



Hines

**Development Plan Team
Planning and Property Development Department
Dublin City Council
Wood Quay, Dublin 8**

Date: 1st September 2022
Re: Submission to Draft Dublin City Development Plan – Material Alterations Stage (2022-2028)

To whom it may concern,

Hines Real Estate Ireland Limited ("HREIL") wish to make the following submission on the Draft Dublin City Development Plan – Material Alterations Stage.

Hines Real Estate Ireland Limited ("HREIL"), in its capacity as Development Manager to CWTC Multi Family ICAV who are the current owner of the Former Player Wills & Bailey Gibson site in Dublin 8 and the Former Holy Cross College Grounds in Drumcondra, welcomes the new Draft Dublin City Development Plan, and the opportunity to work with Dublin City Council such that this growing City can deliver on its potential as a sustainable and resilience place to live.

In this context, HREIL wish to make the attached submission on the Material Alterations of the Draft Plan and note the following:

1. NPF & SDRAs

- the National Planning Framework (NPF) signalled a shift in Government policy towards securing more compact and sustainable urban development, to enable people to live nearer to where jobs and services are located, and this requires at least half of new homes within Ireland's cities to be provided within the current built-up area of each, i.e. on sites within the existing urban 'envelope'.
- as such we welcome the SDRAs being of fundamental importance to the City.
- as per our submission, we consider it crucial the Plan includes the CE's explanation that these capacities are not max/min and are conservative estimates to ensure they are not incorrectly interpreted as a limit or cap as this would detrimentally impact the delivery of high-quality development in the areas specifically designated for regeneration.
- this requirement is also relevant when coupled with recent census data, refer below.

2. Population

- Ireland had a population of 4.75 million in 2016, of which c. 1.3m resided in Dublin city and county. This was an increase of 5.7% for Dublin since 2011.
- latest data released last week shows 1.451m now reside in Dublin, representing an 11% increase since 2016.

- the emerging Development Plan, along with the NPF, are therefore already out of date from earlier projections
- this rapid rate of population growth is set to continue and not only reinforces Point 1 above , but also points to the need to make the most efficient use of land, as per Point 3 below.

3. Efficient Use of Land

- we note, regrettably, that LEA Councillor Ray McAdam’s Motion (No. V2.10 MOT-01828) was accepted by the CE but ultimately struck down and does not form part of the Material Alterations
- this Motion helpfully sought to clarify that higher densities are permitted within the Density Ranges table (Table 1: Density Ranges on P. 219 of Appendix 3) for certain (defined) circumstances.
- The CE recommended the motion as it supports *“existing national and regional policy as expressed in the Draft Development Plan, to continue the consolidation of the city to optimise the efficient use of urban land. Furthermore, the wording proposed in the motion will provide consistency between Density Ranges in Table 1 (Page 219) and Table 2: Indicative Plot Ratio and Site Coverage (Page 220) of Appendix 3.”*
it is unclear why this Motion was not progressed, and we would welcome the Density Ranges table to include this Alteration. This is now absolutely necessary in the context of the recently published census figures.

4. Apartment Standards & the Carbon Cost

- Irish apartment standards are very high relative to our EU neighbours: A one bedroom apartment in Dublin is 45m², whereas this drops to 35m² in Paris; 40m² in Milan & Amsterdam; 41m² in Copenhagen & Madrid. Similarly, a 3 bedroom apartment in Dublin is 90m², but just 70m² in Amsterdam.
- And these are Ireland’s minimum requirements for ‘Build-To-Rent’.
- The 2018 Guidelines introduced a further “10% oversizing” for the majority of units, but only within ‘Build to Sell’ schemes, which brings a one bedroom apartment to 50m² and a three bedroom to 99m² (recalling a 1-bed unit in Amsterdam is 40m² and a three bed 70m²).
- Aside from the intervention appearing to cut across SPPR8, it is worryingly unclear what evidence this has been anchored on.
- The economic viability of developing higher density apartments is very challenged currently – particularly given the current inflationary pressures. As noted Irish national apartment standards are very high relative to our European neighbours. Yet the proposals seek to add significant additional costs with a requirement for a higher % of “oversized” apartments. This will see less housing being delivered during the course of this plan, which will ultimately curb supply even more. Additionally, there appears to be no impact assessment of this additional “oversizing” for BTR, nor carbon accounting. Every unnecessary m² of residential development costs c. 580kg of carbon (according to RICS) and counteracts operational energy savings being regulated for.
- The Plan correctly defines this issue as embodied carbon *“the emissions associated with all the activities of procuring, mining, harvesting raw materials, transforming these materials into construction products, transporting them to site and incorporating them into a building, and subsequently maintaining, replacing and removing and disposing at the end of their life”*.
- Since our 2021 Climate Plan was enacted into Irish Law there must be more accountability. Certainly, there are countless advocacy groups (such as ICCA) and research materials available to consult. The Council is also signatory to the EU Covenant of Mayors for Climate and Energy initiative, there is an Energy Oversight Committee (EOC), a Dublin Region Energy Masterplan, and Dublin’s Climate Action Plan.

- It is rash to bring forward policy when there has been no attempt to understand the consequence of how this undermines our climate targets.

Notably, the above is set against a backdrop of major energy security threats, a live Ukrainian refugee situation – not to mention the existing housing crisis and hyper-inflation already impacting on viability.

Notwithstanding the above, this submission further focuses on:

1. Core Strategy
2. Cultural Provision
3. Build to Rent
4. Daylight

1. Core Strategy

Material Alteration Reference Number 2.4

Table 2.8 - Core Strategy and Settlement Hierarchy

- We note that the Chief Executive's Report (May 2022) states in respect of Table 2.8:

"These figures are for estimation purposes and are not min/max targets; future planning applications will be assessed and evaluated on merit in line with the policies and objectives of the Plan and national policy. The data contained in Table 2-8 is considered a reasonable and considered conservative estimation of the capacity of the SDRAs areas and allows for other land use requirement such as roads, public realm, open space, community uses etc."^[1]

The Material Alterations do not expressly state that the figures in Table 2.8 are conservative estimates, which are to be used for estimation purposes and are not min/max targets.

Without this express clarification, there is a risk that these figures will be interpreted incorrectly as a strict limit or cap. Such an interpretation could adversely impact the delivery of high quality development within the city in areas which have been specifically designated for regeneration. This would be contrary to the objectives to achieve sustainable urban consolidation and provide for compact growth.

We recommend that express language be included in the Draft Plan clarifying that the figures in Table 2.8 are conservative estimates, which are to be used for estimation purposes and are not min/max targets.

The inclusion of this wording will ensure that the Draft Plan, once in effect, is interpreted in accordance with the clear intention as set out in the Chief Executive's Report. This wording will also provide stakeholders with the necessary clarity when assessing development proposals in light of the new plan.

RECOMMENDATION

Addition to Table 2.8 to note:

These figures are for estimation purposes and are not min/max targets; future planning applications will be assessed and evaluated on merit in line with the policies and objectives of the Plan and national policy. The data contained in Table 2-8 is considered a reasonable and considered conservative estimation of the capacity of the SDRAs areas and allows for other land use requirement such as roads, public realm, open space, community uses etc.

^[1] Page 111-112.

Material Alteration Reference Number 2.5

Chapter 2
Section: 2.3 Core Strategy
Page: 64

Amendment:
Replace within Table 2-8 and adjust table and relevant figures accordingly.

SDRA 11 St. Teresa’s Gardens; (estimated capacity) ~~(950)~~ **{1,500}**; (area Hectares) 13.4.

The proposed density range arising from the estimated capacity of 1,500 on a revised area of 13.4 ha SDRA site proposed in this Material Alteration provides for a density of c.112 units/ ha. Referencing to the Density Ranges table in the Draft Plan (see below extract) suggests that this proposed density is low in the consideration of net density in SDRA terms (proposed below as 100-250) which, if applied to SDRA 11 would mean a capacity of c. **1,340-3,350**.

Table 1: Density Ranges

Location	Net Density Range (units per ha)
City Centre and Canal Belt	100-250
SDRA	100-250
SDZ/LAP	As per SDZ Planning Scheme/LAP
Key Urban Village	60-150
Former Z6	100-150
Outer Suburbs	60-120

Draft City Development Plan Appendix 3 Section 3.2 Density

The extant permissions for Bailey Gibson and Player Wills in addition to St. Teresa’s Gardens provides for c. 1,200 units. This does not include the carrying capacity of the Coombe site, nor the balance of the SDRA lands which DCC / LDA are advancing towards a planning application. It is put forward that the estimated capacity of SDRA 11, under the Development Plan, needs to be increased to allow for an SDRA area of 13.4 hectares, application of Table 1 Density Ranges, and to allow for future development of the wider SDRA lands.

The density that would be realised from the capacity assigned to SDRA 11 is more aligned with the outer suburb range which is stated as 60-120 uph. SDRA 11 is clearly not an outer suburb type site, it is an inner-city strategic brownfield, infill and accessible site and suitable for achieving the highest densities as evidenced by the extant permissions that exist.

It is proposed that the estimated capacity of SDRA 11 instead should seek to achieve densities within the range of that set out in Table 1, therefore suggesting a capacity of c.2,500 (allowing for 20% open space requirement).

RECOMMENDATION
(proposed text in red)

Amendment

Replace within Table 2-8 and adjust table and relevant figures accordingly, including population, throughout the Plan, noting figures as estimates only.

SDRA 11 St. Teresa's Gardens; (estimated capacity) ~~(950)~~ **{1,500 2,500}**; (area Hectares) 13.4.

2. Cultural Provision

Chapter 12

Section 12.5.3 Supporting Cultural Vibrancy in the City

Page: 448, Objective CUO22, add footnote

(SDRAs and Large Scale Developments)

Material Alteration Reference Number 12.19

Amendment:

{*Such developments shall incorporate both cultural/arts and community uses individually or in combination unless there is an evidence base to justify the 5% going to one sector.}

As per previous HREIL submission on the provision of cultural and community space in the City, HREIL fully supports the creation of diversified community and cultural facilities within their developments and within the fabric of the city. HREIL notes that concerns raised around financing, subvention, maintenance, and an identified list of cultural institutions that are in a position to take up the opportunity of extensive floor plates, have not been addressed in the Material Alterations proposed, with this footnote amendment or elsewhere. It could result in the proliferation of cultural/arts and community spaces across the city, in unsuitable locations and/or without the means to fund their operations. This scale of cultural/arts and community floorspace is significant without a programme for ongoing financing, subvention, maintenance, and an identified list of cultural and other institutions that are in a position to take up the opportunity of extensive floor plates. Inappropriate locating of significant facilities will detract from the vibrancy and consolidation of the city centre that is required. It can also lead to vacancy in emerging and regenerating areas.

This is particularly challenging for large projects, where 5% GFA is a significant scale of space - to illustrate the point 5% GFA of Bailey Gibson/Player Wills lands is equivalent to a **c.160 bedroom hotel; or four discount supermarkets (Lidl/Aldi); or a 24 screen cinema.**

Provision of this extent of floorspace across the city without an audit to determine requirements of any given area within the city, resulting in a high proportion of this floorspace likely to be vacant, is not a sustainable approach to city building, particularly in a housing crisis.

RECOMMENDATION
(proposed text in red)

It is put forward that a cultural and community audit of the local area of a proposed new development is required prior to the mandate to deliver potentially unwanted, unsuitable and inaccessible space, to inform where the balance between support for existing cultural and community facilities and provision of new space lies.

It is proposed that there should be no specific quantitative requirement applied, and that provision of cultural/arts and community uses should instead be driven by an audit based assessment of existing provision and identified requirements.

However, in order to address directly the proposed Material Alteration and to ensure a coordinated approach to city-wide cultural and community development it is proposed that the Material Alteration Amendment be further amended to allow the flexibility of Dublin City Council to direct a required provision "not exceeding 5%" such that the Material Amendment reads:

Amendment

{*Such developments shall incorporate an area not exceeding 5% of both cultural/arts and community uses individually or in combination with internal / external floorspace unless there is an evidence base to justify the up to 5% going to one sector, and all to be subject to a cultural / community audit to justify the provision.

RECOMMENDATION
(proposed text in red)

This is further reflected in Material Alteration Reference Number 13.5 (as per below) where it is noted that the Material Alteration includes further reference to the 5% requirement with an additional requirement of "at a minimum". It is proposed that this Material Alteration Amendment, for the reasons set out above, is further amended as per below:

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:

INTER ALIA

Cultural Infrastructure: All new regeneration areas (SDRAs) and large-scale developments above 10,000 sq. m. in total area must provide an area not exceeding at a minimum 5% community, arts and culture internal / external floorspace as part of their development, and to be subject to a cultural / community audit to justify the provision. See policy CUO21, Chapter 12 for further detail.

3 Build to Rent

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}**

Irish apartment standards including unit sizes that are mandated for Build to Rent are very high relative to our EU neighbours. Refer table below:

MIN. SIZE OF APT. SQM	DUBLIN (IRELAND)		AVERAGE UK & EU	% DIFFERENCE IRISH BTR STANDARDS TO AVE UK & EU	% DIFFERENCE IRISH BTS STANDARDS TO AVE UK & EU	LONDON (UK)	PARIS (FRANCE)	COPENHAGEN (DENMARK)	BERLIN (GERMANY)	MUNICH (GERMANY)	MILAN (ITALY)	AMSTERDAM (NETHERLANDS)	BRUSSELS (BELGIUM)	MADRID (SPAIN)
	BTR	DTS*												
1b1p (studio)	37	40.7	31	116%	124%	37	25	N/A	25	25	28	30	32	38
1b2p (1BR)	45	49.5	42	106%	115%	50	35	41	45	45	34.5	40	52	39.5
2b4p (2BR)	73	80.3	65	111%	119%	70	55	69.7	75	75	46.5	65	63	47.5
3b5p (3BR)	90	99	80	112%	120%	86	80	86.1	90	90	58	70	78	57.5

Source IIP Report "Ireland Apartment Sizes among largest in Europe" 2021.

SPPR 8 states (iv) *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.*

The intent behind apartment sizing guidance was to clearly set out standards for apartment development and mitigate issues that arise when local authority standards are at odds with national guidance.

Notably, there is no evidence to support why bigger apartments are required in Dublin, and to what extent.

The impact of the embodied carbon cost does not appear to have been assessed. It is recommended this is not progressed.

4. Daylight

Material Alteration Reference Number Appendix 3.6

Volume 2: Appendix 3

Section: Table 3: Performance Criteria in Assessing Proposals for Enhanced Height, Density and Scale; Objective 7

Page: 233

Amendment:

~~(have appropriate and reasonable regard to quantitative approaches to assessing daylighting and sun lighting proposals. Where appropriate, satisfactory, alternative compensatory design solutions should be provided for a failure to meet reasonable daylighting provisions, in the context of a constrained site or securing wider objectives such as comprehensive urban regeneration or an effective urban design and streetscape solution – see Appendix 16.)~~

{apply appropriate quantitative approaches to assessing daylighting and sun lighting proposals. In exceptional circumstances compensatory design solutions may be allowed for where the meeting of sun lighting and daylighting requirements is not possible in the context of a particular site (See Appendix 16).}

Importantly there are no set requirements, though regard must be had to certain standards. Updated BRE v.3 Guidelines published in June 2022 generate significantly different results than for the industry standard BRE v2. It is considered this provision must be updated to reflect the new Guidelines, or the more flexible earlier text reverted back to.

END