

DRAFT Sustainable Urban Housing: Design Standards for New Apartments -Guidelines for Planning Authorities, November 2020

Contents

1.0 Introduction

Context

Apartment Development in Ireland

2.0 Apartments and Statutory Development Plans

Location

Housing Mix

Future Housing Need

3.0 Apartment Design Standards

Apartment Floor Area

Safeguarding Higher Standards

Dual Aspect Ratios

Floor to Ceiling Height

Lift and Stair Cores

Internal Storage

Private Amenity Space

Security Considerations

4.0 Communal Facilities in Apartments

Access and Services

Communal Facilities

Refuse Storage

Communal Amenity Space

Children's Play

Car Parking

Bicycle Parking

5.0 Build to Rent and Shared Accommodation/Co-living Sectors

6.0 Apartments and the Development Management Process

Appendix 1

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1.0 Introduction

Context

- 1.1 These guidelines were originally issued in 2018, as an update of the *Sustainable Urban Housing: Design Standards for New Apartments* guidelines, published in 2015. This 2020 update relates to 'Shared Accommodation'/'Co-living' as detailed in Section 5.0.
- 1.2 The purpose of the 2015 apartment guidance was to reiterate ministerial guidance, setting out standards for apartment development, mainly in response to circumstances that had arisen whereby some local authority standards were at odds with national guidance.
- 1.3 The 2018 Guidelines built on the content of the 2015 apartment guidance, much of which remains valid, particularly with regard to design quality safeguards such as internal space standards for 1-,2- and 3-bedroom apartments, floor to ceiling height, internal storage and amenity space.
- 1.4 The 2018 Guidelines also updated previous guidance in the context of greater evidence and knowledge of current and likely future housing demand in Ireland taking account of the Housing Agency *National Statement on Housing Demand and Supply*, the Government's action programme on housing and homelessness *Rebuilding Ireland* and Project Ireland 2040 and the *National Planning Framework*.
- 1.5 These 2020 Guidelines are issued as a technical update in relation to 'Shared Accommodation/Co-living' only, further to paragraph 5.24 of 2018 Guidelines document, which made provision for monitoring by the Department of the emerging shared accommodation/co-living sector, and further to the outcome of review by the Minister.
- 1.6 In the years to 2040, work undertaken by the Economic and Social Research Institute (ESRI) indicates housing demand arising from approximately 600,000 new households in Ireland, half of which is to be met in the five cities (Dublin, Cork, Limerick, Galway and Waterford). The National Planning Framework (NPF) signals 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 also 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'.
- 1.7 In broad terms, this means a need for around 300,000 new homes in Ireland's cities to 2040, with half of these located in already built-up areas. This will necessitate a significant and sustained increase in housing output and apartment type development in particular.
- 1.8 It is therefore critical to ensure that apartment living is an increasingly attractive and desirable housing option for a range of household types and tenures, building on and learning from experience to date, and that the economic and regulatory conditions are such that apartment development attracts both the investment and the seeking out of this crucial

form of housing by households, that will then result in greater delivery of apartments in Ireland's cities and towns and other appropriate locations.

- 1.9 While a range of factors are key to increasing housing output generally and apartments specifically, such as securing development finance for residential development generally and a pipeline of ready to go sites at accessible prices, including brownfield sites, the purpose of these Guidelines is to strike an effective regulatory balance in setting out planning guidance to achieve both high quality apartment development and a significantly increased overall level of apartment output.
- 1.10 These Guidelines apply to all housing developments that include apartments that may be made available for sale, whether for owner occupation or for individual lease. They also apply to housing developments that include apartments that are built specifically for rental purposes, whether as 'build to rent' or that were originally permitted or built as 'shared accommodation' that may subsequently be proposed as standard apartment development. Unless stated otherwise, they apply to both private and public schemes.
- 1.11 They also provide a target standard where existing buildings are to be wholly or partly redeveloped or refurbished for residential use that includes apartments, such as for example, vacant upper floors above commercial premises. The Planning and Development (Amendment) (No. 2) Regulations 2018 (S.I. No. 30 of 2018) provide for this type of change of use to be exempt from the requirement for planning permission and further encourage the development of apartment accommodation in our cities and towns.

Apartment Development in Ireland

- 1.12 Apartments¹ continue to be an increasingly common form of housing in Ireland's urban areas. Between 2002 and 2016, the number of occupied apartments increased by 85%, nationally. Apartments now comprise 12% of all occupied households in Ireland and 35% of occupied households in Dublin City (Census 2016). However, Ireland is a long way behind European averages in the numbers of households living in apartments, especially in our cities and larger towns. In many European countries like the UK, France, Germany, Italy etc, it is normal to see 40-60% of households living in apartments.
- 1.13 Given the gap between Irish and European averages in numbers of households living in apartments and the importance of addressing the challenges of meeting the housing needs of a growing population in our key cities and towns and by building inwards and upwards rather than outwards, apartments need to become more and more the norm for urban housing solutions. This need will continue because of on-going population growth, particularly in Ireland's cities, a long-term move towards smaller average household size, an ageing and more diverse population, with greater labour mobility, and a higher proportion of households in the rented sector. Between 2011 and 2016, the rate of formation of

¹ An apartment, for the purpose of these guidelines, may be defined as "a self-contained residential unit in a multi-unit building with grouped or common access".

households in apartments was more than four times that of all other types of housing combined.²

- 1.14 On the other hand, the economics of residential multi-unit and apartment construction remain challenging. The planning process, along with other sources of regulation and related input cost, must play its full part in ensuring that, while appropriate standards of accommodation are set from a long-term planning and sustainable development perspective, such standards are compatible with securing housing supply in our major urban areas that is economically viable to develop bearing in mind average household incomes and what is affordable in terms of rents and/or mortgages.
- 1.15 These Guidelines have been prepared, taking account of up-to-date evidence of projected future housing demand, the overall policy context of *Rebuilding Ireland* and the *National Planning Framework*, as well as circumstances prevailing in the housing market.
- 1.16 Apartment design parameters addressed in these guidelines include:
- General locational consideration;
 - Apartment mix within apartment schemes;
 - Internal space standards for different types of apartments;
 - Dual aspect ratios;
 - Floor to ceiling height;
 - Apartments to stair/lift core ratios;
 - Storage spaces;
 - Amenity spaces including balconies/patios;
 - Car parking; and
 - Room dimensions for certain rooms.
- 1.17 The focus of this Guidance is on the locational and planning specific aspects to apartment developments generally. In addition, the Building Regulations set performance requirements for our built environment, including apartments. Technical Guidance Documents (TGDs) provide guidance on how to meet these requirements. Where necessary in this Document, reference is made to relevant aspects of the Building Regulations. The Building Regulations and associated TGDs can be downloaded from the Department's website (www.housing.gov.ie).
- 1.18 Quality outcomes from a broader planning and community perspective are another key objective in relation to housing. Complementary policy advice published by the Department, which should be considered along with these guidelines in assisting planning authorities, designers and communities within the overall planning process, includes:

² Census of Population 2016, CSO: Between 2011 and 2016, the number of occupied apartments in Ireland increased by 11.5% and the number of occupied houses (all types combined) increased by 2.8%.

- *Best practice guidelines Quality Housing for Sustainable Communities*, (2007); *Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities*, (2009); and,
- *Design Manual for Urban Roads and Streets* or 'DMURS', (2013).

- 1.19 These guidelines have been issued by the Minister for Housing, Planning and Local Government under Section 28 of the Planning and Development Act 2000 (as amended). Planning authorities and An Bord Pleanála are required to have regard to the guidelines and are also required to apply any specific planning policy requirements (SPPRs) of the guidelines, within the meaning of Section 28 (1C) of the Planning and Development Act 2000 (as amended) in carrying out their functions.
- 1.20 Accordingly, where SPPRs are stated in this document, they take precedence over any conflicting, policies and objectives of development plans, local area plans and strategic development zone planning schemes. Where such conflicts arise, such plans should be amended by the relevant planning authority to reflect the content of these guidelines and properly inform the public of the relevant SPPR requirements.

2.0 Apartments and Statutory Development Plans

Location

- 2.1 To meet housing demand in Ireland, it is necessary to significantly increase supply. This is a key pillar of the overarching *Rebuilding Ireland* Housing Action Plan. The *National Planning Framework* targets increased housing supply in Ireland's cities and urban areas in particular. For the reasons outlined earlier, increased housing supply must include a dramatic increase in the provision of apartment development.
- 2.2 In general terms, apartments are most appropriately located within urban areas. As with housing generally, the scale and extent of apartment development should increase in relation to proximity to core urban centres and other relevant factors. Existing public transport nodes or locations where high frequency public transport can be provided, that are close to locations of employment and a range of urban amenities including parks/waterfronts, shopping and other services, are also particularly suited to apartments.
- 2.3 City and County Development Plans must appropriately reflect this, in the context of the need to both sustainably increase housing supply and to ensure that a greater proportion of housing development takes place within the existing built-up areas of Ireland's cities and towns. This means making provision for more residential development to take place on infill and brownfield sites and as refurbishment of existing buildings, to increase urban residential densities.

2.4 Identification of the types of location in cities and towns that may be suitable for apartment development, will be subject to local determination by the planning authority, having regard to the following broad description of proximity and accessibility considerations:

1) Central and/or Accessible Urban Locations

Such locations are generally suitable for small- to large-scale (will vary subject to location) and higher density development (will also vary), that may wholly comprise apartments, including:

- 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.

The range of locations outlined above is not exhaustive and will require local assessment that further considers these and other relevant planning factors.

2) Intermediate Urban Locations

Such locations are generally suitable for smaller-scale (will vary subject to location), higher density development that may wholly comprise apartments, or alternatively, medium-high density residential development of any scale that includes apartments to some extent (will also vary, but broadly >45 dwellings per hectare net), including:

- Sites within or close to i.e. within reasonable walking distance (i.e. up to 10 minutes or 800-1,000m), of principal town or suburban centres or employment locations, that may include hospitals and third level institutions;
- Sites within walking distance (i.e. between 10-15 minutes or 1,000-1,500m) of high capacity urban public transport stops (such as DART, commuter rail or Luas) or within reasonable walking distance (i.e. between 5-10 minutes or up to 1,000m) of high frequency (i.e. min 10 minute peak hour frequency) urban bus services or where such services can be provided;
- Sites within easy walking distance (i.e. up to 5 minutes or 400-500m) of reasonably frequent (min 15 minute peak hour frequency) urban bus services.

The range of locations is not exhaustive and will require local assessment that further considers these and other relevant planning factors.

3) Peripheral and/or Less Accessible Urban Locations

Such locations are generally suitable for limited, very small-scale (will vary subject to location), higher density development that may wholly comprise apartments, or residential development of any scale that will include a minority of apartments at low-medium densities (will also vary, but broadly <45 dwellings per hectare net), including:

- Sites in suburban development areas that do not meet proximity or accessibility criteria;
- Sites in small towns or villages.

The range of locations outlined above is not exhaustive and will require local assessment that further considers these and other relevant planning factors.

- 2.5 While the provision of apartments may not be required below the 45 dwellings per hectare net density threshold, they can allow for greater diversity and flexibility in a housing scheme, whilst also increasing overall density. Accordingly, apartments may be considered as part of a mix of housing types in a given housing development at any urban location, including suburbs, towns and villages.

Future Housing Need

- 2.6 Demographic trends indicate that two-thirds of households added to those in Ireland since 1996 comprise 1-2 persons, yet only 21% of dwellings completed in Ireland since then comprise apartments of any type. The 2016 Census also indicates that, if the number of 1-2 person dwellings is compared to the number of 1-2 person households, there is a deficit of approximately 150%, i.e. there are approximately two and half times as many 1-2 person households as there are 1-2 person homes.
- 2.7 The 2016 Census indicates that 1-2 person households now comprise a majority of households and this trend is set continue, yet Ireland has only one-quarter the EU *average* of apartments as a proportion of housing stock. Dublin as a whole has approximately one-third the rate of apartments as comparable cities in Europe, with which it competes for investment and talent to secure continued growth and prosperity.
- 2.8 Analysis of urban housing need points to the fact that into the future, a majority of households will comprise 1-2 persons and approximately half of the remainder will be three person households. While it is recognised that it will be necessary to provide for a range of incomes, it is critical to accommodate the needs of increasingly more diverse household types in the context of a growing and ageing population.
- 2.9 Ireland's population is projected to continue to grow, but more slowly than in recent decades, due to a falling overall birthrate. While it is apparent that household and family

size is decreasing, the number of people aged over 65 is also expected to increase significantly, to comprise almost a quarter of the population within just over 20 years.

- 2.10 With natural growth in the population now at less than replacement level³ and a growing dependency rate⁴, whereby the proportion of older people and children combined is increasing relative to the size of the labour force, it is clear that Ireland is now dependent on net in-migration to sustain population and employment growth and this is projected to continue.
- 2.11 Ongoing demographic and societal changes mean that in addition to families with children, the expanding categories of household that may wish to be accommodated in apartments include:
- Young professionals and workers generally;
 - Those families with no children and ‘downsizers’;
 - Older people, in both independent and assisted living settings.
- 2.12 These factors are combined with the trend whereby jobs have been increasingly located in and around Ireland’s cities and larger towns, and notwithstanding improvements in technology and the availability of broadband, this is likely to continue. While the availability of a range of employment is one of the reasons that skilled migrants are more likely to seek to locate in urban areas, this is also dependent on the availability of a choice of suitable accommodation.
- 2.13 This means that as well as being an overriding social issue, urban housing supply, especially the provision of apartments in our key cities, is a critical strategic competitiveness issue that statutory Development Plans must address.
- 2.14 While making appropriate provision to meet housing need is the key consideration, viability must also be considered, especially where there is clear evidence available. For example, research work undertaken by the Department of Housing, Local Government and Heritage with input from industry and construction professionals analysing the cost of housing delivery⁵, confirms that in a given apartment scheme that includes a proportion of three-

³ The fertility rate in Ireland in 2016 was just over 1.8 children per female. A replacement level fertility rate would be 2.0 or more children per female.

⁴ As identified in *Prospects for Irish Regions and Counties: Scenarios and Implications*, Research Series No.70 , ESRI, 2018.

⁵*Analysis of Residential Delivery Cost with a View to Achieving Economies*, Department of Housing, Planning and Local Government

bedroom units, replacing these units to allow larger number of one- and two-bedroom units would, contribute to greater scheme viability.

- 2.15 In accordance with Section 28 of the Planning and Development Act 2000, as amended, planning authorities must apply the standards set out as planning policy requirements in these guidelines, notwithstanding the objectives and requirements of development plans, local area plans and SDZ planning schemes.

Housing Mix

- 2.16 Apartment guidance to date has enabled statutory development plans to address different housing needs in different areas, as reflected in housing strategies, even within different parts of a large urban area. This may be applied based on parameters such as the projected demand profile for housing in an area and the desirability of providing for a range of dwelling types/sizes, having regard to the character of and existing mix of dwelling types in the area. In practice, this has not generally been the case.
- 2.17 Instead, it has become practice for some statutory development plans to specify an across-the-board mix of types/sizes in relation to the composition of individual apartment schemes including upper limits on the proportion of studio or one-bedroom units and/or a minimum requirement on the proportion of two- or three-bedroom units to be included in apartment schemes⁶, in the form of a range, to allow for flexibility in response to market conditions.
- 2.18 In the context of sustainably increasing housing supply, targeting a greater proportion of urban housing development and matching to the type of housing required, there is a need for greater flexibility, removing restrictions that result in different approaches to apartment mix on the one hand, and to other forms of residential accommodation on the other. This is particularly relevant where comprehensive housing need and demand assessment (HNDA) has not been undertaken.
- 2.19 Accordingly, having regard to the purpose of a nationally determined apartment mix parameter as a broad and consistent but flexible safeguard, rather than as part of an area-specific tool to accommodate projected housing demand:

Specific Planning Policy Requirement 1

Housing developments may include up to 50% one-bedroom or studio type units (with no more than 20-25% of the total proposed development as studios) and there shall be no minimum requirement for apartments with three or more bedrooms. Statutory development plans may specify a mix for apartment and other housing developments, but only further to an evidence-based Housing Need

⁶ This has its origins in the *Guidelines for Residential Development in Urban Renewal Tax Designated Areas*, published by the Government in 1995 as the first set of planning guidelines for apartment development in Ireland.

and Demand Assessment (HNDA), that has been agreed on an area, county, city or metropolitan area basis and incorporated into the relevant development plan(s).

- 2.20 The need for consistency and flexibility between statutory plans and in approaches to different forms of housing is supported by strong evidence of the need to facilitate a mix of apartment types that better reflects household formation and housing demand.
- 2.21 The mix parameters set out above that generally apply to apartments, do not apply to purpose-built student accommodation or to certain social housing schemes, such as sheltered housing. Development Plans may specify appropriate standards for student accommodation, such as those, for example, in the Dublin City Development Plan.
- 2.22 In addition, Development Plans should provide for flexibility in respect of dwelling mix in small-scale building refurbishment and urban infill development schemes:

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Specific Planning Policy Requirement 2

For all building refurbishment schemes on sites of any size, or urban infill schemes on sites of up to 0.25ha:

- Where up to 9 residential units are proposed, notwithstanding SPPR 1, there shall be no restriction on dwelling mix, provided no more than 50% of the development (i.e. up to 4 units) comprises studio-type units;
- Where between 10 to 49 residential units are proposed, the flexible dwelling mix provision for the first 9 units may be carried forward and the parameters set out in SPPR 1, shall apply from the 10th residential⁷ unit to the 49th;
- For schemes of 50 or more units, SPPR 1 shall apply to the entire development;

All standards set out in this guidance shall generally apply to building refurbishment schemes on sites of any size, or urban infill schemes, but there shall also be scope for planning authorities to exercise discretion on a case-by-case basis, having regard to the overall quality of a proposed development.

Building Design

- 2.23 The National Planning Framework signals a move away from rigidly applied, blanket planning standards in relation to building design, in favour of performance based standards to ensure well-designed high quality outcomes. In particular, general blanket restrictions on building height or building separation distance that may be specified in development plans, should be replaced by performance criteria, appropriate to location.
- 2.24 While it would not be appropriate for these Guidelines to indicate performance criteria for building height or building separation distance relative to location, it is recognised that there is a need for greater flexibility in order to achieve significantly increased apartment development in Ireland's cities. This is subject to separate guidance to planning authorities with regard *Urban Development and Building Heights*, issued in December 2018.

⁷ i.e. the 10th and at least every second unit thereafter must comprise a two or more bedroom apartment. This means, for example, that a scheme of 30 units must have a minimum of 11 two or more bedroom units and may have up to 19 studio or one-bed units, of which no more than 9 may be studios.

3.0 Apartment Design Standards

Apartment Floor Area

- 3.1 Expert architectural and planning research commissioned by the Government in 2007 indicated a general need to increase the minimum floor areas for apartment development from those specified prior to then, particularly with a view to meeting the space and amenity needs of families living in apartments. This increase was achieved in 2007. As part of the 2015 update, it was considered that the circumstances surrounding these increased space requirements had largely remained unchanged, and this remains the case.
- 3.2 Studio type apartments (i.e. a small unit with a combined living/sleeping area, generally provided for a single person) were introduced in the 2015 apartment guidelines update, but in very limited, specific circumstances, i.e. as part of new 'build-to-let' managed accommodation above a scale threshold of 50 or more units and subject to dwelling mix restrictions.
- 3.3 The provisions with regard to studio accommodation were updated in the 2018 guidelines to reflect the potential that this type of dwelling has, to contribute to both meeting housing need and to the viability of apartment schemes and remain applicable. The minimum size of studio apartments has enables modular developments and a 'mix and match' approach between studios and the minimum size of two-bedroom apartments.
- 3.4 This is because the minimum studio apartment floor area standard is approximately half that of the current minimum two-bedroom apartment floor area standard. It is also of note that the minimum one-bedroom apartment standard is half that of the minimum three-bedroom apartment size:

Specific Planning Policy Requirement 3

Minimum Apartment Floor Areas:

- | | |
|-----------------------------------|---------|
| • Studio apartment (1 person) | 37 sq.m |
| • 1-bedroom apartment (2 persons) | 45 sq.m |
| • 2-bedroom apartment (4 persons) | 73 sq.m |
| • 3-bedroom apartment (5 persons) | 90 sq.m |

- 3.5 The floor area parameters set out in SPPR 3 above shall generally apply to apartment schemes and do not apply to purpose-built and managed student housing. In relation to social housing, or purpose built housing for older people it is considered necessary that these guidelines would also make provision for a two-bedroom apartment to accommodate 3 persons. This is in line with the *Quality Housing for Sustainable Communities* guidance published by the Department in 2007, for application to social housing schemes.

- 3.6 Accordingly, planning authorities may also consider a two-bedroom apartment to accommodate 3 persons, with a minimum floor area of 63 square metres, in accordance with the standards set out in *Quality Housing for Sustainable Communities* (and reiterated here in Appendix 1). This type of unit may be particularly suited to certain social housing schemes such as sheltered housing.
- 3.7 While providing necessary variation in dwelling size, it would not be desirable that, if more generally permissible, this type of two-bedroom unit would displace the current two-bedroom four person apartment. Therefore no more than 10% of the total number of units in any private residential development may comprise this category of two-bedroom three-person apartment. This is to allow for potential social housing provision further to Part V of the Planning and Development Act 2000 (as amended), or, if this type of unit is not required to meet social housing requirements, that it would allow for an acceptable level of variation in housing type.

Safeguarding Higher Standards

- 3.8 In the interests of sustainable and good quality urban development these guidelines should be applied in a way that ensures delivery of apartments not built down to a minimum standard, but that reflect a good mix of apartment sizes. Accordingly, it is a requirement that:
- a) 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%)
- b) Build-To-Rent developments are excepted from this requirement (see SPPR 8 below) as such developments are required to provide compensatory communal facilities and amenities for use by residents.
- 3.9 An example of the above minimum requirement is shown for an illustrative 100 unit mixed apartment scheme below:

Unit Mix:	Number of Apartments	Cumulative Min Floor Area
20% Studio units	20	20 x 37m ² = 740m ²
30% 1-bed units	30	30 x 45m ² = 1,350m ²
40% 2-bed units	40	40 x 73m ² = 2,920m ²
10% 3-bed units	10	10 x 90m ² = 900m ²
Total 100%	Total 100 apartments	Total 5,910 m²
1-beds +10% min area	30	30 x 4.5m ² = +135m ²
2-beds +10% min area	21	21 x 7.3m ² = +153m ²

Total +10% of majority	Total 51 apartments	135m ² + 153m ² = 288m ²
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Total Required Minimum floor area **5,910 + 288 m² = 6,198 m²**

Allocation of +10% of Majority by Unit Type

20% Studio units	20	20 x 37m ² = 740m ²
30% 1-bed units	30	30 x 49.5m ² = 1,485m ²
40% 2-bed units	40	19 x 73m ² = 1,387m ² 21 x 80.3m ² = 1,686m ²
10% 3-bed units	10	10 x 90m ² = 900m ²

Total 100%	Total 100 apartments	Total 6,198 m²
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3.10 Subject to mix, the additional 10% of floorspace may apply to one or more unit type as in the illustrative example above, in which all of the 1-bedroom units and just over half of the 2-bedroom units are 10% larger.

3.11 Any apartment unit type may also exceed the minimum required floor area standards to a greater extent than the parameters set out above, as market factors may require and this is encouraged. For example, higher density housing schemes that include apartments in more suburban locations may include higher proportions of three bedroom and larger units.

3.12 The requirement for more than half of the apartments in relevant schemes to generate additional floorspace that would exceed the minimum floor area standard by at least 10%, may be applied differently to schemes of 10 up to 99 units. In such schemes, it is acceptable to redistribute the minimum 10% additional floorspace requirement throughout the scheme, i.e. to all proposed units, to allow for greater flexibility.

3.13 An example of the application of this alternative minimum requirement is shown for an illustrative 50 unit mixed apartment scheme below:

Unit Mix:	Number of Apartments	Cumulative Min Floor Area
20% Studio units	10	10 x 37m ² = 370m ²
30% 1-bed units	15	15 x 45m ² = 675m ²
40% 2-bed units	20	20 x 73m ² = 1,460m ²
10% 3-bed units	5	5 x 90m ² = 450m ²
Total 100%	Total 50 apartments	Total 2,955 m²
1-beds +10% min area	15	15 x 4.5m ² = +67.5m ²

2-beds +10% min area	11	$11 \times 7.3\text{m}^2 = +80.3\text{m}^2$
Total +10% of majority	Total 26 apartments	$67.5 + 80.3\text{m}^2 = 147.8\text{m}^2$
Total Required Minimum floor area		$2,955 + 147.8 = 3,102.8 \text{ m}^2$

Reallocation of +10% of Majority by Unit Type

20% Studio units	10	$10 \times 39.8 \text{ m}^2 = 398\text{m}^2$
30% 1-bed units	15	$15 \times 48 \text{ m}^2 = 720\text{m}^2$
40% 2-bed units	20	$20 \times 76 \text{ m}^2 = 1,520\text{m}^2$
10% 3-bed units	5	$5 \times 93 \text{ m}^2 = 465\text{m}^2$
Total 100%	Total 50 apartments	Total 3,103 m^2 ⁸

3.14 The 50 unit illustrative example above indicates how increased floor area may be applied to all proposed apartments. For the purposes of clarity, all apartment floor area measurements should be internal wall-to-wall dimensions. These standards apply to units on one floor. Duplex accommodation shall provide the additional floor area required to provide for stairways and landings in accordance with Building Regulations.

3.15 The requirement for the majority of all apartments in a proposed scheme to exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10%, does not apply to any proposal with less than ten residential units. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, where between 10 to 49 residential units are proposed, it shall generally apply, but in order to allow for flexibility, may be assessed on a case-by-case basis and if considered appropriate, reduced in part or a whole, subject to overall design quality.

Dual Aspect Ratios

3.16 The amount of sunlight reaching an apartment significantly affects the amenity of the occupants. Dual-aspect apartments, as well as maximising the availability of sunlight, also provide for cross ventilation and should be provided where possible. In duplex type or smaller apartment blocks that form part of mixed housing schemes in suburban areas, dual aspect provision is generally achievable. In more urban schemes, where there may be a terraced or perimeter block pattern wholly or partly fronting a street, this may not be the case. Ultimately, the daylighting and orientation of living spaces is the most important objective.

3.17 Accordingly, it is a policy requirement that apartment schemes deliver at least 33% of the units as dual aspect in more central and accessible and some intermediate locations, i.e. on

⁸ Rounded to 3,103m² from 3,102.8m²

sites near to city or town centres, close to high quality public transport or in SDZ areas, or where it is necessary to ensure good street frontage and subject to high quality design. Where there is a greater freedom in design terms, such as in larger apartment developments on greenfield or standalone brownfield regeneration sites where requirements like street frontage are less onerous, it is an objective that there shall be a minimum of 50% dual aspect apartments. Ideally, any 3 bedroom apartments should be dual aspect.

- 3.18 Where single aspect apartments are provided, the number of south facing units should be maximised, with west or east facing single aspect units also being acceptable. Living spaces in apartments should provide for direct sunlight for some part of the day. North facing single aspect apartments may be considered, where overlooking a significant amenity such as a public park, garden or formal space, or a water body or some other amenity feature. Particular care is needed where windows are located on lower floors that may be overshadowed by adjoining buildings.
- 3.19 For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, these requirements may be relaxed in part, on a case-by-case basis, subject to overall design quality. For clarity, dual aspect apartments can include corner units.

Specific Planning Policy Requirement 4

In relation to the minimum number of dual aspect apartments that may be provided in any single apartment scheme, the following shall apply:

- (i) A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate in.**
- (ii) In suburban or intermediate locations it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme.**
- (iii) For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.**

Floor to Ceiling Height

- 3.20 Floor-to-ceiling height affects the internal amenities of apartments, in terms of sunlight / daylight, storage space, and ventilation. This is most significant at ground level, where the potential for overshadowing is greatest. Ground level floor to ceiling height will also influence the future adaptability of individual apartments for potential alternative uses, which will vary depending on location.
- 3.21 Building Regulations Technical Document F deals with Ventilation. It provides guidance on ceiling height in habitable rooms. The suggested minimum floor to ceiling height, consistent

with good room design, the use of standard materials and good building practice is generally 2.4m.

- 3.22 From a planning and amenity perspective, applicants and their designers may consider the potential for increasing the minimum apartment floor-to-ceiling height to 2.7 metres where height restrictions would not otherwise necessitate a reduction in the number of floors. In relation to ground floors, it is a policy requirement that ground level apartment floor to ceiling heights shall be a minimum of 2.7m and applicants and their designers should consider 3.0 metres on the ground floor of multi-storey buildings.
- 3.23 In certain main urban centre locations, where apartments front onto or adjoin busy commercial streets with significant pedestrian footfall, the need for future adaptability of ground floor areas from residential to potential commercial uses in the future should be considered. Planning authorities may require ground floor apartment floor to ceiling heights to be a minimum of 3.5 - 4m metres generally, in such specific cases.
- 3.24 When combined with aspect, floor-to ceiling height can significantly affect the amenities of the individual apartment unit. While it is not generally possible to vary the floor-to-ceiling height of individual apartments, there may be some circumstances where the minimum floor to ceiling height of an apartment block or building (as opposed to the scheme as a whole), should be increased.
- 3.25 For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , these requirements may be relaxed on a case-by-case basis, subject to overall design quality:

Specific Planning Policy Requirement 5

Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.

Lift and Stair Cores

- 3.26 The number of lift and stair cores is principally governed by the dual aspect ratios specified in these guidelines; balancing the financial cost of providing and maintaining lift and stair cores with appropriate building circulation and compliance with building regulations, particularly in relation to fire safety.
- 3.27 Enabling a dwelling mix that includes a greater proportion of one-bedroom or studio type units would facilitates a maximum 12 apartments per floor per individual stair/lift core under these guidelines. This is particularly applicable to higher density schemes in more

central and accessible and some intermediate locations i.e. sites near to city or town centres, close to high quality public transport or in SDZ areas, subject to high quality design.

- 3.28 While up to 12 apartments per floor per core may not be possible or necessary in all blocks in all apartment schemes, subject to good design and compliance with Building Regulations, maximising the number of apartments per floor per stair/lift core will assist in ensuring that service charges and maintenance costs faced by residents into the future are kept at reasonable levels.
- 3.29 For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , the general standard may be relaxed on a case-by-case basis, subject to overall design quality:

Specific Planning Policy Requirement 6

A maximum of 12 apartments per floor per core may be provided in apartment schemes. This maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha , subject to overall design quality and compliance with building regulations.

Internal Storage

- 3.30 As part of required minimum apartment floor areas, provision should be made for general storage and utility. Minimum requirements for storage areas are set out in Appendix 1 and are intended to accommodate household utility functions such as clothes washing and the storage of bulky personal or household items.
- 3.31 Storage should be additional to kitchen presses and bedroom furniture, but may be partly provided in these rooms. In such cases this must be in addition to minimum aggregate living/dining/kitchen or bedroom floor areas. A store off a hallway or landing will facilitate access, but hot presses or boiler space will not count as general storage. As a rule, no individual storage room within an apartment should exceed 3.5 square metres.
- 3.32 Apartment schemes should provide storage for bulky items outside individual units (i.e. at ground or basement level). Secure, ground floor storage space allocated to individual apartments and located close to the entrance to the apartment block or building is particularly useful and planning authorities should encourage the provision of such space in addition to minimum apartment storage requirements. This form of storage may be used for equipment such as, for example, bicycles or bicycle equipment, children's outdoor toys or buggies. However, such storage does not satisfy bicycle parking requirements.
- 3.33 Where secure, allocated ground or basement level storage is provided, it may be used to satisfy up to half of the minimum storage requirement for individual apartment units, but shall not serve to reduce the minimum floor area required to be provided within each individual apartment unit, as set out in these guidelines. This is intended to enable greater

flexibility in apartment design, whereby more living or bedroom space may be provided within the apartment unit in lieu of a portion of required internal storage space where such storage space has been provided elsewhere in the building.

- 3.34 For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, the storage requirement may be relaxed in part, on a case-by-case basis, subject to overall design quality.

Private Amenity Space

- 3.35 It is a policy requirement that private amenity space shall be provided in the form of gardens or patios/terraces for ground floor apartments and balconies at upper levels. Where provided at ground level, private amenity space shall incorporate boundary treatment appropriate to ensure privacy and security. Private amenity space should be located to optimise solar orientation and designed to minimise overshadowing and overlooking.
- 3.36 Balconies should adjoin and have a functional relationship with the main living areas of the apartment. In certain circumstances, glass-screened 'winter gardens' may be provided. The minimum required areas for private amenity space are set out in Appendix 1.
- 3.37 A minimum depth of 1.5 metres is required for balconies, in one useable length to meet the minimum floor area requirement under these guidelines. While deeper balconies might be desirable in certain cases, this has to be balanced against the need to avoid overshadowing. It is preferable that balconies would be primarily accessed from living rooms, although larger apartments may include wrap around and/or secondary balconies, which should also include a screened clothes drying space.
- 3.38 Part K of the Building Regulations requires that balconies be guarded to protect users from the risk of falling. Technical Guidance Document K provides guidance on the minimum standards for such guarding and special considerations for children. Vertical privacy screens should be provided between adjoining balconies and the floors of balconies should be solid and self-draining.
- 3.39 Private amenity space standards for apartments are set out in Appendix 1. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, private amenity space requirements may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality.

Security Considerations

- 3.40 Apartment design should provide occupants and their visitors with a sense of safety and security, by maximising natural surveillance of streets, open spaces, play areas and any surface bicycle or car parking. Accordingly, blocks and buildings should overlook the public realm. Entrance points should be clearly indicated, well lit, and overlooked by adjoining dwellings. Particular attention should be given to the security of ground floor apartments and access to internal and external communal areas.

- 3.41 Where ground floor apartments are to be located adjoining the back of a public footpath or some other public area, consideration should be given to the provision of a 'privacy strip' of approximately 1.5m in depth. This should be influenced by the design, scale and orientation of the building and on the nature of the street or public area and if provided, subject to appropriate landscape design and boundary treatment.
- 3.42 Privacy may also be achieved through partial elevation of the ground floor of the apartment building above the adjoining street or space, subject to compliance with Part M of the Building Regulations. An alternative arrangement may be to locate a duplex dwelling on the lowest two floors of the apartment development, benefiting from a small privacy strip, and a ground floor open space towards the interior of the block.

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4.0 Communal Facilities in Apartments

Access and Services

- 4.1 Apartment schemes should be designed so that 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. It is important for designers to take all of the users of buildings into account in order to avoid the creation of a built environment that excludes certain groups from participating in normal everyday activities. Part M of the Building Regulations sets out standards to ensure that buildings are accessible and usable by everyone, including children, people with disabilities and older people.
- 4.2 Within apartment buildings, hallways and shared circulation areas should be appropriate in scale and should not be unduly narrow. They should be well lit, with some natural light, where possible and adequate ventilation. Movement about the apartment building should be easily understandable by all users by keeping internal corridors short with good visibility along their length.
- 4.3 Service ducts serving two or more apartments should as far as practicable be accessible from common circulation areas to facilitate easy maintenance. Running services overhead, particularly above the ceiling of a different unit, should be avoided.
- 4.4 To prevent demands for the installation of numerous individual satellite dishes on visible parts of the facades or roof of apartment buildings, provision should be made at design stage for locating communal or individual dishes on less visible parts of the building, such as at roof level.

Communal Facilities

- 4.5 Communal rooms may be provided in apartment schemes, particularly in some larger developments. For example, communal laundry facilities and for drying clothes may be provided in well-ventilated areas. Other communal facilities may include community or meeting rooms or a management/maintenance office on-site. The provision of facilities within an apartment development could also extend to childcare or gym uses that may be open to non-residents.
- 4.6 Communal or other facilities within apartment schemes should be subject to negotiation and agreement with the developer as part of the planning process. They should not generally be imposed as requirements by the planning authority in the absence of proposals from and/or the agreement of an applicant. The provision of such facilities is likely to have significant implications for management and maintenance costs for future residents.
- 4.7 Notwithstanding the *Planning Guidelines for Childcare Facilities* (2001), in respect of which a review is to be progressed, and which recommend the provision of one child-care facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, the threshold for provision of any such facilities in apartment schemes should be established having regard to

the scale and unit mix of the proposed development and the existing geographical distribution of childcare facilities and the emerging demographic profile of the area. One-bedroom or studio type units should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.

Refuse Storage

4.8 Provision shall be made for the storage and collection of waste materials in apartment schemes. Refuse facilities shall be accessible to each apartment stair/lift core and designed with regard to the projected level of waste generation and types and quantities of receptacles required. Within apartments, there should be adequate provision for the temporary storage of segregated materials prior to deposition in communal waste storage and in-sink macerators are discouraged as they place a burden on drainage systems.

4.9 The following general design considerations should be taken into account in the provision of refuse storage facilities:

- Sufficient communal storage area to satisfy the three-bin system for the collection of mixed dry recyclables, organic waste and residual waste;
- In larger apartment schemes, consideration should also be given to the provision of separate collection facilities for other recyclables such as glass and plastics;
- Waste storage areas must be adequately ventilated so as to minimise odours and potential nuisance from vermin/flies and taking account the avoidance of nuisance for habitable rooms nearby;
- Provision in the layout for sufficient access for waste collectors, proximity of, or ease of access to, waste storage areas from individual apartments, including access by disabled people;
- Waste storage areas should not present any safety risks to users and should be well-lit;
- Waste storage areas should not be on the public street, and should not be visible to or accessible by the general public. Appropriate visual screening should be provided, particularly in the vicinity of apartment buildings;
- Waste storage areas in basement car parks should be avoided where possible, but where provided, must ensure adequate manoeuvring space for collection vehicles;
- The capacity for washing down waste storage areas, with wastewater discharging to the sewer.

Communal Amenity Space

4.10 The provision and proper future maintenance of well-designed communal amenity space will contribute to meeting the amenity needs of residents. In particular, accessible, secure and usable outdoor space is a high priority for families with young children and for less mobile older people. The minimum required areas for public communal amenity space are set out in Appendix 1. While private and communal amenity space may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or a 'privacy strip' between the two.

- 4.11 Communal amenity space may be provided as a garden within the courtyard of a perimeter block or adjoining a linear apartment block. Designers must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach communal amenity space throughout the year. Roof gardens may also be provided but must be accessible to residents, subject to requirements such as safe access by children. These facilities offer a satisfactory alternative where climatic and safety factors are fully considered, but children's play is not passively supervised as with courtyards. Regard must also be had to the future maintenance of communal amenity areas in order to ensure that this is commensurate with the scale of the development and does not become a burden on residents.
- 4.12 For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, communal amenity space may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality.

Children's Play

- 4.13 The recreational needs of children must be considered as part of communal amenity space within apartment schemes. Experience in Ireland and elsewhere has shown that children will play everywhere. Therefore, as far as possible, their safety needs to be taken into consideration and protected throughout the entire site, particularly in terms of safe access to larger communal play spaces. Children's play needs around the apartment building should be catered for:
- within the private open space associated with individual apartments (see chapter 3);
 - within small play spaces (about 85 – 100 sq. metres) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building, in a scheme that includes 25 or more units with two or more bedrooms; and
 - within play areas (200–400 sq. metres) for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more bedrooms.
- 4.14 The perimeter block with a central communal open space is particularly appropriate for children's play, especially if access from the street is controlled. The landscape design and orientation of play areas can contribute significantly to their amenity value. However, the noise from courtyard play areas can diminish residential amenity, particularly in smaller schemes, and designers must find solutions which balance all the factors involved.

Bicycle Parking and Storage

- 4.15 An important context for these guidelines is a likely significant population increase in our cities and urban areas over the next two decades. These guidelines aim to secure wider Government policy to achieve more sustainable urban development that will enable more households to live closer to their places of work without the need for long commuter journeys and disruption of personal and family time. Enabling citizens to more easily get around our cities and urban areas is a fundamental planning concern and maximising

accessibility of apartment residents to public transport and other sustainable transport modes is a central theme of these guidelines.

- 4.16 Cycling provides a flexible, efficient and attractive transport option for urban living and these guidelines require that this transport mode is fully integrated into the design and operation of all new apartment development schemes. In particular, planning authorities must ensure that new development proposals in central urban and public transport accessible locations and which otherwise feature appropriate reductions in car parking provision are at the same time comprehensively equipped with high quality cycle parking and storage facilities for residents and visitors.
- 4.17 The accessibility to, and secure storage of, bicycles is a key concern for apartment residents and apartment proposals must respond accordingly to the requirements below in their design and provision of cycle storage facilities. Requirements of these guidelines include:
- *Location* – cycle storage facilities should be directly accessible from the public road or from a shared private area that gives direct access to the public road avoiding unnecessarily long access routes with poor passive security or, slopes that can become hazardous in winter weather.
 - *Quantity* – a general minimum standard of 1 cycle storage space per bedroom shall be applied. For studio units, at least 1 cycle storage space shall be provided. Visitor cycle parking shall also be provided at a standard of 1 space per 2 residential units. Any deviation from these standards shall be at the discretion of the planning authority and shall be justified with respect to factors such as location, quality of facilities proposed, flexibility for future enhancement/enlargement, etc.
 - *Design* – cycle storage facilities shall be provide in a dedicated facility of permanent construction, preferably within the building footprint or, where not feasible, within an adjacent or adjoining purpose built structure of permanent construction. Cycle parking areas shall also be designed so that cyclists feel personally safe - secure cage/compound facilities, with electronic access for cyclists and CCTV, afford an increased level of security for residents. Effective security for cycle storage is also maximised by the provision of individual cycle lockers and it is best practice that planning authorities ensure that either secure cycle cage/compound or preferably locker facilities are provided.
 - *Management* - an acceptable quality of cycle storage requires a management plan that ensures the effective operation and maintenance of cycle parking, in particular, avoiding arrangements that lead to a significant number of lockers being left locked whilst empty for instance. Cycle parking shall be the subject of a funded maintenance regime that ensures that facilities are kept clean, free of graffiti, well-lit and the parking equipment will be properly maintained. It is essential, therefore, that as far as possible cycle parking is low maintenance, easy to use and easy and attractive to use by residents.

Planning authorities should ensure that development proposals incorporate details on the provision of and access to cycle storage facilities at planning application stage by the development proposer. Appropriate conditions in relation to the operation and maintenance of the cycle storage facilities should be attached to any grant of permission for apartment developments.

Further information in relation to the design and provision of cycle storage for apartment developments can be found in the *National Cycle Manual* (National Transport Authority, 2011) and *Bike Parking Infrastructure Guidance* (Dublin Cycling Campaign, 2017).

Car Parking

4.18 The quantum of car parking or the requirement for any such provision for apartment developments will vary, having regard to the types of location in cities and towns that may be suitable for apartment development, broadly based on proximity and accessibility criteria.

1) Central and/or Accessible Urban Locations

4.19 In larger scale and higher density developments, comprising wholly of apartments in more central locations that are well served by public transport, the default policy is for car parking provision to be minimised, substantially reduced or wholly eliminated in certain circumstances. The policies above would be particularly applicable in highly accessible areas such as in or adjoining city cores or at a confluence of public transport systems such rail and bus stations located in close proximity.

4.20 These locations are most likely to be in cities, especially in or adjacent to (i.e. within 15 minutes walking distance of) city centres or centrally located employment locations. This includes 10 minutes walking distance of DART, commuter rail or Luas stops or within 5 minutes walking distance of high frequency (min 10 minute peak hour frequency) bus services.

2) Intermediate Urban Locations

4.21 In suburban/urban locations served by public transport or close to town centres or employment areas and particularly for housing schemes with more than 45 dwellings per hectare net (18 per acre), planning authorities must consider a reduced overall car parking standard and apply an appropriate maximum car parking standard.

3) Peripheral and/or Less Accessible Urban Locations

4.22 As a benchmark guideline for apartments in relatively peripheral or less accessible urban locations, one car parking space per unit, together with an element of visitor parking, such as one space for every 3-4 apartments, should generally be required.

4.23 For all types of location, where it is sought to eliminate or reduce car parking provision, it is necessary to ensure, where possible, the provision of an appropriate number of drop off,

service, visitor parking spaces and parking for the mobility impaired. Provision is also to be made for alternative mobility solutions including facilities for car sharing club vehicles and cycle parking and secure storage. It is also a requirement to demonstrate specific measures that enable car parking provision to be reduced or avoided.

- 4.24 As well as showing that a site is sufficiently well located in relation to employment, amenities and services, it is important that access to a car sharing club or other non-car based modes of transport are available and/or can be provided to meet the needs of residents, whether as part of the proposed development, or otherwise. 'Car free' development is permissible and if developed, must be fully communicated as part of subsequent apartment sales and marketing processes.
- 4.25 Where any underground car parking is proposed, such facilities must be well lit and adequately ventilated. Where surface parking is provided, it should be clearly accessible to the entrance to, and where appropriate, overlooked by, the units it serves. Car parking may be provided on-street at the edge(s) of a development site in some locations.
- 4.26 Decker or multi-storey car parking may also be considered, but should not compromise the quality of amenity space, building design or streetscape. At least one principal façade of multi-storey car parks should be fronted by development, for example a south-facing elevation and such structures may also provide an opportunity for rooftop amenity space. In all cases, designated parking spaces for disabled drivers should be provided.
- 4.27 For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, car parking provision may be relaxed in part or whole, on a case-by-case basis, subject to overall design quality and location.

5.0 Build-To-Rent and Shared Accommodation/Co-living Sectors

Build-To-Rent Housing Developments

- 5.1 Larger-scale apartment developments that typically include several hundred units and are designed and constructed specifically for the needs of the rental sector are a prominent feature of housing provision in many countries. These types of housing developments also have a potential role to play in providing choice and flexibility to people and in supporting economic growth and access to jobs in Ireland. They can provide a viable long term housing solution to households where home-ownership may not be a priority, such people starting out on their careers and who frequently move between countries in the pursuance of career and skills development in the modern knowledge-based economy.
- 5.2 To date rental only developments at scale in Ireland have been limited. 'Build-to-Rent' (or BTR) can be defined as:

*'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.'*⁹

BTR has a number of distinct characteristics, summarised as follows:

Ownership

- 5.3 Ownership and management of BTR developments is usually carried out by a single entity that invests in the project as a long term commercial rental undertaking. This critically means that individual residential units within the development are not sold off separately for private ownership and/or subsequent sub-letting individually.
- 5.4 This characteristic of a BTR development differentiates it from a traditional housing development model where residential units can be sold or owned individually within a management structure that is typically independent of ownership of the apartments (ie. 'Build To Sell' – where units are built for individual sale on completion and 'Buy to Let' – where individual investors purchase a unit(s) for subsequent rental).

Amenities

- 5.5 The provision of dedicated amenities and facilities specifically for residents is usually a characteristic element. The provision of such facilities contributes to the creation of a shared environment where individual renters become more integrated and develop a sense of belonging with their neighbours in the scheme. This provides the opportunity for renters to be part of a community and seek to remain a tenant in the longer term, rather than a more transient development characterised by shorter duration tenancies that are less compatible with a long term investment model.

⁹ BUILD TO RENT: A Best Practice Guide for Ireland, Urban Land Institute Ireland, 2017

- 5.6 There are a range of potential facilities that may be provided in conjunction with BTR in other jurisdictions such as dedicated laundry facilities, communal leisure areas, gym, workspaces/hotdesks, concierge service, etc. Facilities may also include private dining rooms, kitchen areas, office spaces, TV/lounge rooms, etc. that can be booked on occasion by individual residents for their own use.

Residential Delivery

- 5.7 A key aspect of the BTR is its potential to accelerate the delivery of new housing at a significantly greater scale than at present. For traditional housing, the pace of development is largely determined by the rate at which individual homes, including apartments, can be sold. With BTR, once 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.
- 5.8 This potential for accelerated housing construction through BTR can 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 potential to augment existing housing delivery models by attracting new investment into the sector will assist in achieving additional housing output.

Specific BTR Developments

- 5.9 The promotion of BTR development by planning authorities is therefore strongly merited through specific BTR planning and design policies and standards, which the Department will give consideration to further bolstering by establishing build-to-rent projects as a specific use class under the Planning and Development Regulations 2001 (as amended).
- 5.10 Residential development may be proposed as a specific BTR development in the planning process at planning application stage:

Specific Planning Policy Requirement 7

BTR development must be:

- (a) **Described in the public notices associated with a planning application specifically as a 'Build-To-Rent' housing development that unambiguously categorises the project (or part of thereof) as a long-term rental housing scheme, to be accompanied by a proposed covenant or legal agreement further to which appropriate planning conditions may be attached to any grant of permission to ensure that the development remains as such. Such conditions include a requirement that the development remains owned and operated by an institutional entity and that this status will continue to apply for a minimum period of not less than 15 years and that similarly no individual residential units are sold or rented separately for that period;**

(b) Accompanied by detailed proposals for supporting communal and recreational amenities to be provided as part of the BTR development. These facilities to be categorised as:

(i) Resident Support Facilities - comprising of facilities related to the operation of the development for residents such as laundry facilities, concierge and management facilities, maintenance/repair services, waste management facilities, etc.

(ii) Resident Services and Amenities – comprising of facilities for communal recreational and other activities by residents including sports facilities, shared TV/lounge areas, work/study spaces, function rooms for use as private dining and kitchen facilities, etc.

5.11 While all BTR developments will be required to provide satisfactory resident support facilities, the nature and extent of the resident services and amenities may be agreed by the project developer and the planning authority having regard to the scale, intended location and market for the proposed development. The provision of specific BTR amenities to renters will vary and the developer will be required to provide an evidence basis that the proposed facilities are appropriate to the intended rental market.

Following the expiration of the time period specified in relation to SPPR 7(a) above, and unless specified to the contrary in any attached condition to a planning permission or covenant, the individual apartment units included in the development may then be sold individually or collectively without the need for any further enabling planning permission.

Planning authorities should clearly formulate the wording of related planning conditions and agreements/covenants in relation to the matters above comprehensively clarifying potential ownership and management structures/arrangements involved subsequent to the expiration of the time period specified.

5.12 Where the requirements of SPPR 7 are fulfilled, the proposed BTR development will qualify for assessment by the planning authority as a specific BTR scheme, where a number of distinct planning criteria may be applied. These are as follows:

Specific Planning Policy Requirement 8

For proposals that qualify as specific BTR development in accordance with SPPR 7:

(i) No restrictions on dwelling mix and all other requirements of these Guidelines shall apply, unless specified otherwise;

(ii) Flexibility shall apply in relation to the provision of a proportion of the storage and private amenity space associated with individual units as set

out in Appendix 1 and in relation to the provision of all of the communal amenity space as set out in Appendix 1, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This shall be at the discretion of the planning authority. In all cases the obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and that residents will enjoy an enhanced overall standard of amenity;

- (iii) There shall be a default of minimal or significantly reduced car parking provision on the basis of BTR development being more suitable for central locations and/or proximity to public transport services. The requirement for a BTR scheme to have a strong central management regime is intended to contribute to the capacity to establish and operate shared mobility measures.
- (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;
- (v) The requirement for a maximum of 12 apartments per floor per core shall not apply to BTR schemes, subject to overall design quality and compliance with building regulations.

Part V requirements under the Planning Act (as amended) apply to BTR developments. As outlined in DHPCLG Housing Circular 36 2016, Section 96(3) sets out 6 types of Part V agreement that may be made, which include:

1. Transfer of lands (*section 96(3), paragraph (a)*);
2. Build and transfer of up to 10% of the proposed housing units (*section 96(3), paragraph (b)(i)*);
3. Transfer of housing units on any other land in the functional area of the planning authority (*section 96(3), paragraph (b)(iv)*);
4. Lease of housing units either on the site subject to the application or in any other area within the functional area of the planning authority (*section 96(3), paragraph (b)(iva)*).
5. Combination of a transfer of land and one of more of the other options; and
6. Combination of options not involving a transfer of the ownership of land (*section 96(3), paragraph (b)(viii)*).

The particular circumstances of BTR apartment projects may mitigate against the putting forward of acquisition or transfer of units and land options outlined above and the leasing option may be more practicable in such developments.

Therefore, it is recommended that BTR project promoters engage closely with the planning authority in coming to a mutual agreement on the best way to discharge their Part V obligations, before lodging any planning application. Further guidance will be formulated and provided to housing authorities by the Housing Section of the Department in relation to this specific issue.

Shared Accommodation/Co-living Developments

5.13 The principal purpose of this technical update to these Guidelines is to address the 'Shared Accommodation'/'Co-living' sector. The 2018 Guidelines document identified Shared Accommodation (now also known as 'co-living') as a distinct format within the overall residential sector, which, due to its specific nature, has a limited, 'niche' role to play in the provision of the new residential accommodation within Ireland's cities.

5.14 The shared accommodation/co-living format comprises professionally managed rental accommodation, where individual rooms are rented within a commercial development that includes access to shared or communal facilities and amenities. For clarity, these Guidelines do not apply to established forms of accommodation with a shared or communal element, including hotels, aparthotels, hostels, student accommodation or house or flat share arrangements.

5.15 When introducing the shared accommodation/co-living format, the 2018 Guidelines stated that given the relatively new nature of this form of accommodation, the Department will monitor the emerging shared accommodation sector and may issue further additional technical updates to this document as appropriate. In this context and further to Ministerial review, it has been determined that given:-

- the scale and location of shared accommodation/co-living developments permitted and proposed to date;
- the need for a local authority-led evidence-based approach that will be provided by the Housing Need and Demand Assessment (HNDA) process, to guide any further expansion in this form of accommodation
- their potential inflationary impact on land values if the number of proposals were to continue to increase in the current housing market conditions;

There is a sufficient quantum of shared accommodation/co-living units either permitted or subject to consideration within the planning system, that may be built out to demonstrate and prove this concept, without impacting the housing system.

5.16 Accordingly, it is a Specific Planning Policy Requirement (SPPR) of these Guidelines that shared accommodation/co-living developments will not generally be permitted:-

Specific Planning Policy Requirement 9

There shall be a presumption against granting planning permission for shared accommodation/co-living development unless the proposed development is either:-

(i) required to meet specific demand identified by a local planning authority further to a Housing Need and Demand Assessment (HNDA) process;

or,

(ii) on the date of publication of these updated Guidelines, a valid planning application to a planning authority, appeal to An Bord Pleanála, or strategic housing development (SHD) application to An Bord Pleanála, in which case the application or appeal may be determined on its merits.

5.17 Given that this form of accommodation remains new and unproven, the Department will continue to monitor the emerging shared accommodation/co-living sector and in particular the delivery of any permitted developments and may issue further additional technical updates to this document as appropriate.

6.0 Apartments and the Development Management Process

Content of Planning Applications

- 6.1 All applications for planning permission for apartment schemes or mixed housing developments that include apartments, must submit a schedule that details the number and type of apartments and associated individual unit floor areas, as part of the planning application process.
- 6.2 A schedule of apartment accommodation should identify the proposed apartments that are at least 10% greater than the minimum floor area standard in schemes with 100 or more apartments and all those apartments that exceed the minimum floor area standard in schemes with 10-99 apartments.
- 6.3 Apartment unit schedules should detail proposed private amenity space and internal (and any external) storage space associated with each apartment. The schedule should also detail the aspect of each apartment, i.e. whether dual or single. In the case of single aspect apartments, the schedule should specify the orientation. It would also assist the planning assessment process if the schedule were to reference the primary staircore/lift access point to each apartment.
- 6.4 Floor areas should be in square metres and should be calculated from internal room dimensions. In addition to the above, planning application drawings must include the principal dimensions of each room as well as the aggregate floor area of each room.
- 6.5 The provision of acceptable levels of natural light in new apartment developments is an important planning consideration as it contributes to the liveability and amenity enjoyed by apartment residents. In assessing development proposals, planning authorities must however weigh up the overall quality of the design and layout of the scheme and the measures proposed to maximise daylight provision with the location of the site and the need to ensure an appropriate scale of urban residential development.
- 6.6 Planning authorities should have regard to quantitative performance approaches to daylight provision outlined in guides like the BRE guide *'Site Layout Planning for Daylight and Sunlight'* (2nd edition) or BS 8206-2: 2008 – *'Lighting for Buildings – Part 2: Code of Practice for Daylighting'* when undertaken by development proposers which offer the capability to satisfy minimum standards of daylight provision.
- 6.7 Where an applicant cannot fully meet all of the requirements of the daylight provisions above, this must be clearly identified and a rationale for any alternative, compensatory design solutions must be set out, which planning authorities should apply their discretion in accepting taking account of its assessment of specific. This may arise due to a design constraints associated with the site or location and the balancing of that assessment against the desirability of achieving wider planning objectives. Such objectives might include securing comprehensive urban regeneration and or an effective urban design and streetscape solution.

Departures from the Requirements of these Guidelines

- 6.8 Proposals to modify current planning permissions, in full or in part, shall comply with the requirements of these guidelines, subject to Section 34(3A) of the Planning and Development Act. The requirement for the majority of apartments to exceed the minimum floor area standard by 10% (per para. 3.8 above) applies only to new apartment schemes applying for planning permission.
- 6.9 Planning authorities are also requested to practically and flexibly apply the general requirements of these guidelines in relation to refurbishment schemes, particularly in historic buildings, some urban townscapes and 'over the shop' type or other existing building conversion projects, where property owners must work with existing building fabric and dimensions. Ultimately, building standards provide a key reference point and planning authorities must prioritise the objective of more effective usage of existing underutilised accommodation, including empty buildings and vacant upper floors commensurate with these building standards requirements.
- 6.10 Moreover, in exceptional circumstances, and for a defined period which ends on 31 December 2021, where a property is undergoing redevelopment or retrofitting for rental purposes and it is impractical for certain reasons to provide fully integrated bathroom facilities within each unit, for example due to practical implications in making changes to the fabric of the building and costs arising, it is intended to amend the Housing (Standards for Rented Houses) Regulations to enable the rental of such refurbished properties once the relevant accommodation has exclusive access to sanitary services within the wider building. In framing the proposed amendments, the safety and security of the tenants will be addressed.

Operation and Management of Apartment Developments

- 6.11 Certainty regarding the long term management and maintenance structures that are put in place for an apartment scheme is a critical aspect of this form of residential development. It is essential that robust legal and financial arrangements are provided to ensure that an apartment development is properly managed, with effective and appropriately resourced maintenance and operational regimes.
- 6.12 In this regard, consideration of the long-term running costs and the eventual manner of compliance of the proposal with the Multi- Unit Developments Act, 2011 are matters which should be considered as part of any assessment of a proposed apartment development.
- 6.13 Accordingly, planning applications for apartment development shall include a building lifecycle report which in turn includes an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered by the proposer to effectively manage and reduce costs for the benefit of residents.

6.14 The Multi-Unit Developments Act, 2011 (MUD Act) sets out the legal requirements regarding the management of apartment developments. In this regard it is advised that when granting permission for such developments planning authorities attach appropriate planning conditions that require:

- Compliance with the MUD Act,
- Establishment of an Owners Management company (OMC) and:
- Establishment and ongoing maintenance of a sinking fund commensurate with the facilities in a development that require ongoing maintenance and renewal.

6.15 Build-To-Rent and Shared Accommodation/Co-living schemes, where there is a commercial entity owning, or operating and maintaining the development, may by their nature have different arrangements and obligations. Planning authorities should provide planning conditions for such developments which ensure the provision of appropriate management and maintenance structures including for the scenario where the BTR nature a development is altered following specified period under SPPR 7(a) above.

Appendix 1

Required Minimum Floor Areas and Standards

Minimum overall apartment floor areas

Studio	37 sq m (n/a)*
One bedroom	45 sq m (38 sq m)*
Two bedrooms (3 person)**	63 sq m (n/a)*
Two bedrooms (4 person)	73 sq m (55 sq m)*
Three bedrooms	90 sq m (70 sq m)*

* Figures in brackets refer to 1995 guidelines

**Permissible in limited circumstances

Minimum aggregate floor areas for living/dining/kitchen rooms, and minimum widths for the main living/dining rooms

Apartment type ***	Width of living/dining room	Aggregate floor area of living / dining / kitchen area*
Studio	4m**	30 sq m**
One bedroom	3.3 m	23 sq m
Two bedrooms (3 person)	3.6m	28 sq m
Two bedrooms (4 person)	3.6 m	30 sq m
Three bedrooms	3.8 m	34 sq m

* Note: An enclosed (separate) kitchen should have a minimum floor area of 6.5 sq. metres

**Note: Combined living/dining/bedspace, also includes circulation

*** Note: Variation of up to 5% can be applied to room areas and widths subject to overall compliance with required minimum overall apartment floor areas.

Minimum bedroom floor areas/widths ***

Type	Minimum width	Minimum floor area
Studio	4m**	30 sq m**
Single bedroom	2.1 m	7.1 sq m
Double bedroom	2.8 m	11.4 sq m
Twin bedroom	2.8 m	13 sq m

* Note: Minimum floor areas exclude built-in storage presses that are contributing to storage space requirements

**Note: Combined living/dining/bedspace

Minimum aggregate bedroom floor areas

One bedroom	11.4 sq m
Two bedrooms (3 person)	13 + 7.1 sq m = 20.1 sq m
Two bedrooms (4 person)	11.4 + 13 sq m = 24.4 sq m
Three bedrooms	11.4 + 13 + 7.1 sq m = 31.5 sq m

Minimum storage space requirements

Studio	3 sq m
One bedroom	3 sq m
Two bedrooms (3 person)	5 sq m
Two bedrooms (4 person)	6 sq m
Three or more bedrooms	9 sq m

Minimum floor areas for private amenity space

Studio	4 sq m
One bedroom	5 sq m
Two bedrooms (3 person)	6 sq m
Two bedrooms (4 person)	7 sq m
Three bedrooms	9 sq m

Minimum floor areas for communal amenity space

Studio	4 sq m
One bedrooms	5 sq m
Two bedrooms (3 person)	6 sq m
Two bedrooms (4 person)	7 sq m
Three bedrooms	9 sq m