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

**RE: To make a technical update to the 2022 – 2028 Dublin City Development Plan in relation to ‘Build-To-Rent’ (BTR) accommodation following the publication of the guidelines ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, DHLGH, 2023, with transitional arrangements.**

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### **Executive Summary**

#### **The 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.

The purpose of the variation is to comply with the Section 28 Guidelines, ‘Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2023.

#### **Submissions and Issues Raised**

In total five submissions were received. These were from Transport Infrastructure Ireland (TII), the Eastern and Midland Regional Assembly (EMRA), the Environmental Protection Agency (EPA), Uisce Éireann, and the Office of the Planning Regulator (OPR). The submissions accept the proposed variation / make no comment.

#### **Recommendation**

The Chief Executive notes the submissions and recommends that the Elected Members resolve to make the variation.

## 1 Introduction

This Chief Executive's Report has been prepared following the public consultation on the proposed Variation No. 5 of the Dublin City Development Plan 2022 – 2028, as required by the variation process set out in Section 13 of the Planning and Development Act, 2000, as amended.

## 2 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; the detail of Part A of the Variation is set out in Appendix 1 of this report.

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

<b>Chapter / Appendix</b>	<b>Amendment Delete / Insert</b>	<b>Text / Policy / Objectives / Standards</b>
Table of Contents Volume 1	Delete	section <b>15.10</b> and page number
Chapter 5: Quality Housing and Sustainable Neighbourhoods	Amendment Delete / Insert text	<b>Section 5.5.7</b> Specific Housing Typologies Build to Rent (BTR) and Shared Accommodation
Chapter 14 Land Use Zoning	Delete text in	Land Use Zoning Objectives - Sections <b>14.7.1, 14.7.2, 14.7.4, 14.7.5, 14.7.10, 14.7.12, 14.7.13,</b>
Chapter 15 Development Standards	Delete text in	<b>Section 15.8</b> Residential Development <b>Section 15.9.1</b> Unit Mix <b>Section 15.9.2</b> Unit Size / Layout
Chapter 15 Development Standards	Delete <u>all</u> text	<b>Section 15.10</b> 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	<b>Build to Rent Residential Accommodation</b>
Volume 2 Appendix 14: Statement Demonstrating Compliance with Section 28 Guidelines	Delete rows from	Table 2  <b>SPPR7: BTR development</b> <b>SPPR8: Proposals that qualify as specific BTR development</b>
Volume 2 Appendix 15: Land Use Definitions	Delete text in definition of Land Use	<b>Build to Rent Residential Accommodation</b>

**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 qualifying 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 Part B of the Variation is set out in Appendix 1 of this report.

### **3 Environmental Determinations**

The proposed Variation has been screened as part of the processes for Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA).

A Strategic Environmental Assessment (SEA) Screening Report on the proposed Variation has been prepared and a determination has been made that a full SEA is not required to be undertaken.

An Appropriate Assessment (AA) Screening Report on the proposed Variation has been prepared. The Appropriate Assessment (AA) Conclusion is that Variation No. 5 does not require an Appropriate Assessment or the preparation of a Natura Impact Report (NIR).

### **4 Purpose of the Proposed Variation**

The purpose of the proposed variation is to make a technical update in relation to 'Build-To-Rent' (BTR) accommodation having regard to and ensuring compliance with Section 28 Guidelines as set out in DHLGH document 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities 2023 including transitional arrangements.

### **5 Procedure Followed (Public Notice and Public Display)**

In accordance with Section 13 of the Planning and Development Act 2000, as amended, the proposed Variation was placed on public display from Friday 5<sup>th</sup> January 2024 to Thursday 1<sup>st</sup> February 2024 inclusive and a public notice was inserted into a national newspaper. Prescribed bodies and members of the public were invited to make submissions regarding the proposed Variation.

Copies of the proposed Variation, together with the SEA and AA screening reports, were made available for inspection at the Civic Offices, Wood Quay, Dublin 8 and at all Dublin City area offices, within the above listed dates. Details were also available on the City Council's website at [www.dublincity.ie](http://www.dublincity.ie).

### **6 Report on Submissions and observations**

#### **List of Submissions Received**

The following persons or bodies made submissions or observations in relation to the proposed Variation of the Development Plan.

- Office of the Planning Regulator (OPR)
- Eastern and Midland Regional Assembly (EMRA)
- Environmental Protection Agency (EPA)
- Uisce Éireann (UE)
- Transport Infrastructure Ireland (TII)

### ***Submission by the Office of the Planning Regulator (OPR)***

#### **Summary of Submission**

The OPR acknowledges that the rationale for the proposed Variation is to make a technical update in relation to BTR accommodation in response to the 2023 revision to the Sustainable Urban Housing Guidelines, which removed BTR as a specific housing typology.

The OPR is of the view that the proposed Variation does not raise any concerns in relation to consistency with legislative and policy requirements. The Office's evaluation concludes that the amendments in the proposed Variation are generally acceptable in relation to their consistency with other policies and objectives in the Development Plan.

The Office notes that the proposed Variation has been screened as part of the processes for Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA), and the conclusions are noted.

The Office's evaluation and assessment of the proposed Variation concludes that no recommendations or observations are warranted.

#### **Chief Executive's Response**

The OPR's evaluation and assessment of the proposed Variation is noted.

#### **Recommendation**

Submission is noted; no change recommended.

### ***Submission by the Eastern and Midland Regional Assembly (EMRA)***

#### **Summary of Submission**

EMRA considers that the proposed Variation is consistent with the Regional Spatial and Economic Strategy (RSES) 2019, by bringing the content of the Dublin City Development Plan 2022-2028 in line with the updated Section 28 Guidelines issued in 2023 on this matter, and, in this regard, the Regional Assembly supports in principle the proposed amendments to the Dublin CDP 2022-2028.

The most relevant Regional Strategic Outcome (RSO) which supports the proposed Variation is RSO 2, 'Compact Growth and Urban Regeneration', which is to 'promote the regeneration of our cities, towns and villages by making better use of under-used land and buildings within

the existing built -up urban footprint and to drive the delivery of quality housing and employment choices for the Region's citizens'. This aligns with National Strategic Outcome 1 of the National Planning Framework.

The proposed variation will align with Regional Strategic Outcome 2 of the RSES, and Regional Policy Objectives 3.3 and 5.4 of the RSES. Accordingly, the Regional Assembly does not have any objection to the proposed Variation No. 5 of the Dublin CDP 2022-2028 as placed on public display and considers it consistent with the RSES for the Eastern and Midland Region 2019-2031.

EMRA states that it is considered that proposed Variation No. 5 to the Dublin City Development Plan 2022-2028, is consistent with the Regional Spatial and Economic Strategy (RSES) 2019-2031.

### **Chief Executive's Response**

EMRA's support of the proposed Variation is noted.

### **Recommendation**

Submission is noted; no change recommended.

### ***Submission by the Environmental Protection Agency (EPA)***

#### **Summary of Submission**

The Environmental Protection Agency (EPA) promotes alignment with higher level plans and programmes and the relevant objectives and policy commitments of the National Planning Framework and the relevant Regional Spatial and Economic Strategy. It also promotes consistency with the need for proper planning and sustainable development.

Additionally, the EPA advocates consistency with national commitments on climate change mitigation and adaptation, as well as incorporating any relevant recommendations in sectoral, regional and local climate adaptation plans.

The agency highlights the environmental and climate change policy context of the proposed Variation and provides guidance on the procedures for carrying out Strategic Environmental Assessment / an SEA Screening determination.

### **Chief Executive's Response**

The Chief Executive notes the submission by the EPA and the policy context and guidance that the agency has provided.

### **Recommendation**

Submission is noted; no change recommended.

## ***Submission by Uisce Éireann / Irish Water***

### **Summary of Submission**

Uisce Éireann (UÉ) welcomes the proposed Variation to the City Development Plan which will incorporate technical updates regarding Sustainable Urban Housing Design Standards for New Apartments. Uisce Éireann also state that it has no objection or comments to make in respect of the proposed Variation.

### **Chief Executive's Response**

The content of the submission is noted.

### **Recommendation**

Submission is noted; no change recommended.

## ***Submission by Transport Infrastructure Ireland***

### **Summary of Submission**

Transport Infrastructure Ireland (TII) states that it has no observations to make on the proposed Variation.

### **Chief Executive's Response**

The content of the submission is noted.

### **Recommendation**

Submission is noted; no change recommended.

## **7 Environmental Determinations**

Following the review of the submissions received, the CE's report does not propose amendments to the proposed variation. As no alterations to the proposed variation are proposed there is, therefore, no change to the findings of the original AA Conclusion and the SEA Determination referenced in subsection 3 above.

## **8 Recommendation to City Council**

Having regard to the submissions received and to the Chief Executive's Response to the issues raised therein, it is recommended that the City Council adopt the Proposed Variation (No. 5) of 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.

Resolution on Adopting Variation No. 5 of the Dublin City Development Plan 2022 - 2028

I recommend that the Elected Members adopt the following resolution:

***'The Members of the authority having considered the proposed Variation and the Chief Executive's Report No. 78/2024, and the issues raised, the proper planning and sustainable development of the City, the statutory obligations of the local authority and the relevant policies or objectives of the Government or of any Minister of the Government; the City Council resolves that Variation No. 5 of the Dublin City Development Plan 2022-2028 is hereby made and that the necessary notices of the making of Variation No. 5 of the Dublin City Development Plan 2022-2028 be published'.***

**Richard Shakespeare**

**Chief Executive**

**21<sup>st</sup> March 2024**



## 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**

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#### 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**

### **Build to Rent Accommodation**

To facilitate the provision of Build to Rent (BTR) Accommodation 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 Houston 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.

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.

**QHSN41**

### **Built to Rent Accommodation**

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.

**QHSN42**

### **Built to Rent Accommodation**

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.

**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.

## **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**

**1<sup>st</sup> 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 DHLG&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

Page 371

#### Proposed Amendment Reference No. 16

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

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

## Appendix 15: Land Use Definitions

Volume 2 Appendices  
 Appendix 15: Land Use Definitions  
 Page 377

**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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## **Volume 2 Appendices**

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**After Appendix 18: Ancillary Residential Accommodation**

**Page iv**

### **Proposed Amendment Reference No. 18**

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

## **Volume 2 Appendices**

**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 21<sup>st</sup> 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:**

<p><b>QHSN40(a)</b></p>	<p><b>Build to Rent Accommodation</b></p> <p>To facilitate the provision of Build to Rent (BTR) development proposals which, on or before 21<sup>st</sup> 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:</p> <ul style="list-style-type: none"> <li>▪ Within 500 metre walking distance of significant employment locations,</li> <li>▪ Within 500 metres of major public transport interchanges (e.g. Connolly Station, Tara Street Station and Heuston Station), and</li> <li>▪ Within identified Strategic Development Regenerations Areas.</li> </ul> <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, as updated.</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"> <li>▪ 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.</li> <li>▪ 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.</li> </ul>
<p><b>QHSN41(a)</b></p>	<p><b>Build to Rent Accommodation</b></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>

## **It is the Policy of Dublin City Council:**

<b>QHSN42(a)</b>	<b>Build to Rent Accommodation</b> 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.
<b>QHSN44(a)</b>	<b>Build to Rent</b> 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.

### **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.