

**Leitrim County Development Plan**

**2015 – 2021**

**Volume 1 Written Statement**



**Variation No. 1 - Made on 8<sup>th</sup> May 2018**



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## 1 Introduction and Purpose of Variation

The purpose of 'Variation No. 1' is to give effect to the provisions of the Vacant Site Levy and related matters as required by the Urban Regeneration and Housing Act, 2015.

Section 10 of the Planning and Development Act 2000 - 2017, deals with the mandatory objectives which must be contained within a Development Plan. As part of the Urban Regeneration and Housing Act 2015, Section 10(2)(h) of the Planning and Development Act 2000 has been further expanded. Previously, this objective sought the 'development and renewal of areas in need of regeneration'. For the purposes of supporting the provisions relating to the Vacant Site Levy, this mandatory objective shall in future seek:

*'the development and renewal of areas, identified having regard to the core strategy, that are in need of regeneration, in order to prevent:*

- (i) *adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,*
- (ii) *urban blight or decay,*
- (iii) *anti-social behaviour or*
- (iv) *a shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses*

This section of the Planning Act, as amended, now requires the revised mandatory objective to be included in the Leitrim County Development Plan 2015-2021 to support urban regeneration and to ensure that there is no shortage in the supply of residentially zoned lands. As there is no review of the existing County Development Plan scheduled before February 2019, the suggested mechanism to adhere to the new provisions of the legislation was through the variation process.

The remainder of 'Variation No. 1' deals with the manner in which the Vacant Site Levy will be incorporated into the Written Statement of the County Development Plan and identifies the specific land use zoning objectives within urban centres in the upper tiers of the Urban Hierarchy to which the provisions of the Vacant Site Levy will apply.

'Variation No. 1' was made at the Leitrim County Council meeting on 8<sup>th</sup> May 2018. 'Variation No. 1' took effect from the date that it was made.

## 2 Text of Variation

Variation No. 3 comprised a number of amendments and additions to the text of Volume I Written Statement as follows

### Ref. CDP VT1

Reference *viii)* on page 3 in list of items to be included in Development Plan, Section 1.4.1 'Content' to read as follows:

- |  |
|--|
| <ul style="list-style-type: none"> <li>viii) The development and renewal of areas, identified having regard to the core strategy, that are in need of regeneration, in order to prevent –</li> <li>a) Adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,</li> <li>b) Urban blight and decay,</li> <li>c) Anti-social behaviour, or</li> </ul> |
|--|

d) A shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses.

**Ref. CDP VT2**

Add sentence on Page 42 in Section 2.1.13 *'Implementation'* before last paragraph as follows:

Appropriate development in the principal towns will be encouraged and promoted through the development management process and other available tools and mechanisms, including the Vacant Site Levy as provided for under the Urban Regeneration and Housing Act, 2015.

**Ref. CDP VT3**

Include new Objective 5b (after Policy 6a) on page 69 in Section 4.2.1. *'Reinforcement of Existing Towns and Villages'* as follows:

It is an objective of the Council to seek the development, redevelopment, renewal or reuse of vacant sites, properties and areas in need of regeneration in specific locations identified having regard to the Core Strategy in order to prevent:

- i) Adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,
- ii) Urban blight or decay,
- iii) Anti-social behaviour or
- iv) A shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses

The designated lands to which the provisions of the Urban Regeneration & Housing Act 2015 shall apply, namely that may be subject to the application of the Vacant Site Levy mechanism for the provision of housing and / or for regeneration and renewal, are

- within Tier 1 (Carrick on Shannon) on lands identified with a Mixed Use, Commercial Town Expansion, Enterprise and Employment or Residential land use zoning objective, and;
- within Tier 2 towns (Ballinamore, Manorhamilton, Dromahair, Drumshanbo, Kinlough and Mohill) and the Tier 3 villages (Carrigallen, Cloone, Dromod, Drumkeeran, Leitrim Village and Tullaghan) on lands identified with a Mixed Use, Enterprise and Employment or Residential land use zoning objective on their respective land use zoning strategy maps.

Each of the identified centres shall be examined to determine if there are sites present where the Vacant Site Levy shall apply in accordance with the definition of Vacant Sites as provided in the Urban Regeneration & Housing Act 2015.

**Ref. CDP VT4**

Include additional sentence at the end of Policy 12 on page 82 as follows:

It is the policy of the Council to manage the development of settlements in accordance with the Core Strategy and as detailed in Section 4.2.2 – Land Use Strategy for Tier 2, 3 and 4 Towns and Villages. In this regard, the Council will utilise all available tools and mechanisms, including the Vacant Site Levy (in accordance with the Urban Regeneration and Housing Act 2015) in order to facilitate and encourage appropriate development of identified vacant sites.

**Ref. CDP VT5**

Include additional sentence at the end of Policy 40 on page 104 as follows:

It is the Council's policy to examine and bring under review the adequacy of lands zoned for residential purposes in the context of meeting the demands for housing generally, including social and affordable housing. This will include a detailed examination of all suitably zoned residential and mixed use lands as identified in Objective 5b and where there is an identified demand for housing which is not being provided for to apply the provisions of the Vacant Site Levy through the provisions of the Urban Housing and Regeneration Act 2015.

**Ref. CDP VT6**

Amend Policy 41 on page 104 to reflect the changes to legislation brought about by the Urban Regeneration and Housing Act 2015 to read as follows:

It is the Council's policy to counteract undue segregation in housing between persons of different social backgrounds by:

- a) Reserving by way of condition in any planning permission granted, 10 per cent of housing for social, in any development of 10 or more houses or on greater than 0.1 hectares within the zoned areas of the following towns and villages;

Tier 1 Centres: Carrick-on-Shannon

Tier 2 Centres: Ballinamore, Dromahair, Drumshanbo, Kinlough and Manorhamilton  
[but excluding Mohill]

Tier 3 Centres: Carrigallen, Dromod, Leitrim and Tullaghan [but excluding Drumkeerin]

Given the identified demand for social housing and given that it was identified that there is no demand for affordable housing (given the current low cost of housing within the housing market within the county), the required provision on any individual site, between social and private market housing where the provisions of Part V apply should be as required by the Planning and Housing Authority, having regard to the desirability of an appropriate split of 10% social and 90% for the private market;

- b) Acquiring housing in private estates to accommodate persons on the housing waiting list in order to meet demand for social housing and also to counteract and/or avoid the effects of social segregation;
- c) Encouraging home ownership amongst local authority tenants;
- d) Encouraging development in areas, which at present exhibit an imbalance in either direction.

**Ref. CDP VT7**

Amend Objective 56 on page 134 (Section 4.7.5.5 'Guidance on the Location and Scale of Retail Development') to read as follows:

It is an objective of the Council to encourage and facilitate the reuse and regeneration of derelict land and vacant buildings within town centres for retail / enterprises and mix of retail and residential uses having due regard to the Sequential Approach. The provisions of Objective 5b also refer.

**Ref. CDP VT 8**

Add additional paragraph to the end of Section 5.3.2 Urban Regeneration and Renewal as follows:

The Urban Regeneration and Housing Act 2015 introduced the 'vacant site levy' as a site activation measure, to ensure that vacant or underutilised land in urban areas is brought into beneficial use, while also ensuring that a more efficient return on State provided enabling infrastructure and helping to counter unsustainable urban sprawl. The vacant site levy can be imposed by Leitrim County Council under certain conditions in designated areas i.e. where sites remain vacant and site owners / developers fail to bring forward reasonable proposals without good reason for the development / reuse of such property in line with the provisions of the relevant Local Area Plan or County Development Plan. Leitrim County Council will implement the vacant site levy as provided for in the Urban Regeneration and Act 2015 and in accordance with the requirements set out in the Department's Circular Letter PL7/2016.

### 3 Strategic Environmental Appraisal

Strategic Environmental Assessment (SEA) is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme before the decision is made to adopt the plan or programme. The purpose is to *"provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation of plans and programmes with a view to promoting sustainable development."* (European Directive 2001/42/EC).

The Planning Authority determined, using the screening criteria set out in Schedule 2A Planning & Development Regulations 2001 – 2018, the Department of Housing, Planning and Local Government SEA Guidelines and Annex 2 of Directive 2001/42/EC, determined that a Strategic Environmental Assessment was not required for the proposed draft Variation to the Leitrim County Development Plan 2015 – 2021. No further modifications were made to the proposed draft Variation following the publication consultation period and the proposed draft variation was made by the Elected Members as advertised. A copy of the SEA Screening Report and Determination accompanies this Variation.

### 4 Appropriate Assessment Screening

Article 6(3) of European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) requires competent authorities, in this case Leitrim County Council, to undertake an Appropriate Assessment (AA) of any plan or project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects. The assessment examines the implications of proceeding with the plan or project in view of the site's conservation objectives.

An Appropriate Assessment Screening was undertaken of the proposed draft Variation to the Leitrim County Development Plan 2015 – 2021, in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC). The draft Variation was not predicted to have a likely impact on the key features or the qualifying interests of any Natura 2000 sites in or adjoining County Leitrim. No further modifications were made to the proposed draft Variation following the publication consultation period and the proposed draft Variation was made by the Elected Members as advertised.