevelop the building, incorporate original features where appropriate and elevate new development above the parapet. It is proposed to provide co-working office suites within the building (open to the general public) which is reflective of its original purposes as offices of the coal yard. The proposed office use provides a clear purpose and identity to the retained building, and complies with the Neighbourhood Centre zoning for the site.

It is clear that the architectural value of the existing building and boundary is the contribution of its two principal elevations to the streetscape at this corner of DunLeary Hill. This streetscape value is retained and enhanced by way of the subject scheme which incorporates the principal elevations and existing boundary treatment into the development.

The design approach by MOLA Architecture has been guided by advice from David Slattery Historic Building Consultants. The team have carefully reviewed case study examples in both Ireland and internationally, where original industrial sites have been redeveloped with key original features being incorporated into the new scheme.

The visual impact of the scheme is assessed in the enclosed Landscape & Visual Impact Assessment prepared by Mitchell + Associates, Landscape Architects. Visually, a total of 22 no. views are considered within the LVIA and we refer An Bord Pleanála to the detailed assessment of the views enclosed herewith for further detail on the visual impact of the proposal.

In summary however, we note the following comments in terms of the effects of the proposal on the landscape character of the area:

The existing site is underutilised and largely unoccupied. Generally, it has an appearance of dereliction which is only partially screened from view by the natural granite boundary wall. A well-conceived and sensitively designed building has every prospect of providing a positive insertion

which enhances the local landscape and the views and visual amenity within it. The proposed design represents such a scheme and responds sensitively and positively to the physical, social and planning context within which it is proposed.

The construction phase impacts are assessed as varying from slight and neutral to moderate and negative, largely depending on the stage of construction. These are not unusual impacts for the construction of any development and they are of short-term duration.

For the operational phase the existing site will be cleared and the buildings occupying the site will be demolished, apart from the main south, west and northern facades of Dunleary House and its garden boundary walls, railings and piers, all of which will be restored and integrated within the new proposed development. Whilst Dunleary House currently offers an established presence on the corner of Cumberland Street and Dun Leary Hill and is indeed currently a Proposed Protected Structure, it is of little architectural merit and in some respects is a little discordant in this urban landscape context. The proposed development will occupy the whole site and provide an animated relationship between it and the adjacent public realm and it will assist in supporting the existing adjacent local commercial enterprises. The need for a properly considered interface and relationship between building and public realm has been incorporated in the scheme design in order to support this aspect of the development, despite the obvious challenges posed by differences in level. In a broader context, the building is designed to sit appropriately within the existing seafront in terms of scale, tone and finished details, particularly in the context of views from the East and West piers. It is also appropriately scaled in the local architectural context, but will provide a sense of gateway or arrival to the town when entering from the Old Dunleary Road. As a result of retaining Dunleary House within the embrace of the proposed new development, the local landmark presence it conveys will be retained and indeed enhanced through the development of the proposed design. The architectural design successfully integrates the accepted qualities of the existing house and garden within a development which will deliver residential development of an appropriate scale in a manner which complements the existing urban landscape and public realm. The impact of the proposed development on the local landscape is therefore generally positive.

The visual impact of the proposed development is amply illustrated in the photomontages prepared for 22 viewpoints, both distant from and close to the development. Of the 22 views selected, the proposed development will be imperceptible in 9 of them. Of the remaining 13 views, impacts are assessed as slight, moderate and significant in near equal measure and in all cases the impacts are assessed as either neutral or positive. From closer vantage points, where the detail of the building can be appreciated, the impacts are generally positive.

Despite the many Protected Structures in the vicinity of the proposed development there is only a very marginal impact on one view from the Longstone Terrace (View 20) which is assessed as moderate and neutral. The viewpoint is at the eastern end of the terrace and the view is nearly at right angles to the terrace, so is not a particularly sensitive view from the terrace. There are no impacts on Preserved Views in the area.

With regard to the contribution of the proposal to placemaking, we note that the proposal offers the potential to significantly improve the existing street frontages along Old Dun Leary Road, Cumberland Street and Dun Leary Hill. The interface and road layout between Old Dun Leary Road and Dunleary Hill has long been an area of concern for the Council, with the wide road alignment and poor pedestrian facilities. The introduction of the Coastal Mobility Route has benefitted the area, but the general streetscape is poor quality and hostile to pedestrians.

As detailed in the enclosed plans, this scheme provides for:

- *large corner plaza area for pedestrian amenity and additional traffic calming measures*
- *Wider footpaths on Cumberland Street, road alignment and improved traffic junctions*

- New and improved signalised pedestrian crossing on Old Dunleary Road to support pedestrian access to DART
- Cumberland Street narrowed for road safety
- Landscape measures in order to create a distinctive sense of place.

CHARACTER AREA 1: GROUND FLOOR PUBLIC REALM



Figure 6: Extract from Cameo + Partners Design Statement, Public Realm

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

The proposed site extends to less than 1ha and is therefore not considered a ‘larger urban redevelopment site’. Nonetheless, the scheme makes a significant contribution to place making by animating 3 streets, upgrading the public realm and providing a new public space in front of the café unit at the corner of the Old Dun Leary Road and Cumberland Street.

The landscape masterplan will deliver a superior public realm. The proposal offers communal open space in the form of a courtyard area (c.482sqm) and landscaped roof terraces and external areas (c.391sqm) and is considered exceptional in terms of provision.

Massing and height has been given significant attention within the proposal. Careful consideration has ensured that additional height can be accommodated within the site without compromising on the character of the local area or the adjoining residential development. Specifically, set backs in scale is offered along existing boundaries as illustrated in the enclosed Architectural drawings prepared by MOLA Architecture.

Overall the scheme is considered to be of an appropriate scale, height and massing to complement the existing urban form whilst successfully introducing a high- quality element of architecture to the site, making optimal use of the strategic, prominent location.

At the scale of district/ neighbourhood/ street:

- ***“The proposal responds to its overall natural and built environment and makes a positive contribution to the urban neighbourhood and streetscape.***

The redevelopment of this long vacant and underutilised site will make a positive contribution to the urban neighbourhood and will greatly improve the natural and built environment, which

currently has limited activation. The contribution of the proposed public realm with new finishes and planting will notably improve the visual amenity of the area.

The proposal to integrate DunLeary House into the development and to retain the existing boundary features will ensure the streetscape heritage context is maintained and enhanced into the future.

The proposed development seeks to create a dialogue with Clearwater Cove apartments, whilst also looking to mark itself as a significant new piece of Dún Laoghaire urban context. Views from the waterfront, from Monkstown to the West and Dún Laoghaire to the east, have been important in determining the scale of the development as the site's topography affords it added prominence.

As the development heads south through the site, the scale reduces to relate to the neighbouring residential properties and terraces towards Monkstown.

The scale of the developments to the west and north take reference from the historical terraces of this area in a respectful manner, and the unified materials selected ensure that the scheme is read as a whole from all surrounding streets.

The scheme will positively contribute to the architectural quality and aesthetic appearance of the area, in addition to the delivery of a new vibrant public realm.

• ***The proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials / building fabric well considered.***

Appropriate use of materials and fenestrations details and a coherent site height strategy are proposed by MOLA Architecture to deliver appropriate massing and scale. We refer An Bord Pleanála to the MOLA Architecture drawings and Architectural Design statement enclosed as part of this planning application for further details.

A fundamental aspect of the design approach has been to develop this plot as a wrapping external form which creates a coherent 'family' of buildings with an appropriate balance between consistency and variety in the character and appearance from all sides of this scheme.

The adaption of the former Tedcastle Office building within the scheme is integrated into the overall massing as one element of this collection of buildings and accommodates commercial space on the corner of Dun Leary Hill and Cumberland Street.

Whilst there is some variation in massing and formal expression across the scheme, materiality and articulation of detail are used to bring a common language to the plot as a whole.

The materials and architectural expression has been developed to allow the proposed buildings to sit comfortably in its townscape context.

The proposed roofscape materiality and form has been design to emphasize a strong parapet rationale and enhances the simplicity of the regular fenestration pattern and solid to void proportions in the main facades of the project.

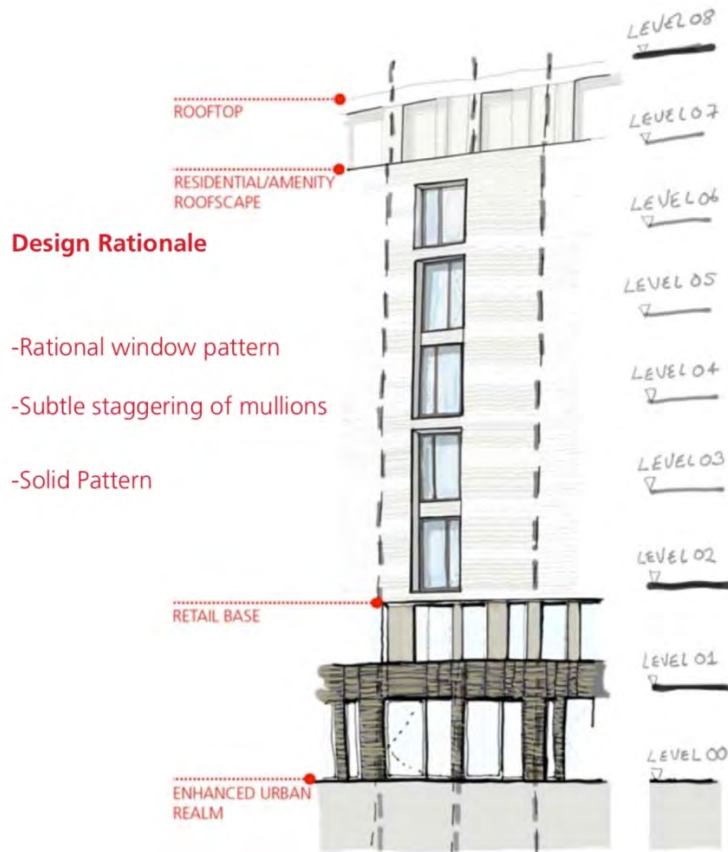
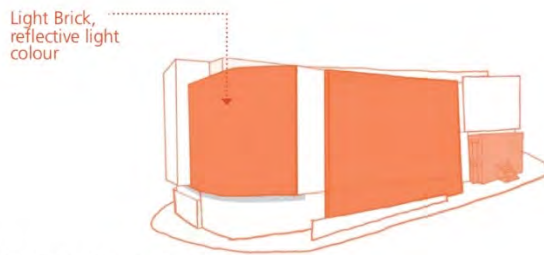


Figure 7: Extract from Section 5.5 of MOLA Design Statement

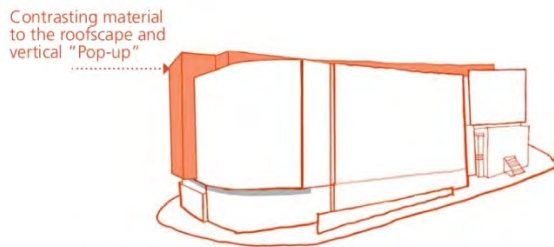
In keeping with surrounding Victorian townhouse, generous and well proportioned windows are used to bring life and activity to the street. At balconies and entrances finer detailing and tactile materials are used to bring a secondary level of detail at a human scale

The degree and nature of sub-division of the urban block and the resultant urban grain is articulated through vertical breaks and detailing in the material choices. Shifts within the facade further assists in activating and animating the external facades (North, West and South) and internal courtyard.

5.5.5 Main facade treatment



5.5.6 Roof facade treatment



5.5.7 Ground floor facade treatment

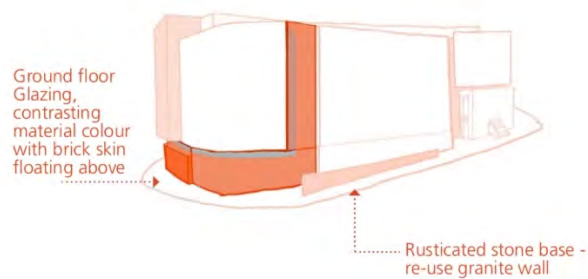


Figure 8: Extract from Section 5.5 of MOLA Design Statement

Through the design development process, the North facade has evolved as a regular fenestration pattern with an “architectural feature” in the form of a dramatic pop-out to the street. This “feature” has been created by breaking the strong uniform brick facade with a glass and metal projecting element from Level 02 to roofscape. The addition of this feature sets up a dynamic intervention to the restrained language of the window and brick proportions and pattern.

- ***The proposal enhances the urban design context for public spaces and key thoroughfares and inland waterway/ marine frontage, thereby enabling additional height in development form to be favourably considered in terms of enhancing a sense of scale and enclosure while being in line with the requirements of “The Planning System and Flood Risk Management – Guidelines for Planning Authorities” (2009).***

The proposed development will greatly enhance the key thoroughfare of the Old Dunleary Road, which now features the Coastal Mobility Route. The redevelopment of this underutilised site will deliver a high quality contemporary scheme with associated public realm upgrade measures. It is necessary to remove the existing building on site in order to achieve this design objective.

In particular, the proposed blend of an exceptional landscape plan prepared by Cameo & Partners Landscape Architects, the extensive public realm proposal as discussed and agreed with Dun Laoghaire Rathdown County Council (incorporating footpath upgrades, signalized junction on Old Dun Leary Road and Cumberland Street including pedestrian crossings on all arms and associated landscaping) and the high quality articulation of the proposed built form (conceived by MOLA Architecture) addressing the street frontages will ensure a quality proposal is delivered.



Figure 9: Photomontage view prepared by 3D Design Bureau

The proposed vibrant streetscapes and the significant public realm improvements constitute a significant improvement on the existing situation. The proposals presented herein to An Bord Pleanála represents a clear planning gain in comparison to the current streetscape.

We can confirm that a Flood Risk Assessment prepared by DBFL Consulting Engineers has been prepared. This document concludes that the proposal is appropriate for the site's flood zone category C. There is no inland waterway or marine frontage within the proposed development.

• The proposal makes a positive contribution to the improvement of legibility through the site or wider urban area within which the development is situated and integrates in a cohesive manner.

The proposed development will add interest and articulation to this section of the Dun Laoghaire Urban Core. It will make a positive contribution to the legibility of the area, not through the height of the buildings proposed but by way of the overall contribution of the quality architectural approach and new public realm created.

As noted in the LVIA by Mitchell + Associates:

In a broader context, the building is designed to sit appropriately within the existing seafront in terms of scale, tone and finished details, particularly in the context of views from the East and West piers. It is also appropriately scaled in the local architectural context, but will provide a sense of gateway or arrival to the town when entering from the Old Dunleary Road. As a result of retaining Dunleary House within the embrace of the proposed new development, the local landmark presence it conveys will be retained and indeed enhanced through the development of the proposed design.

- ***The proposal positively contributes to the mix of uses and/ or building/ dwelling typologies available in the neighbourhood.”***

An appropriate mix of units types and sizes are incorporated into the development proposal. Importantly as part of the proposed Build to Rent scheme, a mix of studio, 1, and 2 bed apartments are delivered in conjunction with a wide range of tenant amenities/facilities. As set out previously in this document, the applicant has undertaken significant research into the local demographic profile and the mix delivered is a direct reflection of current and future forecast market demands.

The development will introduce a new residential population at the location who will benefit from the site’s accessibility in terms of public transport and existing and proposed pedestrian links.

The proposed retail addressing the corner at Old Dunleary Road/Cumberland Street will provide animation and a useful service to residents within the immediate area.

The regenerated building will return to its original purpose as commercial office space within the new scheme. It is considered that this use is most appropriate for the building and will meet predicted demand in the locality for alternative work locations.

At the scale of the site/building:

- ***“The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light.***

Appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like the Building Research Establishment’s ‘Site Layout Planning for Daylight and Sunlight’ (2nd edition) or BS 8206-2: 2008 – ‘Lighting for Buildings - Part 2: Code of Practice for Daylighting’.

Where a proposal may not be able to fully meet all the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, in respect of which the planning authority or An Bord Pleanála should apply their discretion, having regard to local factors including specific site constraints and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.”

The proposal is accompanied by a Daylight and Sunlight Analysis prepared by O Connor Sutton Cronin Consulting Engineers, which confirms that there are acceptable levels of access to natural daylight and that there is no significant impact in terms of overshadowing. The design of the scheme has ensured that there is no significant overshadowing to adjoining properties or internally within the scheme. In this regard the key conclusion of the enclosed O Connor Sutton Cronin “Daylight and Sunlight Analysis” report is set out below:

Internal daylight within the proposed development

The analysis confirms that across the entire development excellent levels of internal daylight are achieved. The majority of apartments not only meet but greatly exceed the recommendations outlined within the BRE Guidelines and British Standard BS8206, achieving a 98.9 % compliance rate across the proposed apartments.

Sunlight to proposed development amenity spaces

In terms of sunlight access, excellent levels of sunlight are experienced across the proposed development. The communal amenity spaces and roof top terraces provided exceed the BRE guidelines for sunlight on the test day of 21st of March. Also, excellent levels of sunlight will be achieved during the summer.

Sunlight to windows within the proposed development

The annual probable sunlight hours assessment has shown that 46% of the main living room windows across the development achieve the recommended APSH values stated in the BRE Guidelines, while 48% of windows achieve the recommended values during the winter months, when sunlight is more valuable.

Impact to surrounding properties

The Vertical Sky Component analysis has shown that the surrounding properties will perceive an impact due to the proposed development over the existing scenario, this is normal due to the comparison between an empty brownfield site and the construction of any new development higher than that. However, the Average Daylight Factor analysis shows that the adjacent properties will still achieve excellent levels of daylight in the majority of surrounding properties once the proposed development is built.

The annual probable sunlight hour (APSH) analysis has shown that the adjacent properties will still receive good levels of sunlight once the proposed development is constructed. Only two of the windows selected for analysis will perceive an impact on sunlight during the annual period. All selected windows meet the recommended APSH winter time values, when sunlight is more valuable. In relation to overshadowing, negligible impact will be perceivable to adjacent open spaces.

It is evident therefore from the above that there are no issues with overshadowing associated with the proposal.

O Connor Sutton Cronin Consulting Engineers (OCSC) can confirm that the calculation methodology for daylight and sunlight is based on the British Research Establishments "Site Layout Planning for Daylight and Sunlight: A Good Practice Guide" by PJ Littlefair, 2011 Second Edition.

It is evident from the enclosed assessment that the scheme performs very highly in relation to the relevant benchmarks for sunlight/daylight/shadow impact. There is a 98.9% compliance rate for daylight to the proposed apartments, using an ADF benchmark of 2% for living/kitchen spaces. Of the 291 rooms that comprise the development, only 3 fall slightly short of the BRE Guidelines and BS 8206 recommendations, therefore a 98.9% compliance rate is achieved across the development.

In order to demonstrate that excellent levels of daylight are achieved in those units falling slightly short of compliance, OCSC provide the following image (on page 29 of the Assessment) which illustrates the ADF levels being achieved throughout the 'worst case' living room/kitchen located in Level 01. OCSC note that daylight levels are excellent within close proximity to the external wall and begin to drop off as you move towards the kitchen area which are typically located to the rear of the open space. It must be noted that the apartments within the Ted Castles development contain a kitchen which is designed to be used mainly for food preparation rather than occupants spending a long time sitting in the kitchen area. Instead, occupants are expected to spend most of their time in the living room area, where daylight penetration will be more appreciated. Therefore, it can be stated that even though some rooms fall slightly short of the compliance target set, they will still receive excellent levels of daylight within the zone closest to the external wall, where sitting areas are located and where occupants are expected to spend the majority of their time.

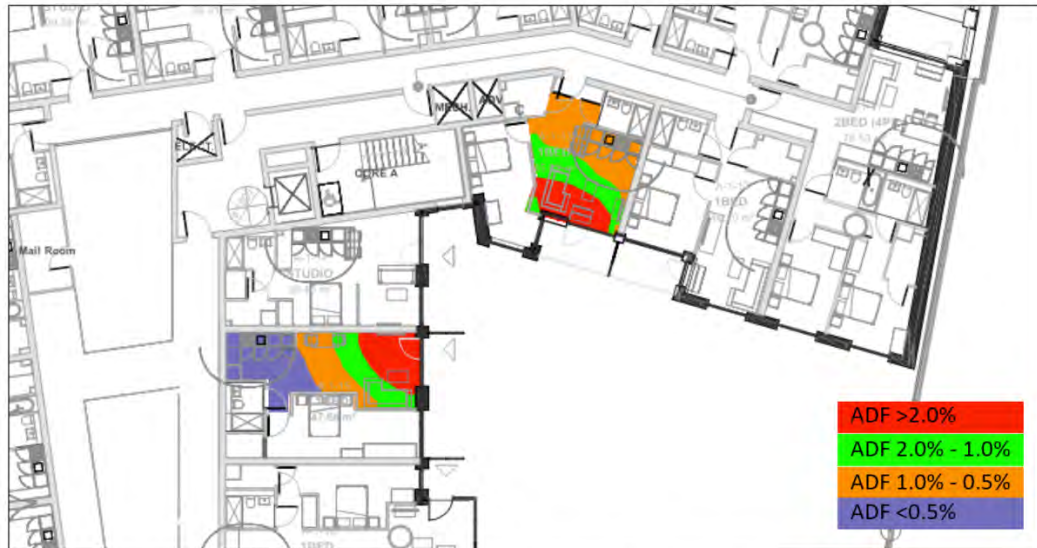


Figure 14 – Level 01 – ‘Worst Case’ Living/ Kitchen Rooms – Assessment with ADF Contours

Figure 10: Image from OCSC Assessment (Page 29)

In line with the above objective, the proposed development seeks to balance ADF compliance with quality urban design, regeneration of a brownfield site and the provision of new streetscapes. The proposed development seeks to deliver a high quality living environment through the provision of a high quality courtyard and roof top terraces, which residents can enjoy immediately adjacent to their homes. Additionally, the proposed development provides quality external private open space to all residential units, ensuring maximum opportunities to enjoy their residential living environment.

In relation to the Alternative tabled at Oral hearing on 22 June 2022, OCSC have reviewed the alternative proposals and note that all changes will have a positive impact on:

- Internal daylight levels in selected apartments in close proximity to the new set back.
- Extent of overshadowing as the building line has been set back.
- Vertical Sky Component (VSC) and daylight experienced in neighbouring apartments (sensitive receptors) in close proximity to the proposed setback.

There are no downsides from a daylight and sunlight perspective with the proposed alternative.

There is a notable planning gain associated with the proposed development – a long underutilised centrally located urban site is being developed to provide much need new homes and active commercial uses, an existing building is being regenerated to provide new co-working space for the general public to avail of and 3 new vibrant streetscapes are being provided. The scheme will positively contribute to the immediate area and we trust the Board will grant permission on this basis.

Specific Assessments

The guidelines set out that to support proposals at some or all of these scales, specific assessments may be required and these may include:

- ***“Specific impact assessment of the micro-climatic effects such as down-draft. Such assessments shall include measures to avoid/ mitigate such micro-climatic effects and, where***

appropriate, shall include an assessment of the cumulative micro-climatic effects where taller buildings are clustered.

We confirm that a Pedestrian Wind Comfort Study prepared by O Connor Sutton Cronin Consulting Engineers is enclosed as part of this planning application. This comprehensively assesses the impact of the development and specifically the building height on the surrounding context.

• In development locations in proximity to sensitive bird and / or bat areas, proposed developments need to consider the potential interaction of the building location, building materials and artificial lighting to impact flight lines and / or collision.

The project's ecology team (Openfield and Enviroguide) have undertaken ecological assessments for all possible requirements including Environmental Impact Assessment Screening, Natura Impact Statements, and Biodiversity Studies for the proposed site and surrounding area. The proposed development site is not located within or directly adjacent to any Natura 2000 site, or in proximity to any sensitive bird and/or bat areas. We also confirm there is no potential interaction for the building location, materials and artificial lighting to impact flight lines and/or collision.

An assessment that the proposal allows for the retention of important telecommunication channels, such as microwave links.

The applicant commissioned ISM to prepare an assessment of impact on telecommunication channels, which is enclosed with this application. ISM did not identify any telecommunication channels that would as a consequence of the height and scale of the Development, require specific mitigation measures in order to retain them.

• An assessment that the proposal maintains safe air navigation.

In preparation of this planning application, the applicant has entered into pre-planning discussions with the IAA who had no significant comment to make on the proposal. As identified in the appendix to the rear of this report, the IAA in their review conclude that "Based on the information provided, it is likely that only general observations would be issued during the planning process relating to the construction process and the notification of proposed crane operations with at least 30 days notification to the Authority.

• An urban design statement including, as appropriate, impact on the historic built environment.

An Architectural Design Statement has been prepared and submitted by MOLA Architecture. In addition a report entitled "Report on the Architectural/Historical Significance of Dun Leary House "Yellow Brick Building", Dun Laoghaire Hill, Cumberland Street, Dun Laoghaire." prepared by David Slattery Conservation Architects -Historic Building Consultants is enclosed as part of this planning application.

• Relevant environmental assessment requirements, including SEA, EIA, AA and Ecological Impact Assessment, as appropriate."

The relevant environmental assessments have been considered. A Screening Report for Appropriate Assessment Report has been prepared by Openfield and included as part of this SHD planning application. An EIAR Screening Statement has been prepared by Enviroguide.

On the basis of the foregoing analysis, the proposed development meets the criteria under Section 3.2 of the Guidelines and is in compliance with SPPR3. Therefore, in the event that the Board is of the view that the proposed development might be in material contravention of the development plan in terms of height, such contravention can be justified by reference to the Building Height Guidelines and, in particular, by reference to SPPR 3: see section 37(2)(b)(iii).

We submit that the subject proposal is in accordance with the wider strategic and national policy requirements in relation to regeneration, compact development and integrated communities. The subject site is ideally located to maximise residential supply with exceptional connectivity to Sandyford Urban Core.

It is in consideration of the above that the current proposal for 5 - 8 storeys in height can be positively considered by the competent authority. Specifically, the proposal has addressed the specific development criteria requirements of the Guidelines and is in compliance with SPPR 3. Most notably the site's location is considered to address the very spirit and intent of the Guidelines that being one proximate to public transport with high frequency services. The current site is therefore appropriate for increased building height and residential densities.

4 CONCLUSION

The purpose of this Material Contravention Statement is to identify aspects of the proposed development which the Board may consider contravene materially the DLRCC Development Plan 2022- 2028. In accordance with Section 37(2)(b) of the Planning and Development Act 2000 (as amended) the report outlines how this development can be considered of strategic and national importance pursuant to 37(2)(b)(i) and also identifies how Section 37(2)(b)(iii) applies to the development" and then quote Section 37(2)(b)(iii).

Section 9(3)(b) of the 2016 Act, as amended, provides that to the extent that they differ from the provisions of the Development Plan, the provisions of SPPRs must be applied instead.

In the context of increased height, the most relevant of these requirements is SPPR 3A of the Building Height Guidelines. It is submitted that the Development Management criteria under Section 3.2 of the Guidelines have been satisfied in this regard by the development as proposed and that, accordingly, the Board can grant permission for the proposed development even if it considers that it would be a material contravention of building height policy and standards under the Development Plan, having regard to the terms of the relevant national policy discussed above and SPPR 3A of the Building Height Guidelines, in particular.

In the context of dwelling mix, SPPR 8 of the 2020 Apartment Guidelines applies and the proposal is considered to comply with this Specific Policy requirement.

In relation to density, the proposal clearly supports the key policies of the National Planning Framework to deliver appropriate residential densities and brownfield and infill sites.

In the context of the Council's Transitional Zones policy and SLO 37, it is submitted that if the Board considers a material contravention has occurred, then permission may be granted having regard to relevant national planning policy such as the National Planning Framework, The Building Height Guidelines and the Apartment Guidelines, which all mandate the delivery of higher density development in central and accessible urban areas.

This Statement demonstrates that the proposed unit mix, external storage, private open space and car parking provision for this SHD BTR application accords with the provisions of SPPR1 and SPPR8 of the Apartment Guidelines 2020.

It is therefore considered that there is sufficient justification for An Bord Pleanála to grant permission for the proposed development, notwithstanding any material contravention of the Dun Laoghaire-Rathdown County Development Plan 2022-2028.

In the event that the Board were to grant permission, the Board's "*reasons and considerations*" should reference the matters under Section 37(2)(b) of the 2000 Act upon which it relies to justify the granting of permission in material contravention of the Development Plan. It is apparent from section 10(3)(b) of the 2016 Act that such reasons and considerations must appear in the Board decision itself.

Section 10(3) provides as follows:

“(3) A decision of the Board to grant a permission under section 9(4) shall state-

....

(b) where the Board grants a permission in accordance with section 9(6)(a), the main reasons and considerations for contravening materially the development plan or local area plan, as the case may be.”

Having regard to the justification set out within this statement, it is respectfully submitted that this is an appropriate case for the Board to grant permission for the proposed development in accordance with national planning policy and statutory guidelines.

