



An  
Bord  
Pleanála

**Case Reference:  
ABP-302964-18**

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

**Notice of Pre-Application Consultation Opinion**

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**Proposed Development: Demolition of existing buildings, construction of 212 no. shared living spaces and associated site works.**

**Old School House, Eblana Avenue, Dun Laoghaire, Co. Dublin.**

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

An Bord Pleanála considers that the following issues need to be addressed in the documents submitted that could result in them constituting a reasonable basis for an application for strategic housing development.

**1. Principle of Shared Accommodation provision at this location**

Further consideration of the documents as they relate to the principle of Shared Accommodation at this location. This consideration and justification should have regard to, inter alia, (i) the vision for the development of Dun Laoghaire and the relevant housing and settlement policies set out in the Dun Laoghaire County Development Plan 2016-2022 which includes Appendix 12 Dun Laoghaire Urban

Framework Plan; (ii) the Sustainable Urban Housing: Design Standards for New Apartments, specifically the guidance on Shared Accommodation Developments and in particular sections 5.18, 5.19 and 5.22 and SPPR 9 of same and (iii) the suitability of this location for Shared Accommodation with regard to accessibility and connections to employment centres and community facilities. Comprehensive information regarding the nature of the proposed use should be submitted to facilitate assessment of this issue including details of the occupation, operation and management of the scheme. The further consideration of this issue may require an amendment to the documents and/or design proposals submitted relating to density and layout of the proposed development.

## **2. Format of Shared Accommodation**

An Bord Pleanála notes that the proposed format of the shared accommodation is not to be provided in the cluster format with a common shared area within the residential units as referenced in paragraph 5.15 of the ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2018’ (hereafter apartment guidelines 2018). Your format approach of allocating the common living and kitchen facilities (as specified under Table 5b of the apartment guidelines 2018) to each bedroom rather than as a common shared area within the residential unit raises a number of questions for ABP and should be addressed in more detail at application stage. An Bord Pleanála acknowledges that the apartment guidelines 2018 in relation to ‘Shared Accommodation Developments’ are not definitive and allow for various formats of this typology.

It appears your format is creating what are effectively ‘self-contained’ residential units with each bedroom having its own living and kitchen facilities along with an ensuite bathroom. Should you continue to adopt this format at application stage then a clear justification and rationale should be provided to the Board at application stage. In that regard, An Bord Pleanála notes that this potentially self-contained unit has a floor area of c. 16 sq.m. whereas the apartment guidelines 2018 indicate that a studio apartment should have a minimum overall floor area of 37 sq.m. You are

requested to clarify the difference, in your opinion, between your proposed potentially self-contained bedroom unit and a studio apartment (other than the significant difference in floor area). You should seek to provide comfort to the Board that your proposal does not set an undesirable precedent of creating substandard self-contained/studio apartments and such proposals do not replace quality urban apartment development as a viable long term housing option.

Furthermore, the apartment guidelines in relation to shared accommodation developments place significant emphasis on the 'shared' or 'communal' aspect of this typology, with the shared living element being delivered in the communal living and kitchen facilities. If, as in your proposal, the living/kitchen accommodation is to be delivered as separate/private facilities in each bedroom, then ABP would question how this approach constitutes 'shared accommodation' for the purposes of the 2018 guidelines. It is noted that paragraph 5.23 of the apartment guidelines 2018 indicate that the standards specified in Table 5b relate to 'communal' amenities, not private amenities serving each bedroom. Creating self-contained bedrooms may appear to conflict with both the spirit and letter of the provisions of 'Shared Accommodation Developments' as contained within the 2018 guidelines, this should be addressed at application stage.

You should also address the fact that a 'dwelling' is defined as being, inter alia, "a property let for rent...as a self-contained residential unit..." (Ref: Pt. 1 S.4 of the *Residential Tenancies Act 2004*) and how your proposed bedroom format does, or does not, constitute a 'dwelling' given that definition. You should specify what measures you propose and/or what measures, if any, the Board could adopt in the event of a grant of permission to safeguard against the establishment of what could be defined as a dwelling when the floor area is only c. 16 sq.m.

### **3. Proposed ground floor uses**

Further consideration and/or justification of the documents as they relate to the ground floor element of the proposed development in terms of the possible provision of commercial uses and the creation of an active streetscape along Eblana Avenue, having regard to the 'Major Town Centre' land use zoning of the site. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted at application stage.

### **4. Impacts on the visual amenity of the area**

Further consideration of the documents as they relate to the design, scale and elevational treatment of the proposed development and to potential impacts on visual amenity, including impacts on nearby Protected Structures and buildings of note. In this regard the prospective applicant should satisfy themselves that the design strategy for the site provides the optimal architectural solution for this location and that it is of sufficient quality to ensure that the proposed development makes a positive contribution to the character of the area over the long term. The submitted documents should also allow for further consideration of the proposed materials with regard to impacts on visual amenity. The proposed development shall have regard to inter alia, national policy including the National Planning Framework, the Sustainable Urban Housing: Design Standards for New Apartments, the Urban Development and Building Heights Guidelines for Planning Authorities, the Dun Laoghaire County Development Plan 2016-2022 including Appendix 12 Dun Laoghaire Urban Framework Plan and the site's context and locational attributes. The further consideration of these issues may require an amendment to the documents and/or design proposals submitted.

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

1. Irish Water
2. Department of Culture, Heritage and the Gaeltacht
3. An Taisce-the National Trust for Ireland
4. Heritage Council
5. Failte Ireland
6. An Comhairle Ealaíonn
7. Transport Infrastructure Ireland
8. National Transport Authority

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

1. Additional details of the layout and design of the proposed pedestrian walkway/urban realm linking the town centre with the waterfront and the desire to ensure that this is an attractive, accessible area that is conducive to social interaction/engagement and offers high amenity value for all users. Details relating to 24 hour accessibility, or otherwise, of this walkway should be included.
2. Additional details offering justification for the proposed demolition of the Old School House building
3. Additional drainage details having regard to the report of the Drainage Division of the planning authority, as contained in the Chief Executive Report dated 30<sup>th</sup> November 2018

4. Additional CGIs/visualisations showing proposed development in context of existing development within the area
5. Daylight/Sunlight analysis, showing an acceptable level of residential amenity for future occupiers of the proposed development
6. Construction and Demolition Waste Management Plan
7. Landscaping proposals including an overall landscaping masterplan for the development site. Details pertaining to the quantity, type and location of all proposed hard and soft landscaping including boundary treatments should be submitted. Proposals relating to improving accessibility for vulnerable road users into/out of site and in accessing surrounding area should also be submitted.
8. Details of proposed operation and management of the right of way/wayleave on eastern side of the development site
9. A site specific Operational Management Plan
10. Waste Management Plan

**PLEASE NOTE:**

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

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Assistant Director of Planning

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