



DÚN LAOGHAIRE CENTRAL RESIDENTS ASSOCIATION

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08/06/21

REF: Judicial review into An Bord Pleanala's decision to approve the SHD development on St. Michael's Private Hospital car park.

Dear Councillor

I hope you are keeping well.

We are writing to ask that you request that Dún Laoghaire Rathdown County Council initiate a judicial review into An Bord Pleanala's decision to approve the SHD development on St Michael's Private Hospital car park.

The mission of the DLCRA is to provide a forum for the residents of Dún Laoghaire Town to work together on areas of common interest. Our aim is to promote a sustainable, inclusive, thriving community in which to live and work.

At our DLCRA committee meeting on May 11th 2021, it was decided that we would ask Dún Laoghaire Rathdown County 'council to commence a judicial review on the decision by An Bord Pleanala and we are contacting you to request your support in doing so.

There are many reasons why residents of Dún Laoghaire have objected to this development, some of which are outlined below.

Development Plan

The development plan will essentially be made redundant with regards to the town centre. The building heights recommended in the council's own Draft Development Plan for the town centre is 6 storeys. The proposed development will set a precedence for taller buildings over 13 storeys. It will be impossible for the planning authority to keep to future developments compliant to its development plan. Developers will appeal all refused planning decisions to ABP where it will be impossible to justify refusing large developments due to the precedent set by this building.

Building height

Building height restrictions are common across Europe, specifically to preserve and protect historical town centres. The Victorian heart of the town is composed of low building heights and it is best practice to keep taller buildings away from older areas of low rise buildings. This development of 13 storeys will have a significant negative impact on the surrounding area and the skyline.

Appendix 5 of the Draft Development Plan states:

"For the core area of the town, the Plan continues to acknowledge the importance of St. Michael's and Mariners Church spires as an important focal points both in the town and when viewed from the piers and Dublin Bay.



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It is an objective of the Urban Structure Plan that this hierarchical relationship between long established landmark buildings and new infill development be preserved and maintained.

The Urban Structure Plan also 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 details consistent with existing typology of the area.”

Heritage

Dún Laoghaire is a Victorian coastal town with extensive existing buildings and monuments of cultural heritage and significant value. This needs to be protected and it has been highlighted in the county development plan the need to protect such public amenities.

The proposed development is right beside Charlemont Terrace, a terrace of Victorian houses dating from the 1870's that are architecturally significant. They will be overshadowed and overwhelmed by the 13 story development. The County Hall building with its elegant clock tower and built in 1871, will also be dominated by this high-rise building, ruining the architectural heritage of the heart of Dún Laoghaire.

Residential Mix

Dún Laoghaire needs housing, but we should not settle for poor quality housing. We need a mix of housing, 1, 2 and 3 beds. Houses, apartments, duplexes, private, social and affordable. The vast majority of all planned housing in Dún Laoghaire is currently build-to-let 1 bed units or the now unacceptable co-living. This development which is 80% 1 bed, build-to-let, is not the type of residential units that are needed in Dún Laoghaire.

It would provide a poor standard of residential accommodation, 15 apartments without any balcony at all? There is no other description that is adequate other than substandard accommodation.

The DLCRA feel it would be immoral to allow the future development and growth of Dún Laoghaire to be dictated by ad hoc one off developments which have been rushed through in extraordinary circumstances. Sustainable development is a key criteria and obligation of the local authority and national government. Sustainable in the sense that it is built in the right place and to the right design.

Rather than allow high-pressure situations such as our current housing crisis to overwhelm environmental values, the Council should be supporting holistic, considered sustainable development that benefits the community today and in the future.

It is our belief that there are grounds to call for a judicial review

- The light that will be lost is reason for overturning the decision has not been addressed and there are reasons to believe it contravenes regulations.
- Many legitimate issues were not acknowledged in the report. The Inspectors Report has not given sufficient responses nor level of detail in their justifications for issues such as height, light and provision of outside space.
- The issue of the height is a material contravention of the Dev Plan which the high court has previously stated is beyond the remit of An Bord Pleanala to do.
- ABP cannot materially depart from the planning scheme as outlined in the Development Plan and this development does just that.



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We believe that Dún Laoghaire Rathdown County Council should launch a judicial review into An Bord Pleanala's decision to allow this development. It is our understanding that the deadline to start a review is the 29th of July. It is in the best interests of the residents of the town and county as well as being for the benefit of the future working of the county Planning authority. We hope you agree with us and will help the residents of the town.

We look forward to hearing from you

Best Regards

Frances Kelly
Chairperson
DLCRA