



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Variation (No. 5) of the
Dublin City Development Plan
2022-2028

Strategic Environmental Assessment (SEA) Screening Report with SEA Screening Determination

In accordance with the requirements of the European Union Directive 2001/42/EC, and, European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (SI No. 436 of 2004 as amended by S.I. No. 201/2011).

ADDENDUM

The proposed variation went on public display from 5th January 2024 to 1st February 2024, together with the Strategic Environmental Assessment (SEA) Screening Report and Appropriate Assessment (AA) Screening Report and SEA and AA Determination / Conclusion. Members of the public were invited to make submissions regarding the Proposed Variation.

Following the review of the submissions received, the Chief Executive's report did not propose amendments to the proposed variation.

In accordance with Section 13 of the Planning and Development Act 2000 (as amended), on the 8th April 2024 Dublin City Council resolved to make the variation to the Dublin City Development Plan 2022 – 2028 without modification.

As the variation was made without modification, the findings of the original SEA Determination apply.

April 2024

Dublin City Council
STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)
SCREENING REPORT

SCREENING TO DETERMINE THE NEED FOR STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) OF:

PROPOSED VARIATION (NO. 5) OF THE DUBLIN CITY DEVELOPMENT PLAN 2022 – 2028:

Part A: A technical update in relation to ‘Build-To-Rent’ (BTR) accommodation on foot of the publication of Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, DHLGH, 2023.

Part B: Insert new Appendix 19 into Volume 2: Appendices of the Dublin City Development Plan 2022 – 2028 containing transitional arrangements for Build-To-Rent accommodation proposals that are subject to consideration within the planning system on or before 21st December 2022.

Pursuant to the European Union Directive 2001/42/EC, and, European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (SI No. 436 of 2004 as amended by S.I. No. 201/2011).

1.0 Legislative Background and Guidance Documents

The SEA Directive - Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment - was transposed into Irish Law through the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (Statutory Instrument Number **(SI No. 435 of 2004)** and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 (**SI No. 436 of 2004**).

Both sets of Regulations became operational on 21st July 2004.

The Regulations have been amended by the European Communities (Environmental Assessment of Certain Plans and Programmes) (Amendment) Regulations 2011 (**SI No. 200 of 2011**) and the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (**SI No. 201 of 2011**).

Under **S.I. No. 436 of 2004**, as amended under **SI No. 201 of 2011**, screening to determine whether SEA is required is mandatory for a Variation (amendment or modification) of City and County Development Plans.

The proposal to make a technical update to the City Development Plan in relation to 'Build-To-Rent' (BTR) accommodation with transitional arrangements is a variation to the Dublin City Development Plan 2022 – 2028 and therefore a Strategic Environmental Assessment (SEA) screening report is mandatory. The conclusion of this SEA screening report will ascertain whether a full SEA is required and such a determination will be made public.

An updated set of Section 28 Guidelines on SEA was published in 2022 by the Department of Housing, Local Government and Heritage (DHLGH) entitled *Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities, March 2022*. The Guidelines place an enhanced emphasis on key aspects of SEA including screening for SEA.

2.0 The Purpose of the Report

The purpose of this screening report is to determine, in accordance with the European Union Strategic Environmental Assessment (SEA) Directive (2001/42/EC), whether or not the proposed Variation No. 5 would result in significant environmental effects and would require a Strategic Environmental Assessment taking into account the relevant criteria set out in Schedule 2A of the Planning and Development Regulations 2001, as amended / Annex II of Directive 2001/42/EC, and having regard to the DHLGH SEA Guidelines 2022 (and in particular guidance set out in Appendix B).

This report will be taken into consideration before finalisation of the SEA screening process and the publication of an SEA determination by the Council, pursuant to S.I. 436 of 2004, as amended. It should be noted that no observations or submissions were received from the Environmental authorities during the three week statutory period prior to Public Display.

3.0 Layout of Report

Section 4.0 below describes the characteristics of the proposed Variation. Section 5.0 references the parallel assessment under Article 6(3) of the EU Habitats Directive. Section 6.0 screens the Plan to ascertain if it is likely to have significant effects on the environment in accordance with the requirements of SEA under the Directive and Regulations. Section 7.0 sets out the Council's proposed determination and Section 8.0 lists the environmental authorities to be consulted.

4.0 Proposed Variation:

It is proposed to vary the Dublin City Development Plan 2022 – 2028, by making the following amendments:

Part A: A technical update in relation to ‘Build-To-Rent’ (BTR) accommodation on foot of the publication of Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, DHLGH, 2023.

Part B: Insert new Appendix 19 into Volume 2: Appendices of the Dublin City Development Plan 2022 – 2028 containing transitional arrangements for Build-To-Rent accommodation proposals that are subject to consideration within the planning system on or before 21st December 2022.

Part A: Technical Update

Build-To-Rent (BTR) refers to purpose-built residential accommodation built specifically for long-term rental which is managed and serviced in an institutional manner by an institutional landlord.

Build-To-Rent (BTR) development was established as a separate class of development for planning purposes, arising from *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities*, as published in 2018 and updated in 2020. Specifically, these apartments do not have to comply with minimum size standards required for other apartments.

A government review of BTR has determined that there is now a sufficient quantum of BTR either permitted or subject to consideration within the planning system.

The subsequent publication of the 2022/3 versions of the guidelines - *Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities*, DHLGH, outlines Build-to-Rent (BTR) accommodation is no longer identified as a specific housing typology which, for the purposes of the planning system, requires specific guidance / design standards. The standards for BTR development is now the same as those for all other permitted apartment development.

Consequently it is proposed to amend the Development Plan by updating references to BTR where required and by deleting now out of date references, policies, objectives and standards pertaining to ‘Build-To-Rent’ accommodation throughout the plan.

Table 1 below signposts these proposed amendments.

Table 1: Summary of proposed technical update to the Dublin City Development Plan 2022 - 2028

Chapter / Appendix	Amendment Delete / Inset	Text / Policy / Objectives / Standards
Table of Contents	Delete	section 15.10 and page number

Chapter 5: Quality Housing and Sustainable Neighbourhoods	Amendment Delete / Insert text	Section 5.5.7 Specific Housing Typologies Build to Rent (BTR) and Shared Accommodation
Chapter 14 Land Use Zoning	Delete text in	Land Use Zoning Objectives - Sections 14.7.1, 14.7.2, 14.7.4, 14.7.5, 14.7.10, 14.7.12, 14.7.13,
Chapter 15 Development Standards	Delete text in	Section 15.8 Residential Development Section 15.9.1 Unit Mix Section 15.9.2 Unit Size / Layout
Chapter 15 Development Standards	Delete <u>all</u> text	Section 15.10 Build to Rent Residential Development (BTR), including policies QHSN40, QHSN41 and QHSN42 And including 15.10.1 and 15.10.2
Glossary and Acronyms	Delete text in definition of	Build to Rent Residential Accommodation
Appendix 14: Statement Demonstrating Compliance with Section 28 Guidelines	Delete rows from	Table 2 SPPR7: BTR development SPPR8: Proposals that qualify as specific BTR development
Appendix 15: Land Use Definitions	Delete text in definition of Land Use	Build to Rent Residential Accommodation

Part B: New Appendix 19 containing transitional arrangements in relation to BTR accommodation.

The 2023 guidelines, under paragraphs 5.10 and 5.11, outline the transitional arrangements that have been put in place to allow BTR proposals in the planning system on or before 21st December 2022, to be considered and decided in accordance with the 2020 Guidelines.

In view of this, transitional arrangements are therefore required in respect of the current City Development Plan's Build-To-Rent accommodation policies, objectives and standards.

To this end it is proposed to group all BTR accommodation policies, objectives and standards in a new Appendix 19 to the City Development Plan. All relevant planning proposals therefore, will be considered and decided in accordance with,

- the 2020 Guidelines,
- the policies, objectives and standards currently pertaining to Build-To-Rent accommodation as proposed to be set out in a new Appendix 19, Volume 2: Appendices, of the Dublin City Development Plan.

The detail of Parts A and B of the proposed Variation are set out in Appendix 1 of this Report.

5.0 Appropriate Assessment

An assessment under Article 6(3) of the EU Habitats Directive has also been undertaken in conjunction with this SEA Screening report and should be read in tandem with this report and the proposed variation. A finding of no likely significant effects on the conservation management objectives of European Sites has been concluded.

6.0 Criteria for determining whether the proposed Variation No. 5 is likely to have significant effects on the environment.

The table below presents the SEA screening assessment of the proposed Variation against the criteria provided in Schedule 2A of the Planning and Development Regulations 2001. This provides the basis for determining whether a plan or programme is likely to have significant effects on the environment.

Table 2: Relevant criteria set out in Schedule 2A of the Planning and Development Regulations 2001

1. THE CHARACTERISTICS OF THE PLAN HAVING REGARD IN PARTICULAR TO:
<p>The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions, or by allocating resources;</p> <p>It is proposed to vary the Dublin City Development Plan 2022 – 2028, by making (Part A) a technical update to the Plan in relation to ‘Build-To-Rent’ (BTR) accommodation on foot of the publication of Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, DHLGH, 2023.</p> <p>The Guidelines no longer identify Build to Rent (BTR) accommodation as a specific housing typology for the purposes of planning, and therefore specific guidance / design standards in respect of BTR is no longer required.</p> <p>It is proposed to amend the development plan by deleting now out of date references, policies, and standards pertaining to ‘Build-To-Rent’ accommodation and updating references to BTR where required.</p> <p>The 2023 Guidelines contain transitional arrangements for those BTR proposals in the planning system on or before 21st December 2022. Proposed new Appendix 19 of the City Development Plan will reflect these transitional arrangements as set out under paragraphs 5.10 and 5.11 of the guidelines. It will also contains current Development Plan BTR policies, objectives and standards, including the requirement that BTR developments are to be located beside significant employment locations, public transport interchanges and within identified Strategic Development Regeneration Areas.</p>

The referred BTR policies, objectives and standards where subject to Strategic Environmental Assessment (SEA) under the making of the 2022 – 2028 Dublin City Development Plan.

In the consideration of planning applications the Planning Authority will take account of the technical updates or transitional arrangements as appropriate.

The degree to which this proposed variation sets a framework for projects and other activities is therefore limited.

The degree to which the plan influences other plans, including those in a hierarchy.

This is a city scale amendment to the City Development Plan but it pertains to deleting out of date references, policies and standards pertaining to BTR contained in the Plan.

New Appendix 19 has a narrow scope of application as it pertains to Build to Rent (BTR) development proposals which, on or before 21st December 2022, were at formal application / appeal stage or at formal pre-application stage (as per paragraphs 5.10 and 5.11 of the 2023 apartment guidelines).

The degree to which other plans are influenced is therefore limited.

The relevance of the plan for the integration of environmental considerations, in particular with a view to promoting sustainable development.

Build-To-Rent (BTR) refers to purpose-built residential accommodation built specifically for long-term rental which is managed and serviced in an institutional manner by an institutional landlord.

Build-To-Rent (BTR) development was established as a separate class of development for planning purposes, arising from *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities*, as published in 2018 and updated in 2020. Specifically, these apartments do not have to comply with minimum size standards required for other apartments.

A government review of BTR has determined that there is now a sufficient quantum of BTR either permitted or subject to consideration within the planning system.

On foot of the publication of the 2023 Apartment Guidelines the standards for BTR development is now the same as those for all other permitted apartment development.

Environmental problems relevant to the plan.

The content of the 2022 - 2028 City Development Plan has been informed by Strategic Environmental Assessment (SEA). It is reasonable to state that there are no environmental problems relevant to the proposed variation of the Development Plan.

The relevance of the plan for the implementation of Community European Union legislation on the environment (e.g. plans linked to waste management or water protection).

The 2022 - 2028 City Development Plan is relevant for the implementation of European Union legislation on the environment.

The proposed variation has no relevance for the implementation of EU legislation on the environment.

2. CHARACTERISTICS OF THE EFFECTS AND OF THE AREA LIKELY TO BE AFFECTED, HAVING REGARD, IN PARTICULAR, TO:

The probability, duration, frequency and reversibility of the effects. The cumulative nature of the effects.

No specific land use or cumulative effects have been identified through the proposed variation.

The transboundary nature of the effects.

No potential for transboundary effects are identified.

The risks to human health or the environment (e.g. due to accidents).

There is no likelihood of any significant impacts to human health or the environment as a result of the implementation of the variation.

The magnitude and spatial extent of the effects (geographical area and size of population likely to be affected).

No specific land use or cumulative effects identified through the proposed variation.

The value, and vulnerability of the area likely to be affected due to:

(a) special natural characteristics or cultural heritage;

(b) exceeded environmental quality standards or limit values;

(c) intensive land use

The effects on areas or landscapes which have a recognised national, European Union or international protection status.

No specific negative land use or cumulative effects identified through the proposed variation.

A screening statement in support of Appropriate Assessment has also been prepared for this plan in line with Article 6(3) of the EU Habitats Directive (92/43/EEC). A finding of no likely significant effects has been concluded as part of this screening statement in support of Appropriate Assessment.

7.0 Statutory Consultation

In line with SI 436 of 2004/2011, as amended, a SEA Screening Report and proposed determination was issued to the specified environmental authorities listed below for consultation over a three week period.

- Environmental Protection Agency;
- Minister for Housing, Local Government and Heritage
- Minister for Environment, Climate and Communications; and
- Minister for Agriculture, Food and the Marine.
- Adjacent Local Authorities

No Environmental Authority responses (submissions or observations) were received within the three-week statutory period prior to the Public Display period.

8.0 Conclusion

The proposed variation No. 5 to the Dublin City Development Plan 2022 – 2028 has been examined in light of the criteria detailed in Schedule 2A of the Planning and Development Regulations 2001, as amended and it is considered that the proposed variation is not likely to have significant effects on the environment for the reasons outlined above. In this regard it is determined that a strategic environmental assessment is not required.

SEA Determination

Strategic Environmental Assessment (SEA) Screening Determination Under:

SEA Directive 2001/42/EC and

**Planning and Development (Strategic Environmental Assessment) Regulations 2004
(SI No.436 of 2004), as amended by**

**the Planning and Development (Strategic Environmental
Assessment) (Amendment) Regulations 2011 (SI No. 201 of 2011)**

For:


**PROPOSED VARIATION NO. 5 OF THE DUBLIN CITY DEVELOPMENT PLAN 2022 –
2028**

This determination has been made by Dublin City Council relating to the potential for Proposed Variation No. 5 to have likely significant effects on the environment.

This determination has been made following consideration of proposed Variation No. 5 (relating to Build-To-Rent), the information contained in the SEA Screening Report, criteria set out in Schedule 2A of the Planning and Development Regulations 2001, as amended, consideration of the Appropriate Assessment (AA) Screening Conclusion (see separate AA Screening Report).

Following an analysis and evaluation of the relevant information, including the nature of the proposed variation and its potential for effects on the environment that could result from the implementation of the variation, it is considered that that the proposed variation would not be likely to have significant effects on the environment.

I hereby recommend that a determination for the need for a Strategic Environmental Assessment be made for the purposes of the SEA Directive 2001/42/EC and the Planning and Development (Strategic Environmental Assessment) Regulations 2004 /2011, **that SEA is not required for the Proposed Variation No. 5 of the Dublin City Development Plan 2022 - 2028.**



Deirdre Scully

City Planning Officer

Date: 31.10.23

Appendix 1

Proposed Variation No. 5 of the Dublin City Development Plan 2022 - 2028

PART A - Technical update to the 2022 – 2028 Dublin City Development Plan in relation to ‘Build-To-Rent’ accommodation

Table of Contents

Chapter 15: Development Standards

15.10 Build to Rent Residential Development (BTR)

Proposed Amendment Reference No. 1

Delete the following from the Table of Contents:

~~15.10 Build to Rent Residential Development (BTR).....602~~

Chapter 5: Quality Housing and Sustainable Neighbourhoods

Section: 5.5.7 Specific Housing Typologies

Build to Rent (BTR) and Shared Accommodation

Page 153

Proposed Amendments Reference No. 2

Amend Section 5.5.7 as follows:

~~Build to Rent (BTR) and Shared Accommodation~~

New housing typologies have emerged and developed in recent years including Build to Rent and Shared Accommodation (also known as ‘co-living’). The ‘Design Standards for New Apartments - Guidelines for Planning Authorities’ were updated in 2020 and again in 2022 and 2023_ and aim to enable a mix of apartment types, make better provision for building refurbishment and infill schemes and address the emerging the Build to Rent and Shared Accommodation sectors. The 2022/23 technical update to the Design Standards for New Apartment Guidelines no longer identify Build to Rent accommodation as a distinct housing typology which requires separate guidance / design standards.

It is recognised that Build to Rent (BTR) serves an important role in meeting housing demand and can fill a gap in tenure mix in established areas of owner-occupier housing. Recent emerging trends however, would indicate that the dominance of BTR in large schemes can be to the detriment of standard designed apartment units. Whilst such development has its place in the hierarchy of provision of homes across the city, the Planning authority will seek to avoid over proliferation of such use in certain areas and encourage such development as part of a healthy mix of tenure in order to create sustainable communities and neighbourhoods.

BTR should be concentrated in significant employment locations, within 500m of major public transport interchanges and within identified Strategic Development Regeneration Areas.

Furthermore, applications for BTR schemes should be required to demonstrate how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment and that there is not an over concentration of Build to Rent Accommodation within an area, including a map showing all such facilities within a 1km radius of a proposal. Such housing will be controlled in the interest of providing a mix of tenure and unit types. In assessing the matter of overconcentration, the Planning authority will have regard to factors such as:

- the number and scale of other permitted and proposed BTR development in the vicinity (within a 1km radius) of the site,
- the household tenure and housing type of existing housing stock in the approximate vicinity (within a 1km radius) of the site,
- and the proximity of the proposal to high capacity urban public transport stops and interchange (such as DART, Luas and BusConnects).

There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure a sustainable mix of tenure and long term sustainable communities, a minimum of 60% of standard designed apartments will be required in such instances. BTR schemes of less than 100 units will generally not be supported. The concept of Built to Rent requires a critical mass of accommodation to provide a meaningful provision of communal facilities and services. Smaller BTR schemes with less than 100 units will only be considered where it can be demonstrated that there is a strong need for the development and a detailed justification is provided.

It is the Policy of Dublin City Council:

QHSN40	<p>Build to Rent Accommodation</p> <p>To facilitate the provision of Build to Rent (BTR) Accommodation in the following specific locations:</p> <ul style="list-style-type: none"> ▪ Within 500 metre walking distance of significant employment locations; ▪ Within 500 metres of major public transport interchanges (e.g. Connolly Station, Tara Street Station and Houston Station); and ▪ Within identified Strategic Development Regenerations Areas. <p>There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure there are opportunities for a sustainable mix of tenure and long term sustainable communities, a minimum of 60% of units within a development must be designed as standard apartments in accordance with the requirements set out in the Sustainable Urban Housing: Design Standards for New Apartments, December 2020.</p> <p>There will be a presumption against the proliferation and over concentration of BTR development in any one area. In this regard, applications for BTR developments should be accompanied by an assessment of other permitted and proposed BTR developments within a 1km radius of the site to demonstrate:</p> <ul style="list-style-type: none"> ▪ that the development would not result in the overconcentration of one housing tenure in a particular area and take into account the location of the proposed BTR. ▪ how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment.
QHSN41	<p>Built to Rent Accommodation</p> <p>To discourage BTR Accommodation schemes of less than 100 units due to the need to provide a critical mass of accommodation to provide a meaningful provision of communal facilities and services. Smaller BTR accommodation schemes with less than 100 units will only be considered in exceptional circumstances and where a detailed justification is provided.</p>
QHSN42	<p>Built to Rent Accommodation</p> <p>To foster community both within a BTR scheme and to encourage its integration into the existing community, the applicant will be requested to provide an evidenced based analysis that the proposed resident support facilities are appropriate to the intended rental market having regard to the scale and location of the proposal. The applicant must also demonstrate how the BTR scheme must contribute to the sustainable development of the broader community and neighbourhood.</p>

It is the Policy of Dublin City Council:

QHSN44	Build to Rent/Student Accommodation/Co-living Development It is the policy of DCC to avoid the proliferation and concentration of clusters of build to rent /student accommodation/co-living development in any area of the city.
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Chapter 14 Land Use Zoning

Section 14.7.1 Sustainable Residential neighbourhoods – Zone Z1

Land-Use Zoning Objective Z1: To protect, provide and improve residential amenities

Page 530

Proposed Amendment Reference No. 3

Delete the third paragraph on page 530:

~~In order to achieve a sustainable tenure mix in neighbourhoods, the Build to Rent residential typology is predominantly in the open for consideration category.~~

Chapter 14: Land Use Zoning

Section 14.7.1 Sustainable Residential neighbourhoods – Zone Z1

Land-Use Zoning Objective Z1: To protect, provide and improve residential amenities

Z1 – Open for Consideration Uses

Page 531

Proposed Amendment Reference No. 4

Delete the following text on page 531 under Z1 - Open for Consideration Uses:

~~Build to Rent residential,~~

Chapter 14: Land Use Zoning

Section 14.7.2 Residential Neighbourhoods (Conservation Areas) – Zone Z2

Land-Use Zoning Objective Z2: To protect and/or improve the amenities of residential conservation areas

Z2-Open for Consideration Uses

Page 532

Proposed Amendment Reference No. 5

Delete the following text on page 532 under Z2 - Open for Consideration Uses:

~~Build to Rent residential,~~

Chapter 14: Land Use Zoning

Section 14.7.4 Key Urban Villages and Urban Villages – Zone Z4

Land-Use Zoning Objective Z4: To provide for and improve mixed-services facilities

Z4-Open for Consideration Uses

Page 534

Proposed Amendment Reference No. 6

Delete the following text on page 534 under Z4 - Open for Consideration Uses:

~~Build to Rent residential,~~

Chapter 14: Land Use Zoning

Section 14.7.5 City Centre – Zone Z5

Land-Use Zoning Objective Z5: To consolidate and facilitate the development of the central area, and to identify, reinforce, strengthen and protect its civic design character and dignity.

Z5-Open for Consideration Uses

Page 536

Proposed Amendment Reference No. 7

Delete the following text on page 536 under Z5 - Open for Consideration Uses:

~~Build to Rent residential,~~

Chapter 14: Land Use Zoning

Section 14.7.10 Inner Suburban and Inner City Sustainable Mixed-Uses – Zone Z10

Land-Use Zoning Objective Z10: To consolidate and facilitate the development of inner city and inner suburban sites for mixed-uses.

Z10-Open for Consideration

Page 541

Proposed Amendment Reference No. 8

Delete the following text on page 541 under Z10 - Open for Consideration Uses:

~~Build to Rent residential,~~

Chapter 14: Land Use Zoning

Section 14.7.12 Institutional Land (Future Development Potential) – Zone Z12

Land-Use Zoning Objective Z12: To ensure existing environmental amenities are protected in the predominantly residential future use of these lands.
Z12-Open for Consideration
Page 543

Proposed Amendment Reference No. 9

Delete the following text on page 543 under Z12 - Open for Consideration Uses

~~Build to Rent residential,~~

Chapter 14: Land Use Zoning
Section 14.7.13 Strategic Development and Regeneration Areas - Zone 14
Land Use Zoning Objective Z14: To seek the social, economic and physical development and/or regeneration of an area with mixed-use, of which residential would be the predominant use.
Z14-Permissible Uses
Page 544

Proposed Amendment Reference No. 10

Delete the following text on page 544 under Z14 Permissible Uses:

~~Build to Rent residential,~~

Chapter 15 Development Standards

Chapter 15
15.8 Residential Development
Page 581
1st Paragraph

Proposed Amendment Reference No. 11

Delete the indicated text below:

New residential development in the city mainly comprises of apartment schemes with some limited residential housing schemes. This section sets out the general requirements for residential development followed by more specific guidance for apartments, ~~Build to Rent~~, student accommodation and houses.

Chapter 15
15.9.1 Unit Mix
Last paragraph
Page 590

Proposed Amendment Reference No. 12

Delete the text as indicated:

SPPR 2 provides some flexibility in terms of unit mix for building refurbishment schemes on sites of any size, urban infill schemes on sites up to 0.25 ha, schemes up to 9 units and for schemes between 10 and 49 units. The planning authority will assess each application having regard to SPPR 2 on a case by case basis. For further details, please refer to The Sustainable Urban Housing: Design Standards for New Apartments (December 2020) guidelines. ~~For clarity, in accordance with SPPR 8, the unit mix requirement for the North Inner City and Liberties Sub-City Areas does not apply to units that are designed to a BTR standard.~~

Chapter 15 15.9.2 Unit Size / Layout 4th paragraph Page 591

Proposed Amendment Reference No. 13

Delete the text as indicated:

The majority of all apartments in any proposed scheme of 10 or more apartments ~~(excluding Build to Rent accommodation)~~ shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10% (any studio apartments must be included in the total, but are not included as units that exceed the minimum by at least 10%).

Chapter 15 15.10 Build to Rent Residential Developments (BTR) All Section including sub section 15.10.1 and 15.10.2 Page 602 to 603

Proposed Amendment Reference No. 14

Delete all section including subsections 15.10.1 and 15.10.2:

~~15.10 Build to Rent Residential Developments (BTR)~~

~~“Build to Rent” (BTR) refers to purpose built residential accommodation and associated amenities built specifically for long term rental that is managed and serviced in an institutional manner by an institutional landlord. Recent emerging trends would indicate that the dominance of BTR in large schemes can be to the detriment of standard designed apartment units. Dublin City Council will consider “Built to Rent” developments in specific locations as follows:~~

- ~~Within 500 metre walking distance of significant employment locations.~~
- ~~Within 500m of major public transport interchanges (e.g. Connolly Station, Tara Street Station and Heuston Station), and within identified Strategic Development Regenerations Areas.~~

~~There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure a sustainable mix of tenure and long term sustainable communities, a minimum of 60% of standard designed apartments will be required in such instances.~~

~~Please refer to section 5.5.7 of this city development plan — Policy QHSN40.~~

~~Furthermore, whilst BTR is considered to be an integral part in achieving an appropriate mix of housing in the right locations, there will be a presumption against the proliferation and over concentration of Build to Rent development in any one area (refer to Section 5.5.7 of Chapter 5 Quality Housing and Sustainable Neighbourhoods). Applications for “Build to Rent” developments should be accompanied by an assessment of other permitted and proposed BTR developments within a 1km radius of the site to demonstrate:~~

- ~~that the development would not result in the over concentration of one housing tenure in a particular area.~~
- ~~how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment.~~

~~15.10.1 — Design Standards~~

~~The Sustainable Urban Development Design Standards for New Apartments set out specific planning policy requirements for “Build to Rent” developments. SPPR7 refers to the provision of resident support facilities (laundry, concierge, management facilities etc.) and resident services and amenities (sports facilities, resident lounge, function rooms, co-working spaces etc.).~~

~~Whilst the guidelines do not provide for a quantitative standard residential support facilities and resident services and amenities, a general guideline of 3 sq. m. per person is recommended. This will be assessed on a case by case basis where the applicant can demonstrate a high standard of services and facilities.~~

~~SPPR8 refers to specific relaxations that can be applied to BTR scheme which differentiate BTR schemes from standard residential developments.~~

~~SPPR8 (ii) states that flexibility can be applied to the provision of storage space, private amenity space and communal space within a scheme at the discretion of the planning authority.~~

~~There is a general presumption against excessive derogation of these requirements, in particular, private amenity space. Where derogations of private amenity space are sought, there will be an onus on the applicant to demonstrate that the quality of the unit is of a higher standard, e.g. in excess of the minimum floor area, contains unique design features and that the loss/reduction of private amenity is compensated within the communal amenity provision, e.g. if a unit requires 5 sq. m. of private amenity space, this quantum should be offset to provide for an additional 5 sq. m. communal amenity space.~~

~~Dublin City Council will seek to ensure a high level of amenity is provided within BTR schemes. All applications should seek to demonstrate compliance with the relevant standards for storage, private and communal open space as set out in Appendix 1 of the Sustainable Urban Housing: Design Standards for New Apartments.~~

~~In all cases, the onus will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity.~~

~~15.10.2 — Communal and Public Open Space~~

~~All Built to Rent developments will be required to provide for the same quantum of external communal open space and public open space as set out for standard apartment developments, see Section 15.6.12 and 15.8.6.~~

Glossary and Acronyms

Glossary

Build to Rent Residential Accommodation

Page 661

Proposed Amendment Reference No. 15

Delete as indicated:

Build to Rent Residential Accommodation: Purpose-built residential accommodation and associated amenities built specifically for long-term rental that is managed and serviced in an institutional manner by an institutional landlord. (see also Section 5.2 of the DLHG&H's Section 28 Guidelines, "Sustainable Urban Housing: Design Standards for new Apartment's" (2020)).

Appendix 14: Statement Demonstrating Compliance with Section 28 Guidelines

Volume 2 Appendices

Appendix 14: Statement Demonstrating Compliance with Section 28 Guidelines

Table 2: Implementation of SPPRs from DLPLG (2018) Sustainable Urban Housing

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Proposed Amendment Reference No. 16

Delete text below from Table 2: Implementation of SPPRS from DLPLG (2018) Sustainable Urban Housing as indicated:

SPPR 7: BTR development	Chapter 15 Development Standards, which sets out the relevant standards relating to BTR developments, complies with SPPR7.
SPPR 8: Proposals that qualify as specific BTR development	Chapter 15 Development Standards, which sets out the relevant standards relating to BTR developments, complies with SPPR8.

Appendix 15: Land Use Definitions

Volume 2 Appendices

Appendix 15: Land Use Definitions

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Proposed Amendment Reference No. 17

Delete as indicated:

Build to Rent Residential Accommodation

Purpose-built residential accommodation and associated amenities built specifically for long-term rental that is managed and serviced in an institutional manner by an institutional landlord. ~~(see also section 5.0 of the DHPLG Section 28 Guidelines, Sustainable Urban Housing: Design Standards for new Apartments (2020)).~~

PART B: Insert new Appendix 19 into Volume 2: Appendices of the Dublin City Development Plan 2022 – 2028 containing transitional arrangements for Build-To-Rent accommodation proposals that are subject to consideration within the planning system on or before 21st December 2022.

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After Appendix 18: Ancillary Residential Accommodation

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Proposed Amendment Reference No. 18

Insert 'Appendix 19: Transitional Arrangements for Build-To-Rent Accommodation proposals.....428

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New Appendix to the 2022 – 2028 Dublin City Development Plan (Appendix 19)

Insert After Appendix 18: Ancillary Residential Accommodation

Insert After Page 427

Proposed Amendment Reference No. 19

Insert new Appendix 19 as set out below.

Appendix 19: Transitional Arrangements for Certain Development Proposals for or including Build-To-Rent Accommodation

1.0 Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, DHLGH, 2023

Build-To-Rent (BTR) development was established as a separate class of development for planning purposes, arising from *Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities*, as published in 2018 and updated in 2020.

For the purposes of the planning system the Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, DHLGH, 2023 no longer identify Build to Rent (BTR) accommodation as a specific housing typology which require specific guidance / design standards. A technical update in relation to 'Build-To-Rent' (BTR) accommodation has been made to the development plan.

2.0 Transitional Arrangements

In amending the apartment guidelines transitional arrangements were put in place to allow BTR proposals at formal application / appeal stage or at formal pre-application stage on or before 21st December 2022 to be considered with reliance to the 2020 guidelines (see paragraphs 5.10 and 5.11 of the 2023 guidelines).

To comply with the 2023 guidelines, under these transitional arrangements relevant BTR proposals will be considered and decided in accordance with (1) the 2020 Guidelines and, (2) the interim development plan BTR policies, objectives and standards as set out below.

A reference to proposed Build-To-Rent accommodation below in sub sections 3.1 – 3.3 is a reference to BTR proposals as per paragraphs 5.10 and 5.11 of the 2023 guidelines. New BTR accommodation development proposals made after this date will not be assessed under the 2020 Guidelines or these interim development plan policies, objectives and standards.

3.0 Build-To-Rent Accommodation

3.1 Specific Housing Typologies - Build to Rent (BTR) Accommodation

BTR accommodation shall only be concentrated in significant employment locations, within 500m of major public transport interchanges and within identified Strategic Development Regeneration Areas.

Furthermore, applications for BTR schemes are required to demonstrate how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment and that there is not an over-concentration of Build to Rent Accommodation within an area, including a map showing all such facilities within a 1km radius of a proposal. Such housing will be controlled in the interest of providing a mix of tenure and unit types. In assessing the matter of overconcentration, the Planning authority will have regard to factors such as:

- the number and scale of other permitted and proposed BTR development in the vicinity (within a 1km radius) of the site,
- the household tenure and housing type of existing housing stock in the approximate vicinity (within a 1km radius) of the site,
- and the proximity of the proposal to high capacity urban public transport stops and interchange (such as DART, Luas and BusConnects).

There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure a sustainable mix of tenure and long term sustainable communities, a minimum of 60% of standard

designed apartments will be required in such instances. BTR schemes of less than 100 units will generally not be supported.

The concept of Build to Rent requires a critical mass of accommodation to provide a meaningful provision of communal facilities and services. Smaller BTR schemes with less than 100 units will only be considered where it can be demonstrated that there is a strong need for the development and a detailed justification is provided.

It is the Policy of Dublin City Council:

QHSN40(a)

Build to Rent Accommodation

To facilitate the provision of Build to Rent (BTR) development proposals which, on or before 21st December 2022, were at formal application / appeal stage or at formal pre-application stage (as per paragraphs 5.10 and 5.11 of the 2023 apartment guidelines) in the following specific locations:

- Within 500 metre walking distance of significant employment locations,
- Within 500 metres of major public transport interchanges (e.g. Connolly Station, Tara Street Station and Heuston Station), and
- Within identified Strategic Development Regenerations Areas.

There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure there are opportunities for a sustainable mix of tenure and long term sustainable communities, a minimum of 60% of units within a development must be designed as standard apartments in accordance with the requirements set out in the Sustainable Urban Housing: Design Standards for New Apartments, December 2020, as updated.

There will be a presumption against the proliferation and over concentration of BTR development in any one area. In this regard, applications for BTR developments should be accompanied by an assessment of other permitted and proposed BTR developments within a 1km radius of the site to demonstrate:

- that the development would not result in the overconcentration of one housing tenure in a particular area and take into account the location of the proposed BTR.
- how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment.

It is the Policy of Dublin City Council:	
QHSN41(a)	<p>Build to Rent Accommodation</p> <p>To discourage BTR Accommodation schemes of less than 100 units due to the need to provide a critical mass of accommodation to provide a meaningful provision of communal facilities and services. Smaller BTR accommodation schemes with less than 100 units will only be considered in exceptional circumstances and where a detailed justification is provided.</p>
QHSN42(a)	<p>Build to Rent Accommodation</p> <p>To foster community both within a BTR scheme and to encourage its integration into the existing community, the applicant will be requested to provide an evidenced based analysis that the proposed resident support facilities are appropriate to the intended rental market having regard to the scale and location of the proposal. The applicant must also demonstrate how the BTR scheme must contribute to the sustainable development of the broader community and neighbourhood.</p>
QHSN44(a)	<p>Build to Rent</p> <p>It is the policy of DCC to avoid the proliferation and concentration of clusters of build to rent development in any area of the city.</p>

3.2 Land Use Zoning

The following should be read in conjunction with Chapter 14 of Volume 1: Written Statement of the Development Plan (Land Use Zoning) and with Maps A to H of the Plan.

In order to achieve a sustainable tenure mix in neighbourhoods, the Build-To-Rent residential typology is predominantly in the open for consideration category.

In brief Build-To-Rent residential is open for consideration as a transitional arrangement only as set out in QHSN40(a) under Land Use Zoning Objectives Z1, Z2, Z4, Z5, Z10, Z12.

Build-To-Rent residential is a permissible use under Land Use Zoning Objective Z14 only as a transitional arrangement as described in QHSN40(a).

3.3 Development Standards for Build to Rent

This section sets out specific guidance for Build to Rent.

For clarity, in accordance with SPPR 8, the unit mix requirement for the North Inner City and Liberties Sub-City Areas does not apply to units that are designed to a BTR standard.

3.3.1 Build to Rent Residential Developments (BTR)

“Build to Rent” (BTR) refers to purpose build residential accommodation and associated amenities build specifically for long term rental that is managed and serviced in an institutional manner by an institutional landlord. Recent emerging trends would indicate that the dominance of BTR in large schemes can be to the detriment of standard designed apartment units. Dublin City Council will consider “Build to Rent” developments in specific locations as follows:

- Within 500 metre walking distance of significant employment locations.
- Within 500m of major public transport interchanges (e.g. Connolly Station, Tara Street Station and Heuston Station), and within identified Strategic Development Regenerations Areas.

There will be a general presumption against large scale residential developments (in excess of 100 units) which comprise of 100% BTR typology. To ensure a sustainable mix of tenure and long-term sustainable communities, a minimum of 60% of standard designed apartments will be required in such instances.

Please refer to Policy QHSN40(a) above.

Furthermore, whilst BTR is considered to be an integral part in achieving an appropriate mix of housing in the right locations, there will be a presumption against the proliferation and over concentration of Build to Rent development in any one area. Applications for “Build to Rent” developments should be accompanied by an assessment of other permitted and proposed BTR developments within a 1km radius of the site to demonstrate:

- that the development would not result in the over concentration of one housing tenure in a particular area.
- how the development supports housing need, particularly with regard to tenure, unit size and accessibility with particular reference to the Dublin City Council Housing Need and Demand Assessment.

3.3.2 Design Standards

The Sustainable Urban Development Design Standards for New Apartments set out specific planning policy requirements for “Build to Rent” developments. SPPR7 refers to the provision of resident support facilities (laundry, concierge, management facilities etc.) and resident services and amenities (sports facilities, resident lounge, function rooms, co-working spaces etc.).

Whilst the guidelines do not provide for a quantitative standard residential support facilities and resident services and amenities, a general guideline of 3 sq. m. per person is recommended. This will be assessed on a case by case basis where the applicant can demonstrate a high standard of services and facilities.

SPPR8 refers to specific relaxations that can be applied to BTR scheme which differentiate BTR schemes from standard residential developments.

SPPR8 (ii) states that flexibility can be applied to the provision of storage space, private amenity space and communal space within a scheme at the discretion of the planning authority.

There is a general presumption against excessive derogation of these requirements, in particular, private amenity space. Where derogations of private amenity space are sought, there will be an onus on the applicant to demonstrate that the quality of the unit is of a higher standard, e.g. in excess of the minimum floor area, contains unique design features and that the loss/reduction of private amenity is compensated within the communal amenity provision, e.g. if a unit requires 5 sq. m. of private amenity space, this quantum should be offset to provide for an additional 5 sq. m. communal amenity space.

Dublin City Council will seek to ensure a high level of amenity is provided within BTR schemes. All applications should seek to demonstrate compliance with the relevant standards for storage, private and communal open space as set out in Appendix 1 of the Sustainable Urban Housing: Design Standards for New Apartments.

In all cases, the onus will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity.

3.3.3 Communal and Public Open Space

All Build to Rent developments will be required to provide for the same quantum of external communal open space and public open space as set out for standard apartment developments, see Section 15.6.12 and 15.8.6.