



An  
Bord  
Pleanála

## Inspector's Report ABP-300946-18

### Development

Partial demolition of existing building, retaining existing front facade, gable, chimneys and basement to a 1-3 storey, mid-terraced building, and construction of 3 no. buildings with 1 no. retail unit and 9 no. residential units in three blocks.

### Location

McCloskeys, 83/85, Morehampton Road, Donnybrook, Dublin 4

### Planning Authority

Dublin City Council Sth

### Planning Authority Reg. Ref.

3906/17

### Applicant

Lispopple Point Ltd

### Type of Application

Permission

### Planning Authority Decision

Refuse Permission

### Type of Appeal

First Party

### Appellant(s)

Lispopple Point Ltd.

### Observers

Suzanna & Phil Doyle  
Elaine Cogavin

Frances Kavanagh

M J Courtney

Catherine & Eamonn Curley

Julie Gibb

**Date of Site Inspection**

25<sup>th</sup> May 2018

**Inspector**

Dolores McCague

## 1.0 Site Location and Description

- 1.1.1. The site is located at 83/85 Morehampton Road, Donnybrook, Dublin 4, on the western side of the road, in a terrace comprising commercial units, where it occupies a mid terrace position. The site has narrow frontage to Morehampton Road where it comprises a three storey, over basement public house, known as McCloskeys. The buildings to the south are similarly three storeys and those to the north two storeys.
- 1.1.2. This terrace of commercial properties, of a mixture of styles and of two and three storey's height, extends only along the western side of Morehampton Road from Marlborough Road to the laneway at No 105 Morehampton Road. The terrace is set forward of the residential properties to north and south (and those on the opposite side of the road) which have gardens to the front. To the front of the terrace there is a strip of parallel parking between the footpath and the road.
- 1.1.3. The site extends to the rear in a rectangular shape and is shown as accessing Marlborough Road to the north, from a point approximately half way back the site. The site is occupied by a three storey brick building with a shared chimney at the eastern end, and a large shared chimney, which appears as an external feature on the eastern end, above the hipped gable of No 81 Morehampton Road. The building has a large rear extension, mainly over two floors, covering an area in excess of  $\frac{3}{5}$  of the site as shown on the survey drawings 1702-PLA01-101 and 1702-PLA01-201, in use as a large public house. To the rear of the building there is a garden and terrace area, enclosed by buildings and walls.
- 1.1.4. Bounding the site to the south there is the blank gable of a commercial building which is accessed from the laneway to the south of No 105 Morehampton Road, a building known as Marketing Network House. To the east is the flank of the premises, which is part of the commercial terrace previously mentioned, known as Donnybrook Fair. To the west is the rear of a single storey vacant commercial premises accessed from Marlborough Road.
- 1.1.5. A branch of AIB occupies the building at the end of the subject terrace, at the junction with Marlborough Road. The flank of the AIB building forms a building line with the edge of the footpath on Marlborough Road. The next building on Marlborough Road is a two storey redbrick, L shaped building with one wall similarly in line with the edge of the footpath and the remainder set behind a front garden. The

adjoining terrace on Marlborough Road is of smaller two storey brick or plaster finished houses behind deeper gardens.

- 1.1.6. A laneway with a pair of wrought iron gates, curved at the top to fit an archway, runs from an iron gate at the street edge between wrought iron railings set on granite plinths, through an archway under part of No.4 Marlborough Road. An access to the site is proposed via this laneway.
- 1.1.7. There is an access gateway within the archway, to the adjoining premises to the north and beyond the archway are access doors and windows to the AIB building, a gateway to another property, and a side door to No.4 Marlborough Road. At the end of the side boundary to No 4 Marlborough Road, the access widens into a small yard which various buildings adjoin, including a small building within which there is an access to the subject site and a single storey commercial premises, currently disused, to which the laneway appears to be the only means of access.
- 1.1.8. The houses on Marlborough Road are residential properties.
- 1.1.9. The site is given as 500 sqm.

## **2.0 Proposed Development**

- 2.1.1. The development comprises the partial demolition of the existing buildings, retaining existing red brick front facade, gable, chimneys and basement to a 1-3 storey, mid-terraced building, and the construction of three buildings with courtyards between, occupying the length and width of the property. The building will comprise a retail unit with basement storage at the ground floor of the front block and 9 no. residential units spread over the three blocks.
- 2.1.2. All residential units are accessed through a new pedestrian access gate under Block A, from Morehampton Road.
- 2.1.3. Block A, fronting Morehampton Road. It is 3-storey over existing basement (98 sqm) with new retail unit (68 sqm - ground floor). The residential provision comprises 2 No. 2-bed duplexes to 1st and 2nd floors, including balconies.
- 2.1.4. Block B, is 4-storeys with 1 roof light and with a set back to the fourth floor; comprising 2 no. 1 bed + study apartments and 2 no. 2 bed apartments, including balconies.

2.1.5. Block C is 3-storeys with 2 no. rooflights comprising a single 2 bed apartment to the ground floor, a single 1 bed + study apartment and 2 no. 2 bed duplexes to the 1<sup>st</sup> and 2<sup>nd</sup> floors, including balconies.

2.1.6. A new pedestrian service access, bin stores and service door onto the laneway to the north-west, is to be accessed via the laneway from Marlborough Road. Bicycle parking for 10 bicycles is to be provided within 2 no. landscaped external courtyards in-between blocks. The buildings will have solar panels on the roofs.

2.1.7. The application is accompanied by:

Preliminary Fire Strategy

Outline Construction Management Plan, and

Engineering Planning Report

2.1.8. In response to a further information request which issued: revised drawings revising the layout; solicitor's letter and legal maps; shadow analysis, and daylight & sunlight analysis (citing Section 1.6 of the guidance in Site Layout Planning for Daylight and Sunlight, published by the BRE), were submitted. The latter includes:

Section 2.1.6 of the guidance states that roughly speaking, if  $\Theta$  (angle subtended by the visible sky) is:

Greater than  $65^{\circ}$  (obstruction angle less than  $25^{\circ}$  or VSC at least 27%) conventional window design will usually give reasonable results. The living area to apartment. Nos 1, 2, 5 and 6 are all in excess of  $65^{\circ}$ .

Between  $45^{\circ}$  and  $65^{\circ}$  (obstruction angle between  $25^{\circ}$  and  $45^{\circ}$ , VSC between 15% and 27%), special measures (larger windows, changes to room layout) are usually needed to provide adequate daylight. The living area to apartment Nos. 3, 4, 8 and 9 are all within this category.

Between  $25^{\circ}$  and  $45^{\circ}$  (obstruction angle less than  $45^{\circ}$  and  $65^{\circ}$ , VSC between 5% and 15%), it is very difficult to provide adequate daylight unless very large windows are used. The living area to apartment. No. 7 is within this category.

Less than  $25^{\circ}$  (obstruction angle greater than  $65^{\circ}$  and  $45^{\circ}$ , VSC less than 5%), it is often impossible to achieve reasonable daylight, even if the whole window wall is glazed. No living area in the scheme is within this category.

The guidance states that if the obstruction is painted in a light colour this is equivalent to increasing  $\Theta$  by only around  $6^\circ$  in terms of light received by the window. The proposed buildings will be constructed with a light brick finish. The reflectance value of the obstruction has not been included above in the  $\Theta$ . The above is based on the worst-case scenario.

They have designed the scheme so all living areas are located to boost daylight and sunlight. In duplexes living rooms are on the higher levels. For all windows where  $\Theta$  is less than  $65^\circ$  they have undertaken further analysis by calculating the average daylight factor (ADF) per 2.1.8 of the guidance. The minimum ADF is 1.5% for all living rooms, so that they are considered 'partly day lit spaces'.

BS 8206-2 gives minimum values of ADF of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

The majority of bedrooms/study's are in excess of the minimum values.

The lateral light along the external access corridor by apartment no. 3 is restricted and the bedroom has been relocated to benefit from as much daylight as possible, opposite the external space. The study is now located along the corridor; the poor daylight is acceptable for a study and the proposed glazed areas are in excess of the 20% required.

#### Sunlight:

The scheme is designed for living rooms to exploit sunlight and views onto the courtyard. The majority of living areas (7 no) are within  $90^\circ$  of due south, except apartment No 7 and apartment No 9 where sunlight has been quantified. Apartment No 9 is in excess of the recommended sunlight at 6% APSH (Annual Probable Sunlight Hours) in winter and 26% in summer. In addition they propose to locate a rooflight in the living room.

Apartment No 7 falls short of the recommended values with a total of 21% APSH, however it is sufficiently daylit.

#### External spaces:

Detailed analysis of the likely sunlight and shadow casting to proposed courtyards was carried out. A sun-on-ground study was carried out to illustrate the existing

situation. It is evident that much of the existing site is in shade on the equinox 21 March. The proposed buildings are located to make the most of sun penetration into the communal courtyards. Block A is directly adjacent to Donnybrook Fair with the courtyard directly behind, where the site receives some sun penetration. Block B is directly adjacent to the extension to Donnybrook Fair where the site is most shaded. Block C is the lowest block and stands 3 storeys tall and is located to the rear of the site opposite Marketing Network House behind. The courtyard, No 2, is situated between Block B and Block C and enjoys much of the direct sunlight available to the site. The courtyard, No 2, will provide communal open space (28 sq m). Courtyard No 1 will also provide communal open space (39 sq m).

Maximising the possible sunlight penetration for the site, considering site restraints, follows the guidance.

Storage – has been increased.

Cycle spaces will be designed with a new secure structure to protect from the elements.

The laneway will be used for emergency exit with automatic opening in case of fire, and locked; with the maintenance company holding the key.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

#### **3.1.1. The planning authority decided to refuse permission for the reason:**

The proposed development for an apartment development in 3 blocks within a site zoned Z4, would result in an unsatisfactory level of residential accommodation for future residents by virtue of an insufficient quality of communal open space and an inadequate separation distances between blocks. The design would result in an inadequate provision of daylight and sunlight to both the residential units and the communal open spaces. As such the development would be contrary to the policies and objectives of the Development Plan and in particular with Section 16.10 and Policy QH18 which seeks to promote the provision of high quality apartments within sustainable neighbourhoods by achieving suitable levels of amenity within individual apartments, and within each apartment development, and ensuring that suitable

social infrastructure and other support facilities are available in the neighbourhood, in accordance with the standards for residential accommodation.

The proposal would therefore injure residential amenities for future residents, would depreciate the value of property in the vicinity and would be contrary to the proper planning and sustainable development of the area.

3.1.2. The decision was in accordance with the planning recommendation.

## 3.2. **Planning Authority Reports**

### 3.2.1. Planning Reports

An initial planning report was followed by a request for further information on 7 points:

- Concerns re. meeting the development standards in Section 16.10.1 of the CDP. Applicant is requested to address provision of sufficient natural light, ventilation and aspect to the residential units; and the provision of high quality attractive private open space.
- Demonstrate sufficient legal interest and a right of way along the laneway off Morehampton Road and identify measures which can be delivered to enhance pedestrian safety along this lane.
- Submit a shadow analysis with specific regard to the impact of the development on the existing houses on Marlborough Road.
- Submit a daylight and sunlight analysis to demonstrate that the residential units and external spaces would have acceptable levels of natural light.
- As the storage within the units did not meet the minimum requirements per CDP, review the storage provision to ensure that a sufficient quantum is provided.
- Ensure that the cycle spaces will be protected from the weather and will not impact on the residential amenity.
- Clarify when the laneway is closed for security reasons and how applicant can ensure that it remains open and accessible for servicing the site.

3.2.2. The final planning report includes:



- Under the Z4 zoning residential use is permissible. The constraints of the site are acknowledged. It is long and narrow to the rear of commercial units with a large scale commercial building directly to the south and residential to the west. The response shows compliance with minimum standards and acknowledged shortcomings. The PA still has serious concerns with regard to the overall amenity provided by the scheme in terms of quality of the units and the provision of a functional and amenable communal open space.
- Given the scale and positioning of the blocks within the site, the functionality of the communal space is questioned. Courtyard 1 will not have much direct sunlight throughout the year. It is also flanked by external staircases, external storage and lift cores. It is more of a circulation space than an amenity. Courtyard 2 will receive more sunlight but its functionality as an amenity space and relief between the blocks is questioned.
- There is 3.5m between the private terraces of apartments 3 and 7 and approx. 6.5m between the corner of Block B and the private terrace of apartment 7. The external staircase and storage flank the space.
- The FI response acknowledges that some units are restricted re. daylight, notably unit 3 and units 7 & 9. There have been design improvements to unit no. 3, nevertheless it is considered that the overall amenity is insufficient by virtue of its location adjacent to a throughway and bin store.
- The distance between blocks is inadequate.
- Recommending refusal.

### 3.2.3. Other Technical Reports

Engineering Department – Drainage Division - Conditions.

Roads & Traffic Planning Division:

At pre-application consultation the applicant was requested to explore options for the provision of some level of parking for car storage purposes and in the absence of same to submit a Residential Travel Plan which demonstrates how the specific mobility requirements of future residents would be catered for. Located in Parking Area 3. Adjacent to the boundary of Parking Area 2.

It would be the preference of the Division that some level of car parking is provided. A brief Mobility Management Plan submitted makes the case that the existing public transport, proximity to cycle lanes and walking distance to local amenities, more than satisfies the requirements of future residents. It outlines that the subject site is located within a 7 minute walk of 3 no. car clubs and that a car club subscription will be included with each apartment.

At pre-application stage the applicant was informed that the residents of the proposed apartments would not have eligibility for permits for on-street parking. Recommending further information re. pedestrian access to Morehampton Road.

Waste Regulation Section – Waste Management Division – recommending conditions, including:

Construction and Demolition Waste Management Plan

Consultation with Waste Regulation Unit of DCC.

The application shall comply with the following waste management requirements in the planning process:

- a) The requirements set out in the Dublin City Council Bye-Laws for the Storage, Presentation and Collection of Household and Commercial Waste, 2013 or any revision thereof must be adhered to and, in particular, the requirement in the Bye-Laws to segregate waste into separate fractions to facilitate the collection of dry recyclables, organic kitchen/garden waste and residual waste in line with Waste Management (Food Waste) Amendment Regulations 2015 (S.I. 190 of 2015), and the European Union (Household Food Waste and Bio-waste) Regulations 2015 (S.I. 191 of 2015), and the Eastern – Midlands Region Waste Management Plan 2015-2021.
- b) Waste storage issues should be considered at the initial apartment design stage to ensure access for all (including people with disabilities) in a brightly lit, safe and well designed area, spacious enough for easy manoeuvrability, good ventilation and ready access if required for the control of potential vermin.

c) Where storage is provided in a basement area sufficient access and egress must be provided to enable receptacles to be moved easily from the storage area to an appropriate collection point on the public street nearby.

d) The following are also requirements:

- i) Receptacles that are designed for reuse, with the exception of in specific areas designated by a local authority as being only suitable for the collection of non-reusable receptacles such as bags, ideally of 1,100L capacity, must be used.
- ii) To provide a three bin collection system for residents in communal collection schemes, for each type of waste: general waste, dry recyclables and organic food/garden waste. A proposal on the three bin system including bin quantity, type and frequency of collection must be submitted in writing to the Waste Regulation Unit in Dublin City Council for agreement.
- iii) Sufficient space must be provided to accommodate the separate collection of dry recyclables and organic food/garden waste.
- iv) Suitable wastewater drainage points should be installed in the receptacle storage area for cleaning and disinfecting purposes.

#### Commercial waste

a) The requirements set out in the Bye-Laws for the Storage, Presentation and Collection of Household and Commercial Waste, 2013 or any revision thereof must be adhered to and, in particular, the requirement to segregate waste into separate fractions to facilitate the collection of dry recyclables, organic kitchen/garden waste and residual waste in line with Waste Management (Food Waste) Regulations 2009 (S.I. 508 of 2009), Waste Management (Food Waste) Amendment Regulations 2015 (S.I. 190 of 2015), and the Eastern – Midlands Region Waste Management Plan 2015-2021.

The following are also requirements:

- i) Receptacles that are designed for reuse, with the exception of in specific areas designated by a local authority as being only suitable for the collection of non-reusable receptacles such as bags, ideally of 1,100L capacity, must be used.

- ii) Adequate storage space for a minimum of 1 No. 1,100 litre receptacle.
- iii) Sufficient space must be provided to accommodate the separate collection of dry recyclables and organic food/garden waste.
- iv) Adequate space and height for a standard Refuse Collection Vehicle (RCV) to access site.
- v) Sufficient access and egress must be provided to enable receptacles to be moved easily from the storage area to an appropriate collection point on the public street nearby.
- vi) Receptacle storage areas must not be visible from or on a public street.
- vii) The receptacle storage areas should be designed so that each receptacle within the storage area is accessible to occupants/employees of the development (including people with disabilities).
- viii) Suitable wastewater drainage points should be installed in the receptacle storage area for cleaning and disinfecting purposes.
- ix) Waste storage areas should not present any safety risks to users and should be well-lit.
- x) Adequate ventilation of waste storage areas so as to minimise odours and potential nuisance from vermin/flies.

### 3.3. Further Reports

- 3.3.1. Following receipt of the response to the further information request, further reports were provided, (apart from the final planning report previously noted).

Engineering Department – Drainage Division - Conditions – no change

Roads & Traffic Planning Division

8 no. sheltered bike spaces shown, 9 required.

Conditions:

1 The applicant shall undertake to implement the measures outlined in the Mobility Management Plan and to ensure that future tenants of the proposed development

comply with this strategy. A Mobility Manager for the scheme shall be appointed to oversee and co-ordinate the preparation of individual plans.

Prior to commencement of development and on appointment of a contractor, a construction management plan shall be submitted.

Cycle parking in accordance with CDP standards to be provided; secure, conveniently located, sheltered and well lit. Key/fob access to bicycle compounds to be provided. Design shall allow both wheel and frame to be locked. Shower and changing facilities to be provided.

Costs including repairs to public footpaths to be at the expense of the developer. CoP.

### **3.4. Third Party Observations**

3.4.1. Third party observations have been read and noted.

## **4.0 Planning History**

None stated in planning report. Application form lists two: 1249/94 and 2527/95, no details provided.

## **5.0 Policy Context**

### **5.1. Development Plan**

5.1.1. The Dublin City Development Plan 2016-2022 is the operative plan, relevant provisions include:

The site is zoned Z4 'to provide for and improve mixed-services facilities'. Residential and shop are permissible uses.

Changing the mode share of commuters towards sustainable options is a key requirement, and during the period 2006 – 2014, use of the private car decreased by 17% and the proportion of cyclists entering the city increased by 114%. Incremental improvements to strategic cycleways have much improved the cycling environment and further enhancements are planned. The walking share target of 10% was

exceeded over the period of the last development plan. Dublin City Council aims to increase mode share associated with cycling to reach a minimum target of 25%.

To promote the use of sustainable modes of transport, car parking provision will be below the development plan maximum standard and bicycle parking facilities will be in excess of the development plan standards. All new apartment developments shall provide provision for cyclists in keeping with the requirements set out in Table 16.2 of Section 16.39 Cycle Parking. Table 16.2 – Cycle Parking Standards for Various Land-Uses: Residential (houses and apartments) All zones 1 per unit (Additional requirements for larger units and visitor parking will be decided on a case by case basis).

Shops and Main Street Financial Offices Zones 1 and 2 - 1 per 150 sq.m, Zone 3 - 1 per 200 sq.m

QH21: To ensure that new houses provide for the needs of family accommodation with a satisfactory level of residential amenity, in accordance with the standards for residential accommodation.

#### Chapter 16 Residential Quality Standards –

Apartments - It is not in the interests of sustainable and good quality urban developments if these standards are applied in a way that enables development to barely meet minimum internal standards. The standards for apartment developments are set out in the Department of Environment, Community and Local Government guidelines entitled Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (December 2015), ([www.environ.ie](http://www.environ.ie)), hereafter referred to as the 2015 Department Guidelines. In addition, proposals for apartments shall comply with the standards set out below and with the requirements of other relevant development standards including public open space, play space, safety and security, and acoustic privacy standards.

#### 16.10.1 Residential Quality Standards –

Apartments The standards for apartment developments are set out in the Department of Environment, Community and Local Government guidelines entitled Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (December 2015), and with the standards set out below and the requirements of other relevant development standards including public open space, play space, safety and security, and acoustic privacy standards.

(14.7) Transitional Zone Areas - The land-use zoning objectives and control standards show the boundaries between zones. While the zoning objectives and development management standards indicate the different uses permitted in each zone, it is important to avoid abrupt transitions in scale and use zones. In dealing with development proposals in these contiguous transitional zone areas, it is necessary to avoid developments that would be detrimental to the amenities of the more environmentally sensitive zones.

## 5.2. **Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities**, Department of Housing, Planning and Local Government March 2018

Aspects of previous apartment guidance have been amended and new areas addressed.

### Specific Planning Policy Requirement (SPPR)1

Apartment developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms.

Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).

### Specific Planning Policy Requirement 2

For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha:

Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units;

### Communal Amenity Space

(4.10) The provision and proper future maintenance of well-designed communal amenity space will contribute to meeting the amenity needs of residents. In particular, accessible, secure and usable outdoor space is a high priority for families with young children and for less mobile older people. The minimum required areas for public communal amenity space are set out in Appendix 1. While private and communal amenity space may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or a 'privacy strip' between the two.

Communal amenity space may be provided as a garden within the courtyard of a perimeter block or adjoining a linear apartment block. Designers must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach communal amenity space throughout the year.

### Bicycle Parking and Storage

(4.15) An important context for these guidelines is a likely significant population increase in our cities and urban areas over the next two decades. These guidelines aim to secure wider Government policy to achieve more sustainable urban development that will enable more households to live closer to their places of work without the need for long commuter journeys and disruption of personal and family time. Enabling citizens to more easily get around our cities and urban areas is a fundamental planning concern and maximising accessibility of apartment residents to public transport and other sustainable transport modes is a central theme of these guidelines.

Cycling provides a flexible, efficient and attractive transport option for urban living and these guidelines require that this transport mode is fully integrated into the design and operation of all new apartment development schemes. In particular, planning authorities must ensure that new development proposals in central urban



and public transport accessible locations and which otherwise feature appropriate reductions in car parking provision are at the same time comprehensively equipped with high quality cycle parking and storage facilities for residents and visitors.

(4.17) The accessibility to, and secure storage of, bicycles is a key concern for apartment residents and apartment proposals must respond accordingly to the requirements below in their design and provision of cycle storage facilities.

Requirements of these guidelines include:

*Location* – cycle storage facilities should be directly accessible from the public road or from a shared private area that gives direct access to the public road avoiding unnecessarily long access routes with poor passive security or, slopes that can become hazardous in winter weather.

*Quantity* – a general minimum standard of 1 cycle storage space per bedroom shall be applied. For studio units, at least 1 cycle storage space shall be provided. Visitor cycle parking shall also be provided at a standard of 1 space per 2 residential units. Any deviation from these standards shall be at the discretion of the planning authority and shall be justified with respect to factors such as location, quality of facilities proposed, flexibility for future enhancement/enlargement, etc.

*Design* – cycle storage facilities shall be provide in a dedicated facility of permanent construction, preferably within the building footprint or, where not feasible, within an adjacent or adjoining purpose built structure of permanent construction. Cycle parking areas shall also be designed so that cyclists feel personally safe - secure cage/compound facilities, with electronic access for cyclists and CCTV, afford an increased level of security for residents. Effective security for cycle storage is also maximised by the provision of individual cycle lockers and it is best practice that planning authorities ensure that either secure cycle cage/compound or preferably locker facilities are provided.

*Management* - an acceptable quality of cycle storage requires a management plan that ensures the effective operation and maintenance of cycle parking, in particular, avoiding arrangements that lead to a significant number of lockers being left locked whilst empty for instance. Cycle parking shall be the subject of a funded maintenance regime that ensures that facilities are kept clean, free of graffiti, well-lit and the parking equipment will be properly maintained. It is essential, therefore, that

as far as possible cycle parking is low maintenance, easy to use and easy and attractive to use by residents.

### Car Parking

(4.18) The quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria.

(4.19) 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.

These locations are most likely to be in cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART, commuter rail or Luas stops or within 5 minutes walking distance of high frequency (min 10 minute peak hour frequency) bus services.

### Apartments and the Development Management Process

(6.5) The provision of reasonable levels of natural light in new apartment developments is an important planning consideration as it contributes to the liveability and amenity enjoyed by residents. In assessing development proposals, planning authorities must however weigh up the overall quality of the design and layout of the scheme and the measures proposed to maximise daylight provision with the location of the site and the need to ensure an appropriate scale of urban residential development.

(6.6) Planning authorities should have regard to quantitative performance approaches to daylight provision outlined in guides like the BRE guide '*Site Layout Planning for Daylight and Sunlight*' (2nd edition) or BS 8206-2: 2008 – '*Lighting for*

*Buildings – Part 2: Code of Practice for Daylighting* when undertaken by development proposers which offer the capability to satisfy minimum standards of daylight provision.

(6.7) Where an applicant cannot fully meet all of 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. This may arise due to a design constraints associated with the site or location 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.

- Planning authorities may consider a two-bedroom apartment to accommodate 3 persons, with a minimum floor area of 63 square metres, in accordance with the standards set out in Quality Housing for Sustainable Communities
- The requirement for car-parking, in certain circumstances where there are better mobility solutions and to reduce costs, can be removed.
- Minimum storage space: one bedroom 3 sq m, two-bedroom 3 persons 5 sq m, two-bedroom 4 persons 6 sq m.
- Minimum area for private amenity space – one bedroom 4 sq m, two-bedroom 3 persons – 6 sq m, two-bedroom 4 persons – 7 sq m
- Minimum area for communal amenity space - one bedroom 5 sq m, two-bedroom 3 persons – 6 sq m, two-bedroom 4 persons – 7 sq m
- Minimum cycle storage - 1 cycle storage space per bedroom and visitor cycle parking at a standard of 1 space per 2 residential units.

### **5.3. Natural Heritage Designations**

- 5.3.1. The South Dublin Bay SAC site code 000210 and South Dublin Bay and River Tolka SPA site code 004024, are the nearest Natura sites, located c 2.25km away.

## 6.0 The Appeal

### 6.1. Grounds of Appeal

6.1.1. The appeal has been submitted by OMS Architects on behalf of the first party.

6.1.2. The grounds includes:

- Revised drawings comprising amendments:  
Alteration to Block C to increase distance between blocks B and C from 7.5m to 9.5m, increase area and maximise sunlight to Courtyard 2
- Removal of bay window to block B to increase distances between Block B and Block C from 7.5m to 9.5m increase area and maximise sunlight to Courtyard 2.
- Resulting change in unit mix:

	Further Information Submission	Revised Proposal
1no. Bed apartments	3 no.	4 no.
2no. Bed apartments	6 no	5 no
Table 1		

- Increase in area of rear terrace to apartment no. 7 from 4.4 sq m to 6 sq m.
- Relocation of bin store and screening to courtyard no 1.
- Rerouting of circulation to increase buffer zone to bedroom window to apartment No 3 and introduction of a 2.5m x 2.5m reflective pool / new privacy screening. Relocation of bicycle store.
- Current floor areas are outlined below:

	Further Information Submission	Revised Proposal
Apartment No 1	80 sq m (2 bed duplex)	80 sq m (2 bed duplex)
Apartment No 2	80 sq m (2 bed duplex)	80 sq m (2 bed duplex)
Apartment No 3	67 sq m (1 bed + study apt)	62 sq m (1 bed + study apt)

Apartment No 4	82 sq m (2 bed apt)	77 sq m (2 bed apt)
Apartment No 5	82 sq m (2 bed apt)	77 sq m (2 bed apt)
Apartment No 6	70 sq m (1 bed + study apt))	70 sq m (1 bed + study apt))
Apartment No 7	86 sq m (2 bed apt)	82 sq m (2 bed apt)
Apartment No 8	71 sq m (1 bed + study duplex))	68 sq m (1 bed + study duplex)
Apartment No 9	79 sq m (2 bed duplex)	69 sq m (1 bed + study duplex)
Table 2		

- In response to section 16.10 standards and policy QH18, the proposed scheme is for 9 units therefore specific apartment mix is not regulated.
- Floor areas - All apartments are in excess of the minimum floor areas per Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (draft update).
- Aspect, Natural Lighting, Ventilation and Sunlight Penetration:
  - All habitable rooms have 20% glazing.
  - Acceptable levels of daylight in all rooms is demonstrated.
  - Except apartment No 7 and apartment No 9 apartments are dual aspect. Apartment No 7 and apartment No 9 face northeast into courtyard No 2 per p 324 of CDP this is acceptable.
- The ceiling height of 2.7m at ground and 2.4m at all other floors complies with CDP 16.10.
- Block configuration – circulation zone has been reconsidered, including the aspect of the bedroom in apartment No 3 and include a 2.5m x 2.5m reflection pool as a buffer zone with screening to obscure any view from the circulation zone; drawing no. 1702-PLA01A-102.

- Entrance Lobbies, Circulation and Safety – secure external gates from Morehampton Road and 2 external courtyards. All communal spaces are designed to be monitored by adjacent apartments (16.10).
- Internal Space Configuration for Apartments – complies with CDP.
- Storage - complies with CDP, see drawing no. 1702-PLA01A-102/103.
- Facilities for Children – all apartments contain baths and external storage is provided.
- Layout Flexibility – each apartment will be constructed internally in timber stud walls, enabling the owner the flexibility to alter the layout to their individual needs. Corridors are designed at a minimum width of 1.2m enabling ease of manoeuvring furniture.
- Private Open Space – all balconies/terraces are in excess of minimum requirements. Screening ensures no overlooking. Sunlight studies demonstrate the quality of sunlight.
- Communal Open Space – provided in courtyards. Scheme revised to increase distances between buildings to maximise sunlight. Scheme has been amended to accommodate all the communal open space in Courtyard No 2. The revisions, to increase sunlight to the courtyards required reduction in the floor area of Block B and Block C. The total communal open space required is 55 sq m (4no 1 bed x 5 sq m, 5 no 2 bed x 7 sq m), 56 sq m provided.
- Cycle Parking – 10 no. sheltered spaces provided in excess of requirements.
- Design for Management and Maintenance – it is intended that the development will be retained by the owners as a build to let. It will be managed by a management company.
- Amended drawings show increased distances between blocks, maximising sunlight to courtyard No 2. An updated shadow study is provided.
- Re. impact on value of property in the area, they strongly disagree with the refusal statement. Residential houses on Marlborough Rd are in excess of 18m distance. Shadow study shows no increase in overshadowing during summer months, marginal increase in overshadowing in spring and autumn of rear gardens in

early morning, and marginal increase in overshadowing in winter in early morning on roofs of houses.

- They consider that the amended drawings submitted in response to Dublin City Council's request for further information address concerns and should be granted. Should the Board consider the scheme as submitted not to be adequate they are requested to consider the amendments on drawings nos. 1702-PLA01A-002, 102/103, 202/203 and condition.

## 6.2. Planning Authority Response

6.2.1. The Planning Authority has not responded to the grounds of appeal.

## 6.3. Observations

6.3.1. Observations on the appeal have been received from:

Kieran O'Malley & Co Ltd on behalf of Julie Gibb, 4 Marlborough Road, Donnybrook,  
Philip & Suzanna Doyle, 6 Marlborough Road, Donnybrook,  
Elaine Cogavin owner of 81 Morehampton Road, Donnybrook,  
Kieran O'Malley & Co Ltd on behalf of Frances Kavanagh, 2 Marlborough Road,  
Donnybrook,  
M J Courtney, 8 Marlborough Road, Donnybrook, and  
Catherine & Eamonn Curley, 10 Marlborough Road, Donnybrook.

6.3.2. The observations include:

- Observers were disadvantaged by the Board's delay in sending appeal documents to the Council. They were only available with 6 day's remaining of the 28 day statutory period. The Board is requested to use their powers under S 131 & 132 to issue copies of documents to all observers.
- Devalue property.
- Contravene Z2 zoning.
- Scale, height and massing.

- Loss of daylight to dwellings on Marlborough Road.
- Loss of sunlight to dwellings on Marlborough Road.
- Loss of daylight to adjoining premises on Morehampton Road.
- Damage to outlook from residential properties on Marlborough Road and adjoining premises on Morehampton Road.
- Laneway from Marlborough Road is closed at night. A small number of people have keys to the gate.
- Laneway is quiet and dark and unsuitable for use by the apartment residents.
- Obstruction of laneway.
- Laneway is unsuitable for vehicles and unsuitable for construction access.
- Increased use of the laneway would impact on privacy and security.
- Increased use of the laneway would encourage trespass.
- Use of the laneway for bin storage/collection would cause problems for bin storage/collection on Marlborough Road and be a nuisance.
- Right of Way (RoW) / Ownership re. laneway.
  - There is no right to access via the laneway from Marlborough Road.
  - There is no registered or established RoW to 83/85 Morehampton Road. Any RoW that may pertain to the appeal site, identified as 'No. 81' applies to the land and not the building. The buildings behind Marlborough Road and accessed through the laneway are known as 77B Morehampton Road but called No 81 in the application documentation. The owner of the land is not a party to the application. The solicitor's letter supplied as part of the FI response, alleges a RoW from No 81 Morehampton Road to Marlborough Road. A legal notice in the Irish Independent on Friday October 6<sup>th</sup> appears to be an attempt to register part of the site, referred to as No. 81, in their ownership. A letter from the owner of the land, upon which the building at 'No. 81' has been constructed is believed to have written to the Solicitor in response to the published notice.



- Confusion from three schemes re. the area 'No 81'; first and second identified refuse storage and third 8 no. sheltered bike racks and an escape route to Marlborough Rd. There should be no development. Applicant does not own this land.
- Observer who owns No 4 Marlborough Road owns the laneway. No. 83/85 Morehampton Road does not enjoy a RoW through observer's property.
- No use should be made of the laneway for access, construction or bins.
- Lack of parking will increase demand for on street parking and cause further congestion.
- Insufficient amenity for residents.
- An excessive level of architectural treatments, which attempt to ameliorate poor quality of residential amenity are identified on copies of drawings which are attached to observations. A list of shortcomings is provided:
  - Overlooking.
    - Bed 1 apartment 8 – terrace below.
    - Balcony 1 apartment 8 of terrace of apartment 7.
    - Balcony 1 apartment 4 & 5 of terrace of apartment 3.
    - Balcony 1 apartment 1 & 2 are overlooked by stairs in Block B.
    - Balcony Block A 9 & 5 are 11m apart.
- The relationship to Marketing Network House of apartment 7, 8 and 9 windows or balconies within 1m; no amenity, aspect, sunlight and daylight especially apartment 7.
- Design standards 2015.
- Outlook and daylight of property adjoining on Morehampton Road.
- Overlooking yard skylight in restaurant and first floor therapy unit.
- Solicitor's letter referring to a binding contract for sale 'including premises to rear, known as 81 Morehampton Road.' There is no agreement.
- Overlooking of No 4 Marlborough Road.

- 11 windows in 1<sup>st</sup> 2<sup>nd</sup> and 3<sup>rd</sup> floors in Block B which is 10m from rear garden wall, directly face observer's garden.
- Overlooking from communal stairs blocks B & C.
- Perception of overlooking with non-transparent glazing.
- No 6 Marlborough Road - Revised plans submitted to the Board do not make any material changes to the scheme that solve the fundamental flaws in the earlier proposal. There is no consent for the building on 77, 79 or 81.
- 11 windows in 1<sup>st</sup> 2<sup>nd</sup> and 3<sup>rd</sup> floors in Block B directly face observer's garden.
- Donnybrook Fair is cited by the applicant as an example, but it does not have windows.
- Donnybrook Fair is cited by the applicant as an example, but it is a bad precedent illustrating how visually incongruous and out of scale development of that size is with neighbouring properties on Marlborough Road.
- Block B 12m wide and almost 12m high is out of character and would overshadow.
- Disposal of sewage and weather water is questioned. Mains already at capacity and old.
- Without prejudice conditions:
  - Omit block B and separation distance between A & C to be at least 22m
  - No development on No 81 Morehampton Road.
  - No access at No 81 Morehampton Road
  - No access from Marlborough Road.

## 7.0 **Assessment**

- 7.1.1. The issues which arise in relation to this appeal are: appropriate assessment, impact on amenities of the area, the standard of development, and legal issues and the following assessment is dealt with under those headings.

## 7.2. **Appropriate Assessment**

- 7.2.1. Having regard to the nature and scale of the proposed development and nature of the receiving environment no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect, individually or in combination with other plans or projects, on a European site.

## 7.3. **Impact on the Amenities of the Area**

- 7.3.1. Overshadowing and overlooking of adjoining property are of concern to observers, who are also concerned regarding an increase in the use of the laneway, associated security and safety issues and issues regarding the use of Marlborough Road for bin collection.

### 7.4. Overshadowing

- 7.4.1. Items 3.1, 3.2, 3.3 and 3.4 of the further information response addressed the issue of shadowing. The analysis accompanying the shadow study states that there is a marginal increase in shadowing of the gardens and neighbouring buildings No. 4, 6, 8, 10 and 12 Marlborough Road. In my opinion there will be a noticeable increase in overshadowing, particularly in the early morning from March to September of the rear of these properties but there will be a very significant overshadowing impact on the property identified as 'vacant building' in the yard area between the site and the rear of the properties on Marlborough Road, not addressed in the shadow study. This will severely limit the development potential of this building and its site. In my opinion this is a reason to refuse permission.
- 7.4.2. There will be slight shadowing of the adjoining property on Morehampton Road in midwinter relative to the current situation.

### 7.5. Overlooking.

- 7.5.1. A translucent screen is proposed to the balcony to the boundary for the second floor apartments in Block A, apartment 1 & 2. Windows and external stair access to apartments 4 & 5 in Block B at first and second level face towards the rear of the adjoining building and overlook the rear windows, a large skylight to the ground floor restaurant and yard area. Block B almost adjoins the rear of the restaurant which has a large glazed roof; and is less than 4m from the wall containing two large windows.

Obviation methods to screen the stairs and the 2 bedroom windows could be used if the Board considers overlooking of the adjoining commercial property to be an issue.

7.5.2. In relation to overlooking of the rear gardens and windows of houses on Molesworth Road, Block B has bedroom windows at first and second floor facing this direction as well as bathroom and en-suite windows. If perceived overlooking was considered to be an issue, it could be dealt with using obviation methods as all bedrooms have another window available.

7.5.3. Blocks B & C have no windows facing west, but there are terraces at first and second floor which could overlook rear gardens and windows of houses on Molesworth Road. In this regard from elevation 8-8 on drawing no. 1702-LPA01A-202 the level of these outdoor areas can be inferred, relative to the adjacent vacant building, and it appears that overlooking is an issue, albeit at a distance from the rear of these properties.

7.5.4. Use of the laneway

7.5.5. The current proposal for the use of the laneway is for use by management of the apartments for the movement of waste. I do not consider that this level of use constitutes a security or safety issue for adjoining properties or impacts on the amenities of the area.

## 7.6. **Standard of Development**

7.6.1. The refusal reason refers to the unsatisfactory level of residential accommodation for future residents by virtue of an insufficient quality of communal open space and inadequate separation distances between blocks and that the design would result in an inadequate provision of daylight and sunlight to both the residential units and the communal open spaces.

7.6.2. The grounds of appeal includes a revised layout for the Board's consideration.

7.6.3. BS 8206-2 is referred to in the response to the further information request. It gives minimum values for the average daylight factor (ADF) required in dwellings. The percentage required for a kitchen is 2%, for a living room 1.5%, and for bedrooms 1%.

7.6.4. Sunlight Availability Diagrams accompany the appeal. These show the percentage of probable sunlight hours available to selected living room areas. It should be noted that the layouts on which these diagrams are based are those submitted with the further information response, rather than the revised layouts submitted to the Board.

7.6.5. This is particularly relevant in relation to apartment No 7 which in its revised form has a kitchen facing onto a terrace which faces Marketing Network House, a short distance away, and is a separate room to the dining/living room which faces north to Morehampton Road. The kitchen and terrace of apartment No. 7 (ground floor) have poor daylight and poor sunlight availability, facing the boundary wall and the blank wall of Marketing Network House. The average daylight factor (ADF) calculated for bedroom 1 of apartment no 7 (submitted with the further information response) was 1%. The kitchen which has been substituted for Bedroom 1 in the revised layout submitted to the Board will have a similar ADF. The minimum ADF required for a kitchen is 2%.

#### 7.7. Sunlight

7.7.1. The sunlight available to private amenity space is illustrated in the sunlight analysis, item 1.1 of the FI response. The response states that the living space and private open space of apartment No 7 faces onto the communal courtyard making the most of available sunlight. The shading for 21 March and 21<sup>st</sup> June illustrates that the sunlight available is poor. There is no analysis of the southern terrace of apartment No 7 which faces onto Marketing Network House. It is apparent that less sunlight, perhaps none reaches that terrace.

7.7.2. The sunlight available to the terrace and living space of apartment No 9 is shown to be poor, although the analysis states that it receives some direct sunlight throughout the year.

#### 7.8. Overlooking within the development

7.8.1. There is no overlooking issue between Blocks A & B. In relation to overlooking between Blocks B & C, there are terraces looking towards each other approx. 6m apart and windows approx. 9.2m apart. This could be considered an acceptable situation, in an enclosed area with only a limited number of residents.

#### 7.9. Outlook

- 7.9.1. Some of the apartments have a very poor outlook or aspect.
- 7.9.2. The view south from apartments in Block A is to a yard area with metal stairways accessing apartments in Blocks A and B. The bin store for all the apartments and the retail unit and the access passageway to the south of the site feature in this yard. However the kitchen/living/dining areas of these apartments also have views onto Morehampton Road and therefore, although this is the side from which the apartments are accessed, it can be considered the rear view. Similarly for Block B the views north are to this yard but Block B also has views south to Courtyard No 2 which is more spacious, is only used as an access to three apartments, has an external stairs on one side only and does not have bin storage. The kitchen/living/dining areas of these apartments have views south to Courtyard 2 and those north from Block B, although this is the side from which the apartments are accessed, can be considered rear views. Block C is accessed from Courtyard 2 and the dining/living room of apartment 7 and the kitchen/dining/living room of apartment 9 look towards this courtyard. The kitchen (a separate room to the dining/living room) and terrace of apartment No. 7 have a very poor aspect, (as well as poor daylight and poor sunlight availability, previously referred to), facing the blank wall of Marketing Network House which is three stories high relative to the ground floor level of the apartment. The kitchen / livingroom and terrace of apartment No. 8 have a very poor aspect facing the blank wall of Marketing Network House.
- 7.9.3. Some of the apartments would have very poor amenities, which is a reason to refuse permission.

#### 7.10. Communal Open Space Area

- 7.10.1. Also submitted for the Board's consideration is a revised communal area which is entirely within Courtyard 2. The area nominated is outlined in a dashed red line and includes almost the entire outdoor area, other than the private terraces to apartments 3 and 7 and a small area adjoining the kitchen of apartment 3. The area thus nominated extends from the eastern to the western boundary and from the Courtyard entrance to the stairs to Block C. In contrast, the area of communal space, as nominated on the further information response, excluded an area along the eastern boundary for the width of the external stairs. The increase in area, from 46 sq m (39 sq m on some drawings) to 56.2 sq m, in the nominated area for communal space in

Courtyard 2 is partly attributable to this and partly to an increase in the distance between Blocks B and C (including removal of bay window).

7.10.2. It is questionable if the extent of communal open space can reasonably be regarded as available for communal use having regard to its use for access to apartments.

7.10.3. It is also questionable if the extent of communal open space can reasonably be regarded as being suitable for year-long communal use having regard to the extent of shading of the area. BRE states that at least half of a garden or amenity area should receive at least two hours of sunlight on 21<sup>st</sup> March. The method of selecting the extent of communal open space has been to outline an area of outdoor space between Blocks B and C notwithstanding its use for access. It would not be unreasonable to look at this outdoor space in relation to the extent of the area in receipt of at least two hours of sunlight on 21 March, and to nominate an area double that extent as usable communal open space. If the sun on ground diagrams, items 4.4 (10 am) 4.5 (11 am) and 4.6 (12 midday), are compared in order to establish what extent of the area is unshaded at 10 am and remains unshaded to 12 midday, a two hour period, it can be seen that only a small sliver of ground towards the middle of the courtyard, in a zigzag line oriented SE to NW, extending from about the middle of the site to the western boundary, will receive two hours of sunlight on 21 March. Therefore even within courtyard 2 usable communal open space, based on the criterion of sunlight availability, is extremely limited in extent and only a fraction of the area nominated.

7.10.4. The most recent apartment development standards the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, March 2018, states that:

Designers must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach communal amenity space throughout the year.

7.10.5. This is not a city centre area, or indeed an area requiring comprehensive urban regeneration or an effective urban design or streetscape solution) It seems to me that there is no planning justification for accepting sunlight in rooms and amenity spaces and daylight provision in rooms. which fall well short of the minimum

guidance recommendations, thus providing very poor amenities to residents. In my opinion this is a reason to refuse permission.

#### 7.11. Cycle Parking

- 7.11.1. Although the 2018 apartment guidelines see some minimum space requirements being reduced, minimum cycle parking requirements have been increased. The Dublin City Development Plan 2016-2022 requires a minimum of 1 cycle space per residential unit. The 2018 Sustainable Urban Housing: Design Standards for New Apartments Guidelines requires a minimum of 1 cycle space per bedroom and visitor cycle parking at a standard of 1 space per 2 residential units. The development plan requirement for the retail area is 1 space per 200 sq metres. Based on the current standards 21 cycle parking spaces are required rather than 10 as proposed.

#### 7.12. Legal Issues

- 7.12.1. The legal issue raised concerns the laneway and a small building adjoining the laneway, through which the site would access Marlborough Road .
- 7.12.2. The use of the laneway to access the site is contested. The ownership of the area where the gateway and bicycle parking is proposed, and where currently there is a shed associated with the public house, is also contested.
- 7.12.3. This is largely a legal matter and is not one that the Board can finally determine and Section 34 (13) of the Planning and Development Act, which states that the granting of permission does not entitle a person to carry out development, covers the eventuality that the development cannot be implemented for legal reasons.

### 8.0 Recommendation

- 8.1.1. In the light of the above assessment I recommend that planning permission be refused for the following reasons and considerations.



## 9.0 Reasons and Considerations

1 The proposed development, by providing residential accommodation where some apartments would have insufficient daylight, sunlight and/or a very poor outlook and where communal open space would be of insufficient quality due to the failure to ensure that adequate levels of sunlight reach the space throughout the year, would be contrary to the policies and objectives of the Development Plan and the Sustainable Urban Housing: Design Standards for New Apartments Guidelines, 2018, which seek to promote the provision of quality apartments and to ensure that apartment living is an increasingly attractive and desirable housing option; the proposed development would injure the residential amenities of future residents and would be contrary to the proper planning and sustainable development of the area.

2 The proposed development, by causing significant overshadowing of the adjoining property to the north-west, would depreciate the value of property in the vicinity.

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Planning Inspector

8 June 2018

### Appendices

- 1 Photographs
- 2 Extracts from the Dublin City Development Plan 2016-2022
- 3 Extracts from Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2018