

**Submission to Proposed Amendments on
the Draft Dublin City Development Plan
2022-2028**

Prepared by

John Spain Associates

On behalf of

Cairn PLC.

7 Grand Canal,
Grand Canal Street Lower,
Dublin 2

September 2022



39 Fitzwilliam Place, Dublin 2
Telephone: (01) 662 5803
E-mail info@johnspainassociates.com

Core Strategy

Cairn PLC ('Cairn') generally welcomes the Material Alterations to the draft Plan which provide for increased population growth and housing targets within the Core Strategy as set out Material Alteration Reference Number 2.2, however recent population figures illustrate that more realistic population projections and ambitious housing targets should be set out in the adopted Plan to meet housing demand.

Latest CSO figures issued in August 2022¹ note a national population increase of 88,800 in the 12 months to April 2022, the largest 12 month increase since 2008, with immigration also at 15-year high. Significantly, the CSO publication notes that *'the proportion of the population living in Dublin has increased from 27.6% of the total in 2011 to 28.4% of the total in 2022 and is now at 1,451,000 persons'*.

Taken together with recent housing completion statistics of 20,526 units in 2020 and 20,433 in 2021, which are significantly below the Government's 'Housing for All' target of 33,000 completions annually, the housing deficit continues to accumulate. Housing vacancy has reduced to 9% in the 6-year period to 2022, with unprecedentedly low levels of availability for rental accommodation observed in Dublin in August 2022 by the latest Daft Report. This requires to be addressed appropriately through more realistic population projections and ambitious housing targets in the adopted Plan.

Proposed Amendment

Cairn respectfully requests that Material Alteration 2.2: Table 2.1: Population Change be amended to reflect latest CSO Population Data and Table 2.8: Core Strategy and Settlement Hierarchy be amended to incorporate more ambitious housing targets to take account of recent population data, current trends and future projections and to assist in addressing the increasing deficit of housing supply in Dublin. This should be reflected in Material Alteration 2.2 in accordance with the proposed amendment at Section 2 of this document.

Climate Action

Our client is supportive of the prominence of addressing climate change within the Draft Plan and is proactive in relation to climate action. Cairn are members of the Irish Green Building Council and are signatories of the Business in the Community Ireland Carbon Pledge 2020.

Cairn would, however, caution against any overly prescriptive development standards linked to climate action. New standards, technologies and best practice in this area is constantly evolving and will likely continue to do so over the period of the plan. A flexible approach should therefore be taken when setting any development standards around climate action with proposals assessed on a case-by-case basis with assessment only requested at application stage where deemed essential by the Planning Authority.

Proposed Amendment

Cairn advocates development standards be applied on a case-by-case basis to avoid overly prescriptive and onerous requirements at planning application stage. This should be reflected in Material Alteration 3.12 and Material Alteration 15.3 in accordance with the proposed amendment at Section 3 of this document.

¹<https://www.cso.ie/en/releasesandpublications/ep/p-pme/populationandmigrationestimatesapril2022/keyfindings/#:-:text=In%20the%2012%20months%20to.and%204%2C500%20were%20UK%20nationals.>

Build to Rent Accommodation

Our client welcomes the proposed material alteration which reduces the radius for assessment of other BTR developments to 1km of a proposal site. This is considered more appropriate to the content of the draft Plan and aligns with metrics set out in the the Sustainable Urban Housing: Design Standards for New Apartments, December 2020 in respect of central/accessible locations and public transport.

Our client is concerned in respect of the proposed amendments to Policy QHSN38 set out at Material Alteration 5.24 which state a requirement for 60% of BTR proposals to be designed as standard apartments in accordance with the requirements set out in the Apartment Guidelines 2020. This part of the policy is not compliant with the National Planning Framework or the Apartment Guidelines, where SPPR8 (iv) clearly sets out no requirement for BTR apartments to exceed minimum floor area standards by a minimum of 10%.

Cairn also notes that the Office of the Planning Regulator required the Planning Authority to omit this wording from Policy QHSN38 on the basis of the content of the Apartment Guidelines 2020 and we would respectfully submit this is excluded from the adopted Plan.

Proposed Amendments

Cairn respectfully requests amendments to Material Alteration 5.23 to ensure BTR schemes are facilitated in suitable locations consistent with 'central/accessible urban locations' set out in the Apartment Guidelines 2020, including the inner city and to omit the onerous requirement for BTR proposals to provide 60% of units as standard apartment design. These changes are also reflected in proposed amendments at Material Alteration 5.24 and 15.8 at Section 4 of this document.

Universal Design

Our client respectfully submits that the proposed 50% requirement in respect of universal design in apartment development is extremely high and will have negative impacts on the provision of high-quality apartment development in Dublin City and add to the overall cost of construction which will be passed on to consumers. On this basis Cairn would seek the omission of such an onerous requirement.

The practicalities of this policy requirement have been investigated by O'Mahony Pike Architects, with findings demonstrating that an average 1-bed unit would need to be designed to 53.4 sqm, 8.4 sqm above the minimum standards and 3.4 sqm larger than a typical 1-bed. An average 2-bed, 4-person unit would need to be designed to 85 sqm, 12 sqm or 16% above the minimum standards and 7.6 sqm larger than the typical 2-bed apartment which Cairn are currently building out at their Montrose development. This would substantially add to construction costs at a time of significant inflationary pressure and challenging conditions being experienced by the construction market.

Where the Planning Authority consider it essential to include such a requirement, Cairn suggest all apartment developments provide a definitive percentage of 5% of units designed in accordance with the Universal Design Guidelines for Homes in Ireland 2015 as an alternative.

Proposed Amendments

Cairn respectfully requests amendments to Material Alteration 5.16, Material Alteration 15.7 and Material Alteration Appendix 1.10 to implement a requirement for all apartment developments to provide 5% of apartments to be designed in accordance with universal design guidelines. These changes are also reflected in proposed amendments at Section 5 of this document.

Culture

Cairn acknowledges the requirement for community, arts and cultural provision as an essential component of sustainable communities within Dublin. Cairn is willing to engage and work with the planning authority on the implementation of such through a practical mechanism which responds to an identified need in an area. The proposed approach in the draft Plan and material alterations will undoubtedly result in ad hoc facilities scattered around the city, many of which are likely to be redundant and occupied.

Proposed Amendments

Cairn respectfully requests amendments to Material Alteration 13.5 to require sites of 2 hectares and over to provide community/culture/arts space where a need has been identified by the Council and/or Social Infrastructure Audit submitted with a proposal. These changes are also reflected in proposed amendments at Section 6 of this document.

TABLE OF CONTENTS

Section	Page Number
Introduction	1
Core Strategy	3
Climate Action	8
Build to Rent Accommodation	10
Universal Design	20
SDRAs	25

DOCUMENT CONTROL SHEET

Client:	Cairn PLC.
Project Title:	Submission on Proposed Amendments on Draft Dublin City Development Plan
Document Title:	Submission on Proposed Amendments on Draft Dublin City Development Plan
Document No:	Final

Rev.	Status	Author(s)	Reviewed By	Approved By	Issue Date
DV2	Draft	IL	JS	IL	25.8.22
Final	Final	IL	EF	JS	1.9.22

1. INTRODUCTION

- 1.1 On behalf of our client, Cairn PLC (“Cairn”), 7 Grand Canal, Grand Canal Street Lower, Dublin 2, we wish to make a submission in respect of Proposed Amendments to the draft Dublin City Development Plan 2022-2028 published on 27th July 2022.
- 1.2 Cairn is an Irish homebuilder founded in 2014 with a clear strategy to deliver high-quality new homes with an emphasis on design, innovation, and customer service. Cairn is actively engaged in the delivery of some 15,000 homes over the coming years. To date, Cairn have delivered c. 5,500 new homes across the country in the space of 5 years with 1,250 of these delivered in 2021. These new homes are delivered across 37 site landbank which comprises suburban and commuter belt low-density housing sites and city centre, suburban and commuter belt high-density apartment. Cairn aims to deliver 1,500 new homes across the country in 2022. With the average site delivering in excess of 400 new homes Cairn has the capacity to make a significant contribution to housing delivery in the short to medium term and are uniquely positioned to help address the sustained housing shortage. Cairn is committed to working with Dublin City Council in the delivery of much-needed new homes together with the associated infrastructure necessary to deliver new communities with improved and high-quality amenities.
- 1.3 Cairn has a strong track record of delivery in Dublin City Council. Their scheme in Marianella, consisting of 208 units, is an award-winning architectural project. Cairn have recently completed the delivery of 385 new homes at Griffith Woods, Griffith Ave, and have commenced construction on the final phase of 730 new homes in Parkside. Cairn also intends to submit a planning application shortly for their site at Montrose, RTE, Dublin 4.
- 1.4 Cairn have made submission to the draft Plan in February and welcome this further opportunity to make submission on the Proposed Amendments to the draft City Development Plan.
- 1.5 This submission constitutes an overarching response by Cairn which relates primarily to the following key issues and requests amendments to material alterations:
- **Core Strategy**
 - Material Alteration Reference Number 2.2: Population & Housing Delivery
 - **Climate Action**
 - Material Alteration Reference Number 3.12: The Built Environment
 - Material Alteration Reference Number 15.3: Climate Action and Energy Statement
 - **Build to Rent Accommodation**
 - Material Alteration Reference Number 5.23: Specific Housing Typologies
 - Material Alteration Reference Number 5.24: Policy QHSN38 Build to Rent Accommodation
 - Material Alteration Reference Number 15.8: Build to Rent Residential Developments
 - **Universal Design**
 - Material Alteration Reference Number 5.16: Objective QHSNO10 Universal Design
 - Material Alteration Reference Number 15.7: Unit Size / Layout
 - Material Alteration Reference Number Appendix 1.10: Specialist Provision

- **Strategic Development & Regeneration Areas**
 - Material Alteration Reference Number 13.5: Objective SDRAO1
Overarching Principles and Vision

- 1.6 While our client is broadly supportive of the content of the draft Plan, Cairn has serious concerns in relation to various proposed amendments to the draft Plan which are not considered to be aligned with national planning policy and guidelines and are likely to have significant implications to the viability and delivery of a substantial quantum of apartment development in Dublin City.
- 1.7 Cairn supports the inclusion of appropriate policies and objectives in line with Section 28 Ministerial Guidelines, to facilitate the delivery of housing to meet targets for the City, in accordance with National Policy.
- 1.8 Each of the key issues outlined above and relevant Material Alterations are addressed below, with requested amendments included.

2. CORE STRATEGY

2.1 Cairn has concerns in respect of the population figures and housing targets set out in the draft Plan, as well as within the following material alteration:

- **Core Strategy**

- Material Alteration Reference Number 2.2: Population & Housing Delivery

2.2 This material alterations are reproduced below for ease of reference:

Material Alteration Reference Number 2.2

Chapter 2

Section: 2.2.1 Population and Housing Delivery, subheading Population Growth Patterns

Page: 55, Table 2-1: Population Change and page 56, 1st paragraph

Amendment:

Table 2-1: Population Change

Census year	Population	% increase
2006	506,211	
2011	527,612	+4.2% over 5 years
2016	554,554	+5% over 5 years
202 (0) {1} CSO population estimate	(595,434) {600,600}	(7.4) {8.3} % over (4) {5} years

Source: CSO

The CSO's 202~~(0)~~ ~~{1}~~ population estimate for the Dublin Region was ~~(1,417,700)~~ ~~{1,430,000}~~ persons. Dublin City Council's share of the 2016 Census regional population figure for Dublin was approximately 42%. Assuming the same share for the CSO 202~~(0)~~ ~~{1}~~ estimated regional population figure for Dublin, this gives an estimated population figure of ~~(595,434)~~ ~~{600,600}~~ for Dublin City Council in April 202~~(0)~~ ~~{1}~~. This indicates an estimated ~~(7.4%)~~ ~~{8.3%}~~ rise in the population of Dublin City over a ~~(four)~~ ~~{five}~~ year period from 2016 through to 202~~(0)~~ ~~{1}~~.

2.3 While our client is broadly supportive of the content of Chapter 2 of the draft Plan in respect of Core Strategy in the period 2022-2028 and the consolidation and densification in the city and the regeneration of brownfield land in accordance with the strategic objectives of the National Planning Framework and the Regional Spatial & Economic Strategy for the Eastern & Midland Region, recent population figures illustrate that more realistic population projections and ambitious housing targets should be set out in the adopted Plan to meet housing demand.

2.4 Latest CSO figures issued in August 2022² note a national population increase of 88,800 in the 12 months to April 2022, the largest 12 month increase since 2008, with immigration also at 15-year high. Significantly, the CSO publication notes that *'the proportion of the population living in Dublin has increased from 27.6% of the total in 2011 to 28.4% of the total in 2022 and is now at 1,451,000 persons'*.

2.5 Further to this, a recent Irish Times article³ quotes consultant demographer Brian Hughes, a leading member in Irish Cities 2070 and former member of the CSO's expert

²<https://www.cso.ie/en/releasesandpublications/ep/p-pme/populationandmigrationestimatesapril2022/keyfindings/#:~:text=In%20the%2012%20months%20to,and%204%2C500%20were%20UK%20nationals.>

³<https://www.irishtimes.com/ireland/2022/08/27/does-irelands-surgling-population-leave-governments-housing-targets-in-need-of-a-radical-revision/>

group on population and labour force projection, who believes the 1 million population increase projection to 2040 as set out in the National Planning Framework may be conservative by 500,000 and predicts a 1.5 million population growth nationally in the same period. Having regard to the recently released CSO Census data charting growth over the last 6 years, it is clear that *'a radical revision of housing targets will be required to meet the consequent rise in demand for new dwellings'*, with the Irish Cities 2070 group predicting a need for up to 50,000 dwellings to be constructed annually to meet population-based demand. A key consideration stated by Brian Hughes is that the average annual population growth would need to drop from 60,278 (between 2016-2022) to 35,462 for the remainder of the '20s if *'the population increase was to be kept at 1 million'*. This situation is unlikely to happen.

- 2.6 We note that the proposed Material Alteration 2.2 states an estimated population of the Dublin Area at 1,430,000 based on CSO 2021 data. This should now be updated to align with the latest CSO figures of 1,451,000 for April 2022 which reflect a significant increase of 21,000 population to that set out in material alteration 2.2.
- 2.7 It is also significant to note that Census 2022 data illustrated that the population of Dublin exceeded the NPF 'upper' population projection for 2022 by 1,201 people.
- 2.8 This should also be reflected in the figures for Dublin with a population estimate in April 2022 of 609,420 indicative of a population increase of 9.8% in the 6-year period since 2016. Should a similar population increase occur in the Plan period to 2028, a high population estimate for Dublin may be c. 670,164, significantly higher than what the draft Plan anticipates. It is considered that the large increase in population in the 12 months to April 2022 has been influenced by the Covid pandemic which restricted movement in the previous 2 years and that this increase may not be sustained. However, our client respectfully submits that the adopted Plan should be amended appropriately to reflect recent population trends with this informing housing targets in the Core Strategy.
- 2.9 The draft Plan Core Strategy notes that approximately 7,448 units were completed in the period 2016-2020 period, with a total of c. 11,708 units is expected to be completed in the overall Plan period 2016-2022. This highlights the shortfall in housing delivery in Dublin City, with household size predicted to decline to an estimated 2.5 by 2040.
- 2.10 The disconnect between existing permissions and delivery on the ground is clearly demonstrated by Figure 2-2 of the Core Strategy, shown below, with permission for 22,972 units in place in 2021 with only marginally in excess of 5,000 units under construction equating to 23% of this total.

Figure 2-2: Chart of Dublin City Council DHTF Returns Q1 2017-Q1 2021 - Residential Permissions and on Site Activity



Source: DHTF Returns

- 2.11 This has serious implications for the level of unmet housing demand in Dublin City. The cumulative shortfall in housing delivery in the context of the targets set out by the Government’s ‘Rebuilding Ireland’ action plan in 2016 is identified by the Parliamentary Budget Office of the Oireachtas ‘Snapshot of the Housing Market 2021’⁴ published in December 2021.
- 2.12 This publication notes that 20,535 properties were built in 2020, ‘less than a quarter of what was constructed during the height of the housing boom in 2006’ and contributing to a 41,000 cumulative deficit to the targets set out by Rebuilding Ireland as shown below in Figure 2 of the publication. This highlights the ‘pent-up’ level of demand at a critical time which is contributing to ‘amplified trends in rents, house prices and homelessness’ as noted in the Oireachtas publication.

Figure 2: Rebuilding Ireland Deficit



Source: CSO, Rebuilding Ireland

- 2.13 Census 2022 data has confirmed that Ireland’s population has exceeded 5.1 million people, indicating an increase of 7.5% in the period since 2016. The population of the

⁴ https://data.oireachtas.ie/ie/oireachtas/parliamentaryBudgetOffice/2021/2021-12-06_snapshot-of-the-housing-market-in-2021-part-1_en.pdf

Dublin area has risen by c. 9.8% or 54,866 over the same period, exceeding the 'high' population projection set out in the NPF Roadmap for the county in 2022. This has occurred at a time when on average just 11,595 new dwellings have been completed annually between 2010 and 2020 accordingly to CSO data. While this has risen to 20,526 units in 2020 and 20,433 in 2021, the deficit continues to accumulate having regard to the Government's Housing for All Plan for the delivery of 33,000 units annually. Indeed, this need may be greater still in the context of recent census data and population increases in the 12 months to April 2022. In addition to this, a recent Daft Report⁵ published 10th August 2022 notes unprecedented low levels of vacancy in the rental market, with just under 300 homes available to rent in Dublin at the beginning of August 2022, in comparison to c. 1,450 on the same date on average between 2015 and 2019 and nearly 8,000 in August 2009. The Census 2022 data notes that the number of vacant dwellings recorded fell by 9% compared with Census 2016, to 166,752 dwellings in April 2022, clearly demonstrating the increasing pressures on the housing market.

- 2.14 There is a clear need to address this in the first instance and there is a need for a significant amount of "catchup" housing (and in particular 1- and 2-bedroom apartments) to meet the needs of existing population.
- 2.15 Based on experience, and as acknowledged by the draft Plan, it may take more than one Development Plan cycle between the zoning of lands to the delivery of housing units, highlighting the importance to allocation and maintain a housing land supply which can meet the 'pent up' housing demand, as recognised by the Core Strategy arising from a recognised period of undersupply between 2016 and 2020. The delivery of housing can be complex and time consuming, often requiring land assembly, provision of services, access etc., which can take time to deliver. It is recognised that the population projections and housing targets incorporate a 50% built-in headroom as specified in the Implementation Roadmap for the NPF with an additional 25% allocated to DCC in the period to 2026 and as advised by the Development Planning Guidelines 2022. However, it is considered that a similar target be applied up to 2028 having regard to the expected continued population increases in DCC through the Plan period following the recovery from Covid-19 from 2021 onwards.
- 2.16 The deficit in housing completions as a proportion of permissions granted is significant. It would be unrealistic to expect all residential zoned land to be developed in 6 years from Plan adoption, with an optimistic estimate being c. 35%, however this may be lower in Dublin City having regard to the sustained period of undersupply relative to population growth and existing permissions. This is likely to further exacerbate housing delivery in the Plan period and contribute to greater levels of unmet demand.
- 2.17 Our client is supportive of the principles of the Core Strategy seeking to relocate lower intensity uses outside the M50 and focus on the optimal use and densification of the City Centre to deliver housing, particularly the focus on the 17 Strategic Development & Regeneration Areas set out in the draft Plan and as amendment in Material Alteration 2.4. However, Cairn respectfully submits that due to the acknowledgement of the draft Plan that SDRAs will take up to two development plan cycles to complete, it is considered that this significant shortfall will require more ambitious housing targets set out at Table 2.8 – Core Strategy and Settlement Hierarchy to ensure housing needs in the city are met.

⁵ https://ww1.daft.ie/report?d_rd=1

Proposed Amendments

- 2.18 On the basis of the above and having regard to latest CSO population data, the Executive Summary and Core Strategy of the adopted Plan must be updated to reflect current trends and maximise lands zoned for residential use to meet a rising population and housing need in Dublin which is currently at a critical stage. Cairn would respectfully request the following amendment to Material Alteration 2.2. Suggested text is shown in **green**, with omitted text in **red-strikethrough**.

Material Alteration Reference Number 2.2

Chapter 2

Section: 2.2.1 Population and Housing Delivery, subheading Population Growth Patterns

Page: 55, Table 2-1: Population Change and page 56, 1st paragraph

Amendment:

Table 2-1: Population Change

Census year	Population	% increase
2006	506,211	
2011	527,612	+4.2% over 5 years
2016	554,554	+5% over 5 years
2022 (0) CSO population estimate	(595,434) <u>609,420</u>	(7.4) <u>9.8%</u> over (4) <u>6</u> years

Source: CSO

The CSO's 202~~(0)~~{2} population estimate for the Dublin Region was ~~(1,417,700)~~ {1,451,000} persons. Dublin City Council's share of the 2016 Census regional population figure for Dublin was approximately 42%. Assuming the same share for the CSO 202~~(0)~~{2} estimated regional population figure for Dublin, this gives an estimated population figure of ~~(595,434)~~ {609,420} for Dublin City Council in April 202~~(0)~~{2}. This indicates an estimated ~~(7.4%)~~ {9.8%} rise in the population of Dublin City over a ~~(four)~~ {six} year period from 2016 through to 202~~(0)~~{2}.

3. CLIMATE ACTION

3.1 Cairn welcomes the focus and prominence to addressing climate change within the draft Plan and material alterations set out at Chapter 5: Quality Housing & Sustainable Neighbourhoods and Chapter 15: Development Standards however would request amendments to the following alterations as follows:

- **Climate Action**

- Material Alteration Reference Number 3.12: The Built Environment
- Material Alteration Reference Number 15.3: Climate Action and Energy Statement

3.2 These are reproduced below for ease of reference.

Material Alteration Reference Number 3.12

Chapter 3

Section: 3.5.2 The Built Environment

Page 103, Policy CA8, 1st paragraph and part (f)

Amendment:

It is the Policy of Dublin City Council:

Development proposals ~~(should)~~ **{must}** demonstrate sustainable, **{climate adaptation, circular}** design principles for new buildings / services / site. The Council will promote and support development which is resilient to climate change...etc.

f. promoting **{, developing}** and protecting biodiversity, **{novel urban ecosystems}** and green infrastructure.

Material Alteration Reference Number 15.3

Chapter 15

Section: 15.7.3 Climate Action and Energy Statement

Page: 676, insert new bullet point, after 'heat pumps', to read

- **{include an assessment of embodied energy impacts}**

3.3 Our client is supportive of the prominence of addressing climate change within the Draft Plan and is proactive in relation to climate action. Cairn is currently in the process of reviewing their policies around sustainability and climate /change/action. Cairn are members of the Irish Green Building Council and are signatories of the Business in the Community Ireland Carbon Pledge 2020. Cairn Homes have signed a pledge to reduce their Scope 1 and Scope 2 carbon emissions by 50% by 2030.

3.4 Enhanced biodiversity is key component of recent Cairn developments. As Ireland's leading homebuilder, Cairn understands the importance of being proactive in implementing biodiversity-orientated landscapes in their developments. In 2020 alone, Cairn planted 6,823 native trees which equates to six trees for every new home built or under construction.

3.5 Cairn would, however, caution against any overly prescriptive development standards linked to climate action. New standards, technologies and best practice in this area is constantly evolving and will likely continue to do so over the period of the plan. A flexible approach should therefore be taken when setting any development standards around climate action. Within this consideration should be given to facilitating the use of new

technologies, new construction methods and new materials as they become available and/or viable for use in schemes. This will allow developments to strive towards new best practice over the lifetime of the plan.

- 3.6 Our client firmly advocates development standards be applied on a case-by-case basis to ensure that climate action targets set out in the Climate Action Plan 2021 and to avoid overly prescriptive and onerous requirements at planning application stage. It is respectfully submitted that the need for detailed climate action and energy statements should be discussed at pre-planning application stage based on the scale and nature of development. Assessments for embodied energy is considered to form part of detailed design stage post-planning and should not be required at planning application stage. Furthermore, the adopted Plan should provide guidance on the content of necessary assessments to assist applicant where these are required.

Proposed Amendments

- 3.7 In this respect, our client requests the following amendments to the material alterations.

Material Alteration Reference Number 3.12

Chapter 3

Section: 3.5.2 The Built Environment

Page 103, Policy CA8, 1st paragraph and part (f)

Amendment:

It is the Policy of Dublin City Council:

Certain development proposals may be required to ~~(must)~~ demonstrate sustainable, climate adaptation, circular design principles for new buildings / services / site. The Council will promote and support development which is resilient to climate change...etc. Where required, this will be identified by the Planning Authority at pre-application stage.

f. promoting, developing and protecting biodiversity, novel urban ecosystems and green infrastructure.

Material Alteration Reference Number 15.3

Chapter 15

Section: 15.7.3 Climate Action and Energy Statement

Page: 676, insert new bullet point, after 'heat pumps', to read

- include an assessment of embodied energy impacts, where specified by the Planning Authority at post planning stage

4. BUILD TO RENT ACCOMMODATION

4.1 Cairn has concerns regarding Material Alterations as they relate to Build to Rent at Chapter 5: Quality Housing & Sustainable Neighbourhoods and related requirements set out at Chapter 15: Development Standards which will have a negative impact on the construction and viability of apartment development in Dublin City.

4.2 Our client wishes to make submission on and recommend alterations to the following Material Alterations:

- **Build to Rent Accommodation**
 - Material Alteration Reference Number 5.23: Specific Housing Typologies
 - Material Alteration Reference Number 5.24: Policy QHSN38 Build to Rent Accommodation
 - Material Alteration Reference Number 15.8: Build to Rent Residential Developments

4.3 It is noted that *Material Alteration 5.23: Section: 5.5.7 Specific Housing Typologies, subheading Build to Rent (BTR) and Shared Accommodation* provides the explanatory text which is reflected in *Material Alteration Reference Number 5.24 to Policy QHSN38*, as noted below.

Material Alteration Reference Number 5.24

Chapter 5

Section: 5.5.7 Specific Housing Typologies, subheading Build to Rent (BTR) and Shared Accommodation

Page: 186, Policy QHSN38

Amendment:

Policy QHSN38 Build to Rent Accommodation

To facilitate the provision of Build to Rent (BTR) Accommodation in the following specific locations:

- ~~(Within the Inner City (i.e. within the canal ring)).~~
- Within 500 metre walking distance of a high employment area i.e. more than 500 employees per hectare.
- 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 ~~(40%)~~ {60%} of ~~(standard build to sell apartments)~~ {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} ~~(will be required in such instances)~~. 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} ~~(in the vicinity)~~ {1km} ~~((3km))~~ {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} ~~(regard)~~ the ~~(geographical area)~~ {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.

4.4 Our client welcomes the proposed material alteration which reduces the radius for assessment of other BTR developments to 1km of a proposal site. This is considered more appropriate to the draft Plan as written.

Location

4.5 Our objects to the proposed omission of the Inner City (i.e. within the canal ring) as a location where the provision of BTR accommodation is facilitated by the City Development Plan. The Inner City (i.e. within the canal ring) is considered to be one of the most accessible areas of Dublin City as well as Ireland having regard to existing and proposed public transport connections which consist of commuter rail, DART, Luas, and Dublin Bus services, as well as proposed BusConnects and Metrolink routes. In the context of SPPR8 of the Apartment Guidelines, which identify BTR development as 'being more suitable for central locations and/or proximity to public transport services', it is essential that the Dublin CDP 2022-2028 provides for BTR development within these areas.

4.6 Lands within the Canal Ring benefit from excellent proximity to public transport corridors which deem them suitable for BTR accommodation. The proposed BusConnects local network improvements and implementation of Core Bus Corridors will further enhance services and accessibility for residents, alongside the existing Luas red and green lines and the proposed Metrolink service. To omit the area from Policy QHSN38 is considered inconsistent with national and regional policy objectives to integrate land use and transport planning, capitalise on public transport investment and promote compact growth in urban areas.

4.7 On this basis, the provision included in the draft Plan making provision for BTR development at locations at the Inner City (i.e. within the canal ring) should be retained and form part of the adopted Plan.

4.8 It is noted that Material Alteration Reference Number 5.23 proposes the following text:

BTR should be concentrated (~~in prime inner city areas and also~~) in areas of high intensity employment use, (~~such as within 500 metres walking distance of a high employment area i.e. more than 500 employees per hectare,~~) within 500m of major public transport interchanges (~~(e.g. Connolly Station, Tara Street Station and Heuston Station)~~) and within identified Strategic Development Regeneration (~~s-Zones~~) {Areas}.

4.9 However, the proposed deletion of text is not fully reflected in the wording of Material Alteration Reference Number 5.24 in respect to employment areas and specific railway stations. It is respectfully submitted this is resolved and consistent in the adopted Plan.

4.10 The implementation of the policy provision proposed under Material Alteration 5.24 is in direct conflict with the Guidelines as this effectively prohibits BTR proposals coming forward at central and accessible urban locations well served by high quality public transport such as Ballsbridge, Rathmines, Ranelagh, Drumcondra, Clontarf and other significant parts of the city which benefit from proximity to DART and Luas lines, commuter rail and Bus Connects corridors. This restrictive draft policy is in conflict with Section 28 Guidelines and national planning policy which seeks to increase housing development within the existing urban footprint and make optimum use of land resource in accessible locations, including for rental accommodation. Furthermore, this policy is

considered to be in conflict with Section 8.5.2 of the draft Plan which promotes the Effective Integration of Land Use and Transportation and refers to the key role this plays in implementing the objectives of the NPF and RSES. The Guidelines consider that these locations are generally suitable for small-to large-scale and higher density development that may wholly comprise apartments and therefore by extension, Build to Rent apartments.

- 4.11 It is considered that the support for BTR accommodation *'Within 500 metres walking distance of a high employment area i.e. more than 500 employees per hectare'* will prove problematic in practice and be difficult to ascertain during the Development Management process, as we are not aware of any evidence base to demonstrate which areas of the City have more than 500 employees per hectare and therefore constitute *"high employment areas"*.
- 4.12 The image below demonstrates the challenges to
- 4.13 The current Plan includes Figure W in Appendix 2A relating to the number of persons working with DCC Electoral Divisions. However, this information is now out of date and in any instance does not provide the required data to ascertain the number of employees per hectare. It is respectfully submitted that mapping from publicly available data from the Census 2016 has proven ineffective in determining the concentration of jobs per hectare.
- 4.14 The Census does record details on place of work, school, or college and collect these as anonymised data (referred to as POWSCAR), however, this information is only available to statistical researchers and not the general public. Publicly available data relates to commuting patterns by ED and cannot be relied on to give an accurate figure for the number of jobs per hectare as required under the locational requirements for BTR. There is available data from the AIRO All-Island Census Atlas, which provide POWSCAR data on the number of jobs by small area. However, this mapping was done after the 2011 Census and therefore is not the most up to date information available and would not reflect the growth in jobs in Dublin since the financial crash. Furthermore, this information still does not provide data as to the number of available jobs per hectare.
- 4.15 It is therefore considered that there is no practicable way to definitively quantify the employment areas referred to in the draft Plan and proposed material alterations. While recent office completions provide circumstantial evidence as to the number of jobs in any area, it is not possible to determine this for a fact. In addition, it can be seen that the areas where there are more than 500 jobs in the 2011 data, and the areas of highest commuting in the 2016 data already corresponds to the inner city (i.e. within the canal ring). It is therefore considered appropriate that the text of Policy QHSN38 revert to the draft Plan text as suggested below and align with the Apartment Guidelines 2020.
- 4.16 Therefore, and as demonstrated in the requested amendment below, it would be appropriate to update Policy QHSN38, and associated sections of the adopted City Development Plan, to reflect more closely the 'Central and/or Accessible' urban location criteria in the Apartment Guidelines 2020 that would be suitable for BTR development, which includes the following:
- Sites within walking distance (i.e. up to 15 minutes or 1,000-1,500m), of principal city centres, or significant employment locations, that may include hospitals and third-level institutions;

- Sites within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m) to/from high-capacity urban public transport stops (such as DART or Luas); and
- Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) to/from high frequency (i.e. min 10-minute peak hour frequency) urban bus services.

BTR Unit Typology

- Cairn is very concerned about the content of **Policy QHSN38** as per Material Alteration 5.24 which requires 'a minimum of ~~(40%)~~ {60%} of ~~(standard build to sell apartments)~~ {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} ~~(will be required in such instances)~~' within proposed BTR development.

- 4.17 Our client notes the submission of the Office of the Planning Regulator (OPR) on Policy QHSN38 at draft Plan stage which requires the omission of the proposed mix. The OPR noted that:

'Having regard to the significant need for rental accommodation identified in the Housing Strategy and interim Housing Need Demand Assessment, the Housing Supply Target set out in the Core Strategy, the draft Plan's policies and objectives supporting housing delivery in particular CS07, SC8, QHSN3 and QHSN5 the planning authority is required to:

...

(ii) amend policy QHSN38 to omit the following text which is inconsistent with SPPR 8 of the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities (DHLGH, 2020): '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 40% of standard build to sell apartments will be required in such instances.'

- 4.18 It is clear therefore that the OPR disagrees with any kind of imposed mix of tenure within BTR schemes on the basis of their submission to the draft Plan as this is in direct conflict with SPPR8 of the Apartment Guidelines.

- 4.19 Section 12 of the Planning and Development Act 2000, as amended sets out the statutory provisions and obligations relevant to the making of a new Development Plan. Under section 12(18) of the Act, the statutory obligations of the Planning Authority are specifically stated to include an obligation to ensure the Development Plan is consistent with the national and regional policy objectives of the NPF and the relevant RSES, along with the SPPRs of Section 28 Guidelines issued by the minister. Section 12(18) states the following:

"In this section 'statutory obligations' includes, in relation to a local authority, the obligation to ensure that the development plan is consistent with —

(a) the national and regional development objectives specified in —

- (i) the National Planning Framework, and*
- (ii) the regional spatial and economic strategy,*

and

(b) specific planning policy requirements specified in guidelines under subsection (1) of section 28.”

- 4.20 The Apartment Guidelines 2020 recognise the key role which BTR development can play in accelerating Residential Delivery at *‘significantly greater scale than at present’* and when constructed *‘the overall scheme is available to the rental sector over a much shorter timescale on completion and the investment model is therefore capable of delivering a much higher volume of housing than traditional models’*. Therefore, BTR should be considered by the Dublin CDP 2022-2028 as a viable component of a housing market which offers a range of tenures and typologies of accommodation.
- 4.21 The wording of the material alteration is in direct conflict with Section 28 Guidelines for the Design of New Apartments 2020. SPPR8(iv) of the Guidelines state that:
- ‘The requirement that the majority of all apartments in a proposed scheme exceed the minimum floor area standards by a minimum of 10% shall not apply to BTR schemes’*
- 4.22 Material alteration 5.24 is inconsistent with the Apartment Guidelines in this regard as it requires 60% of BTR schemes to be designed as standard apartments in accordance with the minimum sizes set out at Appendix 1 of the Guidelines.
- 4.23 The material alteration as written has serious implications for the implementation of apartment development in Dublin City. Our client considers this requirement is unviable and will result in significant issues in management and operation of apartment developments. The draft Plan and Material Alterations sets out no clear rationale for such a requirement, nor does it appear that such an approach has been successful in other locations or provide any such evidence base to support the policy. Such an approach is likely to impact negatively on investment within Dublin by international companies and Ireland’s status on a European and global context. In accordance with the submission of the OPR, our client seeks the omission of this part of Policy QHSN38, as per the requested amendments below.
- 4.24 That notwithstanding, the material alteration as written is ambiguous and, if implemented, should be qualified through a more clearly worded policy. This should clarify as whether 60% of units within a residential development of over 100 units would be required to be described in public notices in any planning application as ‘standard apartments’ and the balance as ‘build to rent apartments’.
- 4.25 Significant opposition to this aspect of the draft Plan was raised in submissions at that stage of the process, as in many cases BTR is the only viable form of apartment development in many areas of the city at present due to high construction costs. The alternative in most cases is no development proceeding and a net loss to the city’s new housing supply, with knock on impacts such as increased shortage of available rental accommodation, leading to undesirable increased rents throughout the city.
- 4.26 The proposal for a higher proportion of standard designed apartments will likely reduce delivery of new residential apartments for rent and is detrimental to the significant and growing proportion of the population who wish to rent residential accommodation, as recognised in the Housing Needs and Demand Study undertaken by the City Council.
- 4.27 It is respectfully considered that the method and efficiency of BTR delivery is overlooked in the draft Plan and material alterations, notwithstanding that the Apartment Guidelines note that planning policy can accelerate housing construction

and *'make a significant contribution to the required increase in housing supply nationally, identified by Rebuilding Ireland, and the scale of increased urban housing provision envisaged by the National Planning Framework'*. The placing of significant restrictions on BTR development as an important element of the overall residential housing stock in Dublin City is not considered conducive to sustainable planning and development of the local authority area.

- 4.28 It is respectfully considered that the proposed amendments to the draft Plan on BTR, if adopted, will therefore further exacerbate the city's housing crisis. Recently published figures by the property sales website daft.ie indicate, at the time of writing this submission, that the current stock of rental properties available in Dublin is less than a quarter of the typical average over the past twenty years, at a period when population has continued to increase in the capital as noted in the preliminary results of the 2021 Census. Given the clear demand for rental properties in the capital and the well-publicised difficulties in obtaining suitable rental properties, it is submitted that adding restrictions to BTR units which provide properties guaranteed for rental would be a regressive step and would further allow the current shortfalls in rental properties to continue.

Over Concentration

- 4.29 Proposed Material Alterations 5.23 and 5.24 set out a requirement for proposed BTR developments to include a *'map showing all such facilities within a 1km of a proposal'* to demonstrate no over-concentration of Build to Rent Accommodation within an area. This is considered appropriate and aligned with central/ accessible areas which are considered to be most suitable for the location of BTR accommodation as specified within the Apartment Guidelines. This would be consistent with other metrics applied to apartment development i.e. proximity to public transport corridors and interchanges. This would assist in ensuring there are opportunities for a sustainable mix of tenure and long-term sustainable communities in accordance with Policy QHSN38 as amended.
- 4.30 The draft Plan does not provide clarity on what would constitute an 'overconcentration' in this regard. Our client would seek that if carried forward to the adopted version of the Plan, this detail is provided to assist. In any case, BTR development is noted by Dublin City Council to *'serve an important role in meeting housing demand and can fill a gap in tenure mix'* and therefore is considered to play an important role in the composition of the housing market in Dublin City.
- 4.31 To date, BTR development has accounted for c. 35% of the total of SHD developments in the Dublin area. This cannot be considered to constitute a *'high proportion of SHD applications which have been dominated by BTR'* as stated in the HNDA or warrant the implementation of restrictive policies which has the potential to threaten the planning and implementation of such developments which the draft Plan concedes *'serves an important role in meeting housing demand and can fill a gap in tenure mix'*.
- 4.32 Despite outlining concerns on the provision of BTR development, the draft Plan does not include a metric for what is considered as an 'oversupply', nor does it provide factual analysis to support the assertion that this currently exists and warrants imposing restrictions on this type of housing. This should be clarified in the adopted version of the Plan.
- 4.33 Limitations on the quantum of BTR units which can potentially be implemented in Dublin City are not encouraged by national policy or section 28 guidelines, particularly the Apartment Guidelines 2020 which strongly support the concept and require no

restrictions on unit size. Introducing such limitations as set out in the proposed material alterations will result in the Plan being non-compliant with national policy and guidelines relative to BTR accommodation.

- 4.34 In this respect, it is therefore unclear as to why Dublin City Council seek to limit the prominence of BTR development in Dublin. This will only serve as a barrier to future proposals for BTR in Dublin City which will delay and prevent the delivery of housing which is an acute requirement.
- 4.35 Separately, Cairn welcomes the inclusion of 'Build to Rent residential' as a 'Permissible Use' under Z14 Strategic Development and Regeneration Areas land use zoning objective under Material Alteration Reference Number 14.11. SDRAs are considered ideal locations for the accommodation of BTR as they support a wide range of uses, generally benefit from good access to public transport connections existing and proposed and BTR will contribute to a mix of tenures which is sought by national policy objectives, as well as assisting with the aims of the 15-minute city as set out in the draft Plan.

Proposed Amendments

- 4.36 On the basis of the above, our client would respectfully request the following amendments to Build to Rent Accommodation policies and objectives as set out in the Material Alterations.

Material Alteration Reference Number 5.23

Chapter 5

Section: 5.5.7 Specific Housing Typologies, subheading Build to Rent (BTR) and Shared Accommodation

Page: 184-185

Amendment:

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 areas of high intensity employment use, within 500m of major public transport interchanges and within identified Strategic Development Regeneration Areas.~~ within central and/or accessible locations (as defined in the Apartment Guidelines 2020), including but not limited to the following specific locations:

- Within the Inner City (i.e. within the canal ring);
- Within reasonable walking distance of high frequency public transport routes (up to 1,000m from high-capacity urban public transport stops and 500m to urban bus services); and
- Within identified Strategic Development Regenerations 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 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 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.~~

~~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.~~

Material Alteration Reference Number 5.24**Chapter 5**

Section: 5.5.7 Specific Housing Typologies, subheading Build to Rent (BTR) and Shared Accommodation

Page: 186, Policy QHSN38

Amendment:**Policy QHSN38 Build to Rent Accommodation**

To facilitate the provision of Build to Rent (BTR) Accommodation in the following specific locations:

- Within the Inner City (i.e. within the canal ring);
- Within reasonable walking distance of high frequency public transport routes (up to 1,000m from high-capacity urban public transport stops and 500m to urban bus services); 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 40% 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 existing and permitted and proposed BTR developments within a (in the vicinity) 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 (regard) the (geographical area) 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.

Material Alteration Reference Number 15.8**Chapter 15**

Section: 15.10 Build to Rent Residential Developments (BTR)

Page: 706

Amendment:

“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 apartments (the build to sell) units. Dublin City Council will consider “Built to Rent” developments in specific locations as follows:

- Within the Inner City (i.e. within the canal ring);

- Within reasonable walking distance of high frequency public transport routes (up to 1,000m from high-capacity urban public transport stops and 500m to urban bus services); 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, minimum of 40% - 60% of standard build to sell apartments will be required in such instances.~~

~~{Please refer to section 5.5.7 of this City Development Plan – Policy QHSN38.}~~

~~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.~~

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 as assessment of other and existing permitted 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.}

5. UNIVERSAL DESIGN

5.1 Cairn has serious concerns regarding Material Alterations as they relate to Universal Design at Chapter 5: Quality Housing & Sustainable Neighbourhoods and related requirements set out at Chapter 15: Development Standards and Appendix 1.10 which will have significant implications for the design and potential quantum of apartment development in Dublin City.

5.2 Our client wishes to make submission on and recommend alterations to the following Material Alterations:

- **Universal Design**

- Material Alteration Reference Number 5.16: Objective QHSNO10 Universal Design
- Material Alteration Reference Number 15.7: Unit Size / Layout
- Material Alteration Reference Number Appendix 1.10: Specialist Provision

5.3 These are reproduced below for reference.

Material Alteration Reference Number 5.16

Chapter 5

Section: 5.5.5 Housing for All

Page: 178

Amendment:

Objective QHSNO10 Universal Design

~~(It is an Objective of Dublin City Council: To require that a minimum of 10% of dwellings in all schemes over 100 units are designed to accommodate people with disabilities and older people in accordance with the Universal Design Guidelines for Homes in Ireland 2015.)~~

{It is an Objective of Dublin City Council: To ensure that 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people, people living with dementia and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, the DHLG&H's Design Manual for Quality Housing 2022 and the DHP&LG & DH's Housing Options for Our Ageing Population Policy Statement 2019.}

Material Alteration Reference Number 15.7

Chapter 15

Section: 15.9.2 Unit Size / Layout

Page: 693, 4th paragraph

Amendment:

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 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%). ~~(The layout of the larger units of each type should be designed in accordance with the guidance set out in Universal Design Guidelines for Homes in Ireland 2015.)~~ {In accordance with the Housing Options for an Ageing Population Policy Statement 2019, 50% of the apartments that are in excess of the minimum sizes should be designed in accordance with the guidance set out in Universal

Design Guidelines for Homes in Ireland 2015 to ensure that they are suitable for older people, mobility impaired people and people with disabilities.}

Material Alteration Reference Number Appendix 1.10

Volume 2: Appendix1

Section: 7.2.3 Specialist Provision Support from Dublin City Council, subheading: Meeting the Housing Needs of Older Persons and Persons with Disabilities

Page: 72, 3rd paragraph

Amendment:

~~(This housing strategy will support a commitment whereby a minimum of 10 percent of dwellings in all schemes over 100 units are designed to accommodate people with disabilities and older people in accordance with the Universal Design Guidelines for Homes in Ireland, 2015.)~~

{This housing strategy will support an objective to ensure that 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, the DHLG&H's Design Manual for Quality Housing 2022 and the DHP&LG & DH's Housing Options for Our Ageing Population Policy Statement 2019.}

- 5.4 Our client respectfully submits that the proposed 50% requirement in respect of universal design in apartment development is extremely high and will have negative impacts on the provision of high-quality apartment development in Dublin City and add to the overall cost of construction which will be passed on to consumers. Where the Planning Authority consider it essential to include such a requirement, Cairn suggest all apartment developments provide a definitive percentage of 5% of units designed in accordance with the Universal Design Guidelines for Homes in Ireland 2015 as an alternative.
- 5.5 The proposed material alterations in relation to universal design effectively require a minimum of 25% of all proposed apartment developments over 10 units to meet the Universal Design Guidelines and others. This has significant design implications for proposed apartment developments which will require larger apartment sizes, wider and deeper rooms and increased balcony depth. In turn, this will result in lower potential unit numbers and densities on sites suitable for apartment development at a time when delivering increased numbers of housing is a clear national objective as set out in the Government's Housing for All Plan 2021 and referenced in the draft Plan. Taken alongside the requirements relating to 5% community/arts/cultural space, this will add significantly to construction costs and contribute to a more challenging financial environment for developers which will work contrary to the government guidance and national policy objectives which seeks to promote affordability and increased housing delivery at higher densities within urban areas.
- 5.6 Furthermore, the proposals are considered inconsistent and at odds with the National Planning Framework and Apartment Guidelines which make no suggestion or requirement on the provision of 50% of apartments in excess of minimum size to be designed in accordance with the Universal Design Guidelines for Homes in Ireland 2015 or any other similar guidelines. It is noted that Section 4.1 of the Apartment Guidelines encourages inclusive design and accessibility within proposed apartment developments to ensure they are *'easy for people to use and to reflect the fact that all people experience changes in their abilities as they progress through the different stages of life'*. The Apartment Guidelines also include reference to Part M of the Building Regulations which *'sets out standards to ensure that buildings are accessible and usable by everyone, including children, people with disabilities and older people'*. It is respectfully

considered that the requirements of the Apartment Guidelines make sufficient provision for accessibility and universal design to accommodate and adapt to users of varying needs and ages.

- 5.7 It is considered that the implementation of **Objective QHSNO10 Universal Design, Section: 15.9.2 Unit Size / Layout** and **Section: 7.2.3 Specialist Provision** may discourage developers providing additional units over minimum standards beyond that required by the Apartment Guidelines. For example, many proposed apartment schemes of over 10 units would be comprised of a mix of unit types, the vast majority of which may be over 10% larger than the minimum apartment sizes set out in Appendix 1 of the Apartment Guidelines. This restrictive policy requirement may result in developers and architects providing the absolute minimum requirement of 51% of apartments as set out in Section 3.8 Safeguarding Higher Standards in the Apartment Guidelines:

‘Accordingly, it is a requirement that:

The majority of all apartments in any proposed scheme of 10 or more apartments 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 calculable as units that exceed the minimum by at least 10%)’

- 5.8 It is respectfully submitted that the implementation of a restrictive policy will be counterproductive to Section 3.8 of the Apartment Guidelines which seeks to safeguard higher standards as developers seek to maximise development density at locations within Dublin City.
- 5.9 The Development Plan Guidelines 2022 note that planning policy included within Development Plans should not duplicate let alone override other statutory or legislative codes. The Guidelines state *“Objectives dealing with specific issues that are governed by other legislative codes, for example, the Building Regulations or the Building Control Acts, should not be framed as mandatory or statutory objectives in development plans. Discretionary objectives that may be included in development plans are described in the First Schedule of the Planning Act”*. The Development Plan Guidelines 2022 relating to Objectives of Development Plan states *“The objective should not address matters that are the subject of other legislative provisions. Objectives dealing with specific issues that are governed by other legislative codes, including for example, the Building Regulations or the Building Control Acts, should not be included as mandatory objectives in development plans. While objectives may be provided to encourage particular formats or technical methods as appropriate, these should not be framed as mandatory or statutory requirements.”*
- 5.10 The proposed material alteration to Objective QHSNO10 goes substantially beyond legislation requirements in Building Regulations and contrary to Apartment Guidelines. This is therefore contrary to national policy and constitutes the Planning Authority acting *ultra vires* in this regard.
- 5.11 It is suggested that a definitive percentage of 5% of proposed apartments to be designed in accordance with the universal design guidelines is included in **Objective QHSNO10 Universal Design, Section: 15.9.2 Unit Size / Layout** and **Section: 7.2.3 Specialist Provision**. This will remove any ambiguity around the requirements and introduce a simple standard which is more acceptable to all.

- 5.12 It is noted that other Planning Authorities in the Eastern & Midlands Region have adopted a standardised approach in this regard. Meath County Development Plan 2021-2027 includes [Objective SH OBJ 23](#) which seeks that:

'all new residential developments on zoned lands in excess of 20 residential units provide for a minimum of 5% universally designed units in accordance with the requirements of the 'Building for Everyone: A Universal Design' developed by the Centre for Excellence in Universal Design (National Disability Authority).'

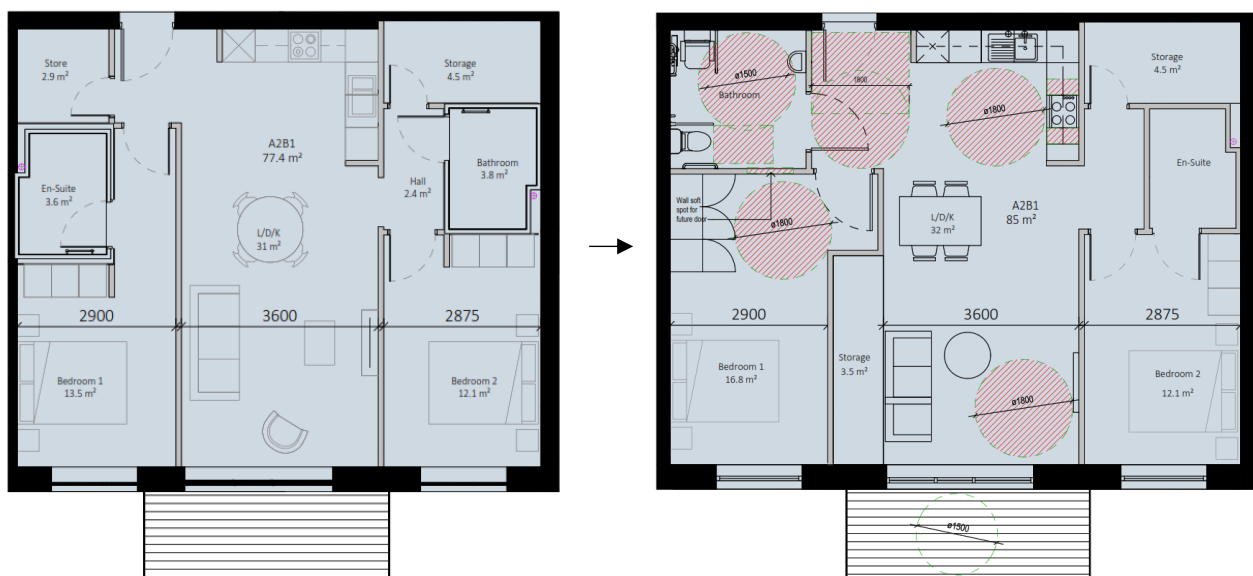
- 5.13 [Objective CPO 6.8](#) of the draft Wicklow County Development Plan 2023-2029 requires that:

'all new residential developments in excess of 20 residential units to provide a minimum 5% universally designed homes in accordance with the requirements of 'Building for Everyone: A Universal Design Approach and the Universal Design Guidelines for Homes in Ireland (2015).'

- 5.14 Whereas [Objective SPQHO21](#) – Accessible Housing of the draft Fingal County Development Plan 2023-2029 seeks only to provide a certain percentage of social housing as fully accessible:

'Fingal County Council recognises the importance of social inclusion and aims to make 30% of social housing should be fully accessible and built with a universal design approach which will mean that the property will be flexible and changed as needed over the course of the occupant's lifetime.'

- 5.15 It is suggested that Dublin City Council consider the approach taken by other local authorities in the region and seek to implement a standardised approach to this requirement, if considered necessary. The implications of implementing the **Objective QHSNO10 Universal Design, Section: 15.9.2 Unit Size / Layout** and **Section: 7.2.3 Specialist Provision** as per the material alterations will have significant implications to the design and potential delivery of apartment developments within Dublin City. To demonstrate this, our client has sought input from O'Mahony Pike Architects. A typical 2-bedroom example is set out below, with 1-bed example included alongside this with an architectural drawing provided at Appendix 1 of this document.



- 5.16 It is clearly demonstrated that an average 2-bed, 4-person unit would need to be designed to 85 sqm, 12 sqm or 16% above the minimum standards and 7.6 sqm larger than the typical 2-bed apartment which Cairn are currently building out at their Montrose development. Universal design requirements would also require a 2-bed, 3-person unit to be designed to 77.4 sqm, more than 14 sqm greater than minimum requirements set out in the Apartment Guidelines.
- 5.17 O'Mahony Pike Architects findings demonstrating that an average 1-bed unit would need to be designed to 53.4 sqm, 8.4 sqm above the minimum standards and 3.4 sqm larger than a typical 1-bed which Cairn are currently constructing.
- 5.18 The result is clearly a significant increase in floor space which will have a substantial impact on overall build costs for a large-scale apartment development of in excess of 100 units for example where a minimum of 25 apartments would be required to meet universal design standards under the provisions of the Material Alterations as written.
- 5.19 In reality, this figure may be greater due to the requirement of the Apartment Guidelines to have a majority of units in excess of 10% larger than minimum standards. Some standard apartment schemes may be providing up to 70-80% of units at least 10% above minimum size.
- 5.20 This would substantially add to construction costs at a time of significant inflationary pressure and challenging conditions being experienced by the construction market, as well as reducing the quantum and density of residential development contrary to national planning objectives which seek to deliver more homes and promote compact growth.
- 5.21 Taken in combination with the content of the draft Plan which requires 5% of overall floorspace in large scale developments to provide community/cultural space, the proposed universal design objectives are considered to be unviable in the current construction environment and have had little regard to the prevailing commercial conditions of the market at this time.

Proposed Amendments

- 5.22 In respect of the above, our client would respectfully request the following amendments in relation to universal design.

Material Alteration Reference Number 5.16**Chapter 5****Section: 5.5.5 Housing for All****Page: 178****Amendment:****Objective QHSNO10 Universal Design**

~~(It is an Objective of Dublin City Council: To require that a minimum of 10% of dwellings in all schemes over 100 units are designed to accommodate people with disabilities and older people in accordance with the Universal Design Guidelines for Homes in Ireland 2015.)~~

(It is an Objective of Dublin City Council: To ensure that 5% 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people, people living with dementia and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, the DHLG&H's Design Manual for Quality Housing 2022 and the DHP&LG & DH's Housing Options for Our Ageing Population Policy Statement 2019.)

Material Alteration Reference Number 5.16**Chapter 15****Section: 15.9.2 Unit Size / Layout****Page: 693, 4th paragraph****Amendment:**

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 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%). ~~(The layout of the larger units of each type should be designed in accordance with the guidance set out in Universal Design Guidelines for Homes in Ireland 2015.)~~ {In accordance with the Housing Options for an Ageing Population Policy Statement 2019, 5% 50% of the apartments that are in excess of the minimum sizes should be designed in accordance with the guidance set out in Universal Design Guidelines for Homes in Ireland 2015 to ensure that they are suitable for older people, mobility impaired people and people with disabilities.}

Material Alteration Reference Number Appendix 1.10**Volume 2: Appendix1****Section: 7.2.3 Specialist Provision Support from Dublin City Council, subheading: Meeting the Housing Needs of Older Persons and Persons with Disabilities****Page: 72, 3rd paragraph****Amendment:**

~~(This housing strategy will support a commitment whereby a minimum of 10 percent of dwellings in all schemes over 100 units are designed to accommodate people with disabilities and older people in accordance with the Universal Design Guidelines for Homes in Ireland, 2015.)~~

{This housing strategy will support an objective to ensure that 5% 50% of apartments in any development that are required to be in excess of minimum sizes should be designed to be suitable for older people/mobility impaired people and people with disabilities in accordance with the guidelines set out in the Universal Design Guidelines for Homes in Ireland 2015, the DHLG&H's Design Manual for Quality Housing 2022 and the DHP&LG & DH's Housing Options for Our Ageing Population Policy Statement 2019.}

6. STRATEGIC DEVELOPMENT & REGENERATION AREAS

- 6.1 We note the following Material Alteration Reference Number 13.5 in respect of the provision of cultural, arts and community use.

Material Alteration Reference Number 13.5

Chapter 13

Section: 13.2 Overarching Principles

Page: 467 – 469, insert New Objective SDRAO1 in section 13.2 after 1st paragraph

Amendment:

After 1st paragraph delete existing text in section 13.2 and replace with the following text:

{13.2.1 Overarching Principles and Vision

Objective SDRAO1 Overarching Principles and Vision

It is the objective of Dublin City Council:

...

Cultural Infrastructure: All new regeneration areas (SDRAs) and large-scale developments above 10,000 sq. m. in total area must provide at a minimum 5% community, arts and culture internal floorspace as part of their development. See policy CUO21, Chapter 12 for further detail.}

- 6.2 Cairn acknowledges the requirement for community, arts and cultural provision as an essential component of sustainable communities within Dublin. Cairn is willing to engage and work with the planning authority on the implementation of such through a practical mechanism which responds to an identified need in an area. The proposed approach in the draft Plan and material alterations will undoubtedly result in ad hoc facilities scattered around the city, many of which are likely to be redundant and occupied.
- 6.3 This proposed material alteration requiring 5% of internal floorspace for community, arts and cultural use is considered inappropriate by our client and should be omitted from the adopted Plan. The draft Plan provides no rationale for this requirement which should be assessed at planning application stage by a social/community audit and implemented by way of development contribution. This policy requirement conflicts with the National Planning Framework and the Apartment Guidelines, neither of which suggest that large-scale developments above 10,000 sqm or within regeneration areas should provide 5% of internal floorspace for community/arts/culture use. The additional of this requirement will lead only to increased construction costs of apartment development which will be to the detriment of overall delivery of housing units in Dublin City, particularly when considered alongside the proposed material alterations in respect of universal design. It is considered that sites of 2 hectares and above are more appropriately scaled to deliver a meaningful quantum of community, arts and cultural floorspace within a framework or masterplan approach. This is suggested below in the proposed amendment.
- 6.4 It is noted that SDRAs are subject to a series of 'Guiding Principles' and specific land use mixes which are provided for through a development framework or masterplan for each area. This mechanism is considered appropriate to provide for adequate cultural/community/arts facilities within the overall SDRA. It is not considered appropriate to then set out a requirement for an additional 5% floorspace of all

development to be delivered for community and cultural space when a specific site may have been identified through the SDR development framework. It is contended that the proposed requirement will render many of these spaces to be underutilised or redundant and will eventually result in change of use planning applications being submitted for these spaces.

- 6.5 Vacant internal spaces particularly at ground floor level will detract from passive surveillance and active frontage at street level, impacting negatively on the streetscape and vitality in this respect. As written even very small-scale development in SDRAs must provide 5% cultural/community space. This will result in very small-scale cultural facilities with no practical or viable uses in many cases, and a fractured and ad hoc distribution of such facilities. There is a requirement to approach such a need at a more macro level which is appropriate for SDRAs.
- 6.6 Our client respectfully suggests a more nuanced approach is considered appropriate informed by the level of demand for such spaces in an area. This can be achieved through the Section 48 Development Contributions Scheme and implemented in an efficient and proportionate manner when a need is identified. It is considered unreasonable that housing / apartment developments which may consist of 100 or more units, or a mid-sized commercial office development would be required to provide a minimum of 500 sqm for community/cultural/arts floor space which is a significant contribution. Such a requirement has the potential to detract from the viability of a development and act as a barrier to the provision of other commercial or retail uses which may be more appropriate at a location and for which there may be an identified need. This requirement under Objective SDRAO1 therefore has the potential to undermine the land use zoning objectives for SDRAs as well as other large-scale developments.
- 6.7 Table 15-1 at Chapter 15 of the draft Plan requires that residential applications of 50 units or more will be required to provide a Community and Social Audit. This report should form the basis for the requirement of any community space within a proposed scheme as opposed to an objective of the Plan which may result in the underutilisation and vacancy of these spaces. It is also noted that Objective CUO40 of the draft Plan aims to undertake *'an audit and implementation plan for each Electoral Area of the Council to assess the current and future needs with regard to cultural and artistic spaces'*. This will also assist in the identification of need in certain areas.

Proposed Amendment

- 6.8 It is therefore respectfully requested that the proposed wording under Material Alteration Number 13.5 **Section: 13.2 Overarching Principles** in relation to Cultural, Arts and Community Use is amended as follows:

Material Alteration Number 13.5

Chapter 13

Section: 13.2 Overarching Principles

Page: 467 – 469, insert New Objective SDRAO1 in section 13.2 after 1st paragraph

Amendment:

After 1st paragraph delete existing text in section 13.2 and replace with the following text:

{13.2.1 Overarching Principles and Vision

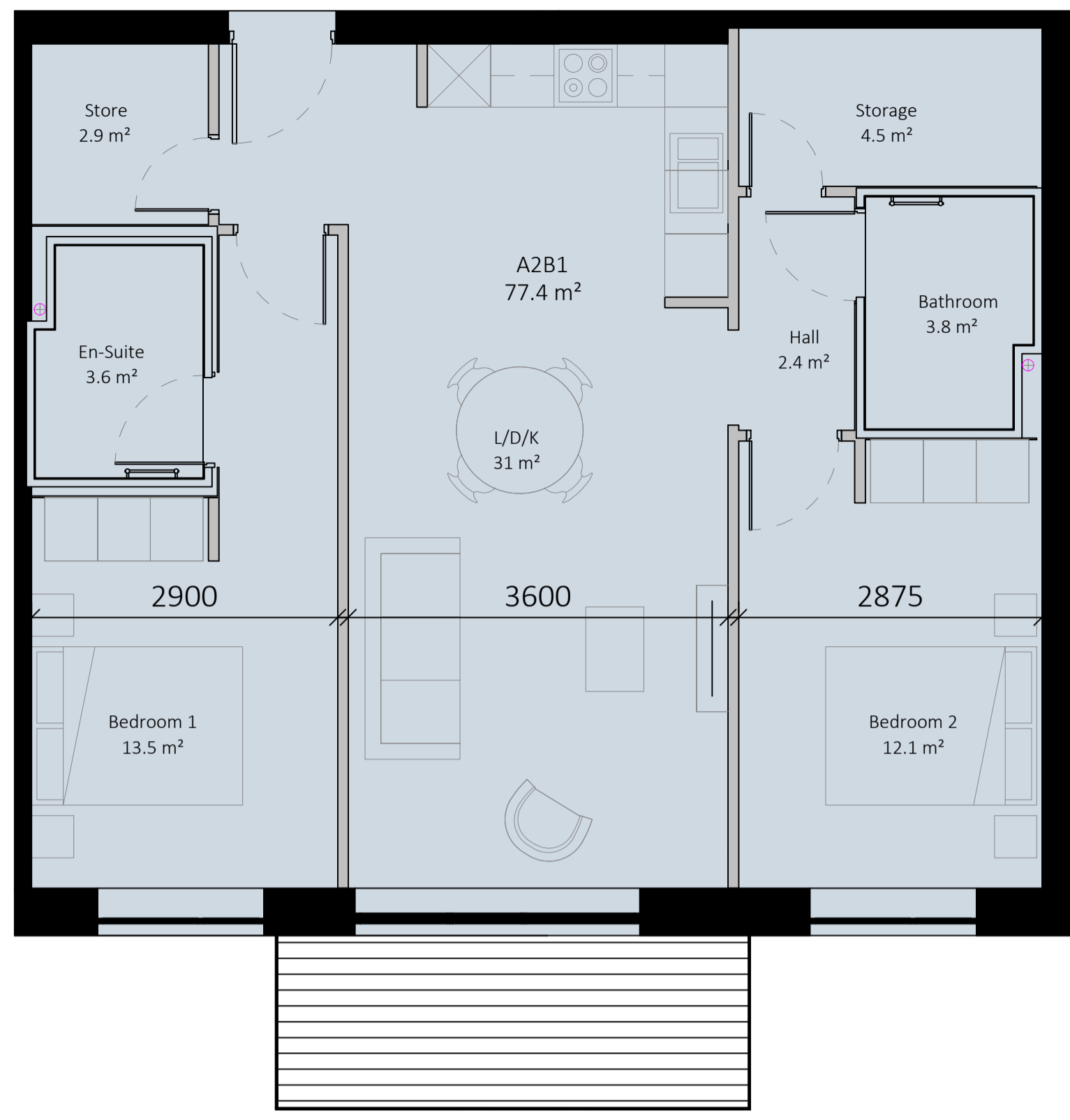
Objective SDRA01 Overarching Principles and Vision

It is the objective of Dublin City Council:

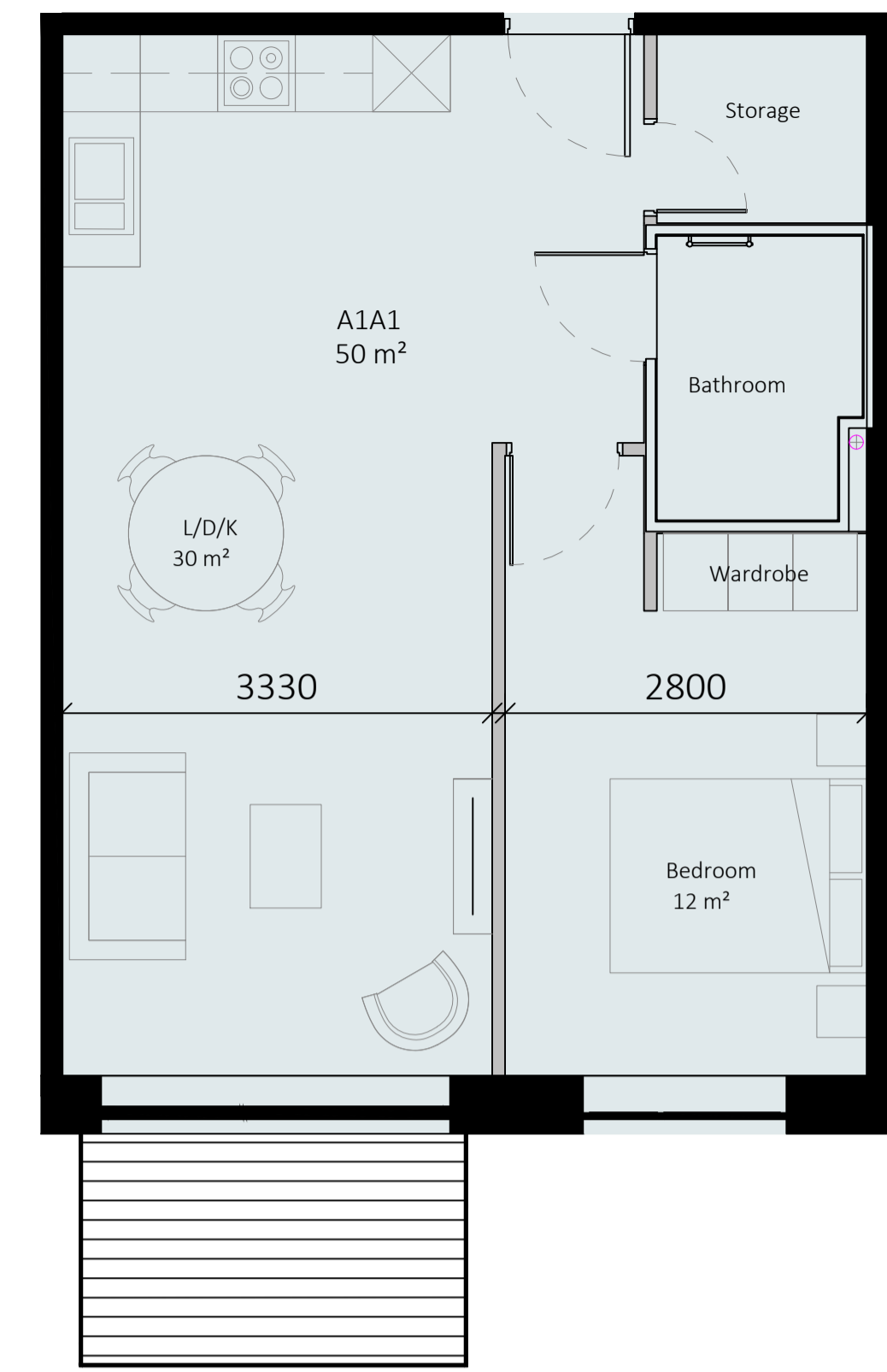
...

Cultural Infrastructure: All new regeneration areas (SDRAs) on site greater than 2 hectares ~~and large-scale developments above 10,000 sq. m. in total area~~ must provide a proportionate level of ~~at a minimum 5%~~ community, arts and culture internal floorspace consistent with the development framework for the area or to meet a need identified by the Cultural and Artistic Space Audit (to be undertaken by the Council under Objective CUO40) and/or a social infrastructure audit submitted with a planning application. Contributions will be sought through the Council's Section 48 Development Contribution Scheme. ~~See policy CUO21, Chapter 12 for further detail.~~

Appendix 1
O'Mahony Pike Architects
Universal Design Apartment Comparison



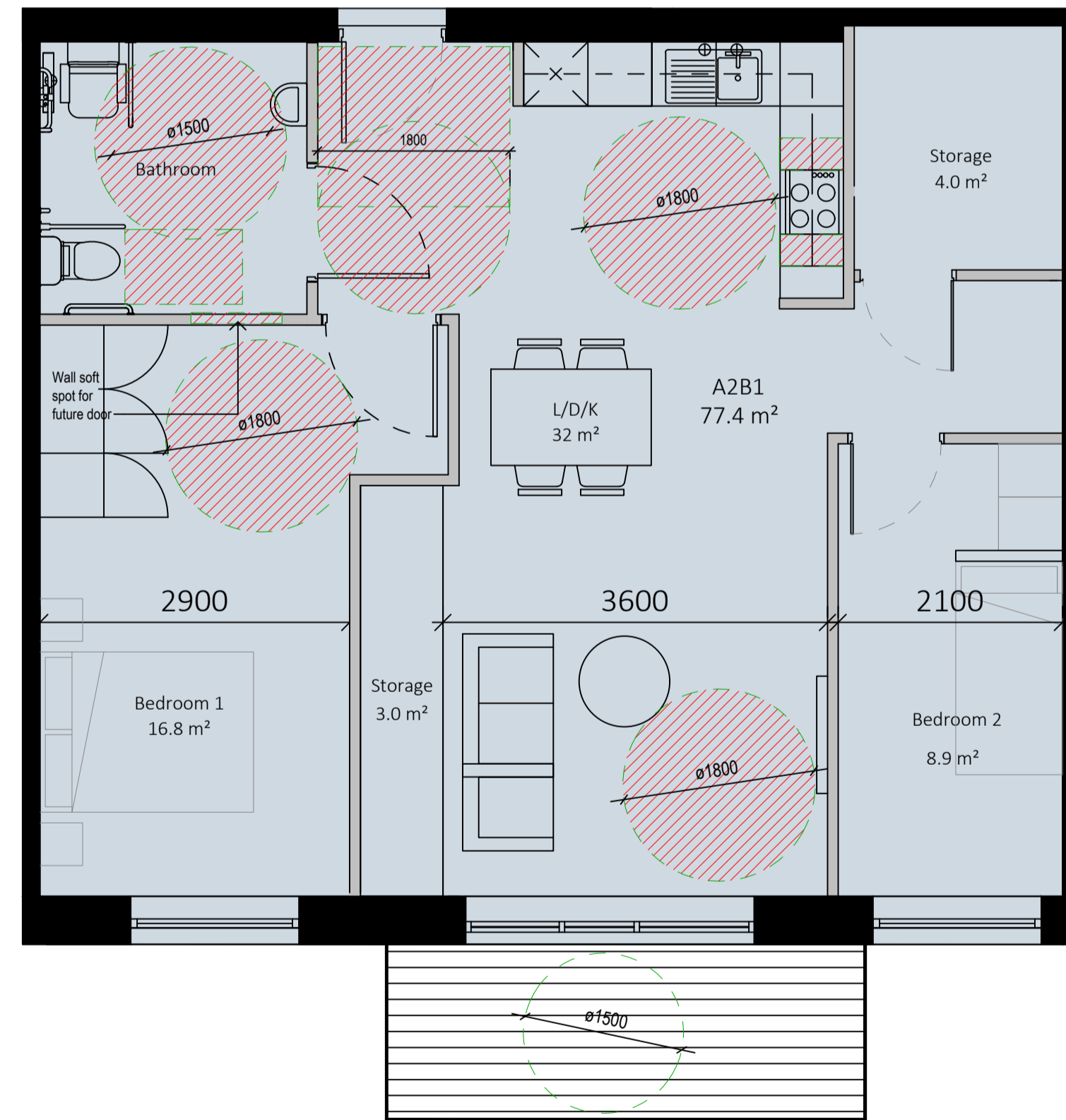
① Unit A2B1 - Typical 2 Bed Unit - Montrose (2B4P)
1:50



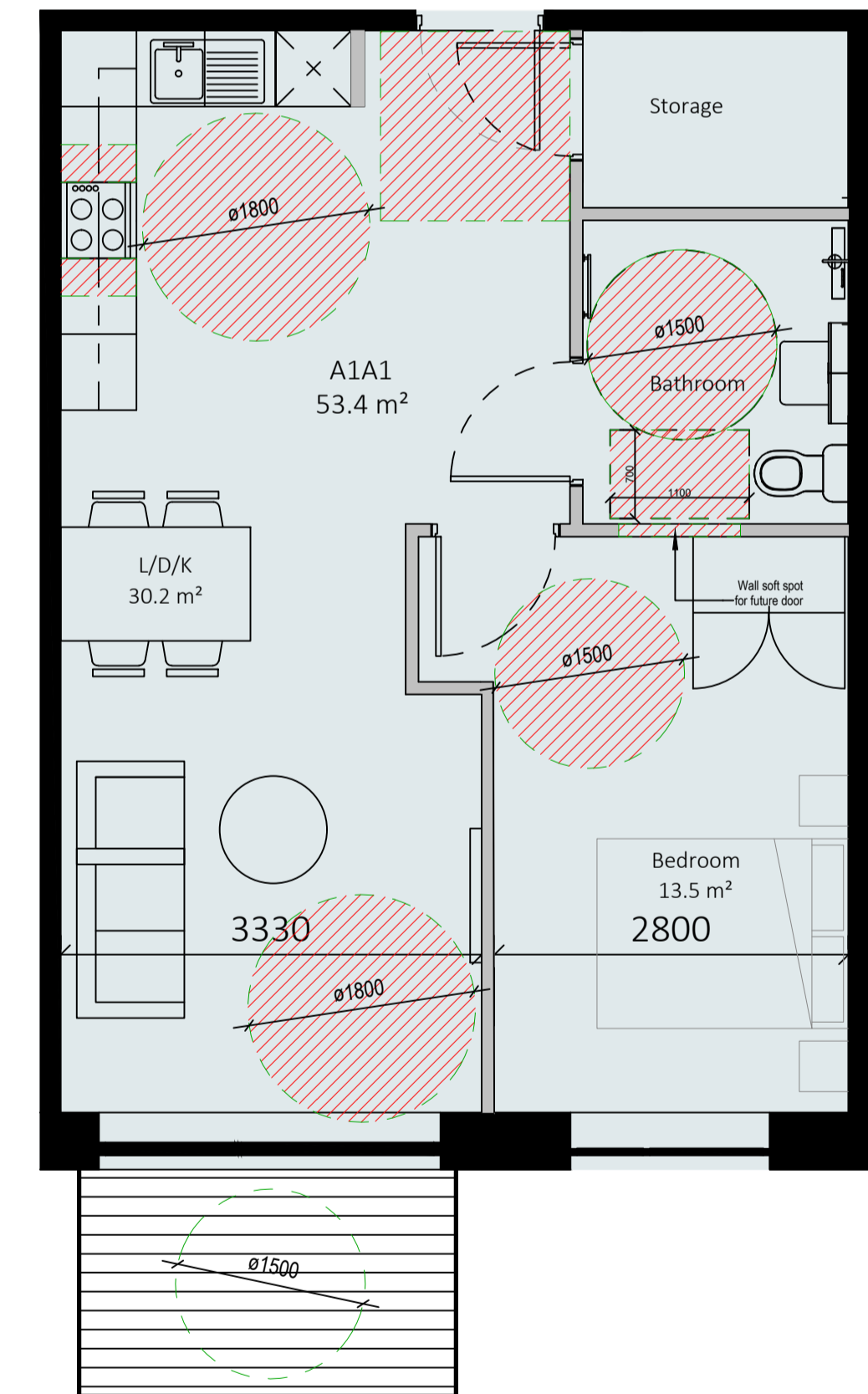
④ Unit A1A1 - Typical 1 Bed Unit - Montrose
1:50



② Unit A2B1 Universal Design (2B4P)
1:50



③ Unit A2B1 Universal Design (2B3P)
1:50



④ Unit A1A1 Universal Design
1:50

Typical Unit Types Sketch

Revision Description	Date	Rev. No.	Issued by

<p>architecture urban design email: info@omahonypike.com tel: +353 1 202 7400 fax: +353 1 283 0822 www.omahonypike.com</p>	<p>Dublin The Chapel Mount St. Anne's Milltown, Dublin 6 D06 XN52 Ireland</p>	<p>Cork One South Mall Cork City Co. Cork T12 CCN3 Ireland</p>	<p>Project Code: 1616E Project Lead: MH Drawn By: ES Job No.: 1616E Purpose: Sketch</p>	<p>Scale: 1:50 Date: 01.09.22 Revision: P2 Status: S0</p>
--	---	--	---	--

<p>Project: LANDS AT MONTROSE Location: Stillorgan Road, Dublin 4 Client: Cairn Homes Montrose Ltd.</p>	<p>Drawing Title: Typical Unit Types - Universal Design Amendments Drawing No.: 1616E-OMP-ZZ-ZZ-SK-A-0001</p>
---	--

Any reference to fire safety design or performance is presented for coordination purposes only. Refer only to the granted Fire Safety Certificate, and fire consultant's information for fire safety design, specification and performance.
 Figured dimensions only to be used. This drawing is copyright of O'Mahony Pike Architects Ltd. All information is shared as per approved use in accordance with ISO19650-2:2018, Table 5; Standard Codes for Suitability of Models and Documents and the BEP. If the 'Status' field is empty, this information has been shared at S0 - WIP.

Source file: GCLB-OMP-ZZ-ZZ-M3-A-0001.rvt