



Variation no .1

Offaly County Development Plan 2014-2020

To make amendments to the Offaly County Development Plan 2014-2020 specifically to incorporate the provisions of the Urban Regeneration & Housing Act 2015 relating to the Vacant Site Levy, Urban Renewal and Regeneration.

19th February 2018

The Members of Offaly County Council resolved to adopt Variation no. 1 of the Offaly County Development Plan 2014 -2020 at its meeting on the 19th February 2018.

Variation No. 1 of the Offaly County Development Plan 2014-2020 is effective as of the 19th February
2018

Variation no. 1 – Offaly County Development Plan 2014-2020

This is variation no. 1 of the Offaly County Development Plan which seeks to incorporate the provisions of the Urban Regeneration and Housing Act 2015 regarding the Vacant Site Levy and urban renewal and regeneration. The variation has been prepared in accordance with section 13(2) of the Planning and Development Act 2000 (as amended). The variation is accompanied by a Strategic Environmental Assessment (SEA) Screening Report and Determination and an Appropriate Assessment Screening Report and Determination.

Format of variation No. 1:

The format of this variation is as follows:

- Sections of the adopted County Development Plan 2014-2020 plan which are amended are copied into the document retaining their formatting where possible for clarity.
- Deleted text from the adopted plan 2014-2020 are marked in strikethrough as ~~shown thus~~.
- Additional text to the adopted plan are marked in red text as shown thus:
Sample text Sample text Sample text Sample text Sample text

Introduction:

This is variation no. 1 of the Offaly County Development Plan 2014-2020 which seeks, in accordance with the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy) to:

- (a) Integrate specific objective(s) for the development and renewal of identified areas in need of regeneration or residential development of the plan and,
- (b) Specify the areas identified in need of regeneration or residential development.

The variation has been prepared in accordance with the provisions of section 13(2) of the Planning and Development Act 2000 (as amended).

Background to the variation:

The Urban Regeneration and Housing Act 2015 (URHA) signed into law in July 2015 has a specific focus on addressing housing supply related issues across the country. The URHA 2015 aims to incentivize urban regeneration with a view to facilitating increased activity specifically in the housing construction sector. The URHA 2015 introduced the vacant site levy as a site activation measure which is required to be integrated as part of the development planning process, to ensure that vacant or underutilized land in urban areas is brought into beneficial use.

In making provision for the Vacant Site Levy in development plans the URHA 2015 requires Planning Authorities in the first instance to incorporate mandatory objective(s) to support Urban Regeneration and also to indicate areas to which the equitable application of the levy can occur.

Purpose of this variation:

The purpose of this variation is to incorporate the provisions of the Urban Regeneration and Housing Act 2015 regarding the Vacant Site Levy and urban renewal and regeneration into the County Development Plan by, inter alia, including new objectives for the development and renewal of designated regeneration and residential lands for the purposes of the future application of the levy and to identify such areas in the development plan.

Environmental Considerations

The variation is subject to full compliance with the requirements of EU Directives and National Guidance relating to the protection of the natural and built environment including:

- Strategic Impact Assessment (SEA)
- Appropriate Assessment (AA)

Strategic Environmental Assessment

The variation has been screened to determine the need to undergo environmental assessment in accordance with the Planning and Development (Strategic Environmental Assessment) (Amendment) Regulations 2011 (SI No. 201/2011). Strategic Environmental Assessment (SEA), required in accordance with the SEA Directive (DIR 2001/42/EC) is a systematic process for evaluating the likely significant environmental effects of implementing this variation. The Planning Authority has determined that the implementation of the variation will not have significant adverse effects on the environment. The SEA Screening Report and Determination sit as accompanying reports to this variation.

Natura Impact Assessment

The variation has been screened to determine the need to undergo a Natura Impact Assessment (stage 2) in accordance with the requirements of Article 6(3) of the EU Habitats Directive (DIR 92/43/EEC) on the conservation of Natural Habitats and Wild Flora and Fauna. The Planning Authority has determined that the implementation of the variation will not require a Natural Impact Assessment since it has been excluded on that basis of objective information that the variation, individually or in combination with other plans or projects, will not have a significant effect on one or more European sites. The AA Screening Report and Determination accompany this variation.

Variation No. 1 – Offaly County Development Plan 2014-2020

To note: no changes are proposed to the landuse zoning map or any landuse zoning objective under this variation process.

Changes approved Volume 1:

Introduction and Context

3. Contents of the Plan

Volume 1 - Written Statement

This is divided into 8 chapters and sets out the vision, aims, goals and strategy for the county over the plan period in addition to the Council's policies and objectives under various headings. It contains the written land use zoning categories which are read in conjunction with the land use zoning maps contained in Volume 2.

Variation No. 1 incorporated into the written statement facilitates the application of the Urban Regeneration and Housing Act 2015. The variation provides for the:

- (a) Integration of specific objective(s) for the development and renewal of identified areas in need of regeneration or residential development in the plan and,
- (b) Identify the location of areas in need of regeneration or residential development.

Chapter 1: Core Strategy, Settlement Strategy and Part V Housing Strategy

Core Strategy

1.7 Future Housing Land Requirements

In accordance with the projected population targets as outlined above, housing need must be provided for the growing population over the lifetime of this plan. **The Planning Authority will employ Site Activation Measures including the Vacant Site Levy to bring forward vacant and underutilized sites in urban areas for the supply of housing where there is a determined need.** Housing land must be aligned with population targets in order to justify the quantum or extent of residential zoning required to facilitate the growing population...

2 New Objectives:

CSO-05

- (a) It is an objective of the Council, in accordance with the provisions of the Urban Regeneration and Housing Act 2015, to encourage the development and renewal of areas, identified having regard to the Core Strategy, that are in need of renewal or 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 and 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.

For clarity and the proper implementation of the objective for Renewal and Regeneration the following areas are identified:

1. **Residential:** All lands zoned residential (and considered appropriate for proper sequential development) in the towns of Tullamore, Birr, Edenderry and Portarlinton.
2. **Regeneration:** All lands contained within defined Town Centre/Core Settlement areas of all towns and villages across County Offaly (Tiers 1-5 (inclusive) Settlement Hierarchy).

CSO-06: In accordance with the Urban Regeneration and Housing Act 2015, it is an objective of the Council to maintain a vacant sites register for sites in excess of 0.05 hectares in designated areas. Where a site is on the register for a period of 12 months, the Council may apply a levy at a rate of 3% of the market valuation of the vacant site (levy of 7% of applicable from 1st January 2020). The levy may be applied to individual sites identified in *Residential* land and *Regeneration* land across the county.

1.11 Core Strategy Objectives

Settlement Strategy

1.14 Strategy

Table 1.5 Settlement Hierarchy and Planning Principles for development

<p><i>Tier 1: Linked Gateway Town</i></p> <p>Tullamore</p>	<p>Tullamore with its population at 14,361 (as per Census 2011) is the largest settlement in County Offaly and provides for the majority of employment and sustains a large portion of the population of the county. At a regional level, Tullamore forms part of the Midland Linked Gateway with Athlone and Mullingar which has been identified as being a ‘driver’ for the Midlands Region by the NSS and the MRPGs. This unified role allows the region to compete for development, for people, for jobs and for services at a National, European and International level.</p> <p>Tullamore therefore, has two important roles to play for both county and Region. The Council will continue to stimulate growth in Tullamore in acknowledgement of its strategic role. Tullamore has been allocated the largest projected population growth in the Core Strategy in order to build an appropriate critical mass to enable a range of services and facilities to serve County Offaly and the Midlands Region. Site Activation Measures including the Vacant Site Levy will be encouraged in Tullamore to bring forward residential development to facilitate a growing population in both Greenfield areas and in the town centre to support urban regeneration.</p>
<p><i>Tier 2 Key Service Towns</i></p> <p>Birr, Edenderry & Portarlinton</p>	<p>The role of the Key Service Towns is to act as important drivers for local economies as these towns have a well established economic, administrative and social function. The location in particular of Birr, Edenderry and Portarlinton strengthen the settlement pattern across the county and also provide support to their immediate surrounding hinterland (including Local Service Towns, Villages, Sráids and the Open Countryside) as well as being self-sustaining. It is anticipated that the Key Service Towns will reinforce their role as key centres within the settlement hierarchy through the provision of employment opportunities, business, industry, education, tourism and infrastructure. Residential development to support the growing target population of these towns will be provided for and site activation measures may be employed to encourage the delivery of necessary housing supply in these areas.</p>
<p><i>Tier 3 Service Towns</i></p> <p>Clara, Ferbane</p>	<p>Service Towns perform important retail, residential, service and amenity functions for their local catchment and rural hinterland. The development of these towns is aimed at consolidating growth and matching appropriate development to relevant supporting physical and social infrastructure. Town Centre renewal and regeneration is a key objective of these towns to bring forward, promote and encourage the redevelopment of vacant, derelict or underutilized sites, to make way for appropriate end uses including residential use.</p>
<p><i>Tier 4 Local Service Towns</i></p> <p>Banagher, Daingean, Kilcormac</p>	<p>Local Service Towns perform important local level residential, retailing, social and leisure functions and provide appropriate local services to a wider rural hinterland. Local enterprise is encouraged within this settlement tier and the location of industry where appropriate may also be considered. Renewal and Regeneration of the core urban areas of these towns through the redevelopment or reuse, in particular, of vacant/derelict buildings would contribute positively to the consolidation and vitality of these towns. The success of Local Service Towns can be achieved by adequate zoning of lands, servicing and a facilitatory approach towards appropriately scaled and designed urban development.</p>

<p><i>Tier 5 Villages</i></p> <p>Belmont, Ballinagar, Ballycumber, Bracknagh, Cloghan, Clonbullogue, Cloneygowan, Coolderry, Crinkle, Geashill, Killeigh, Kinnitty, Mucklagh, Moneygall, Mountbolus, Pollagh / Lemanaghan, Riverstown Shannonbridge, Shannonharbour, Shinrone, Rahan, Rhode, Walsh Island.</p>	<p>The Villages in County Offaly are very attractive and rural in character. Many are apportionally scaled with well designed residential, commercial and community developments in keeping with the character of the village. A priority for villages is to retain community and social facilities and to encourage service provision. The prevailing scale and density of villages provide a viable opportunity for serviced sites as an alternative to rural housing. It is acknowledged that some villages require significant improvements in physical infrastructure to facilitate existing residential and commercial development. Residential development in villages should at all times be of appropriate scale and density. Villages include statutory zoning for a range of uses. Development in Village areas must strike a balance in meeting the needs and demands of the village or its rural hinterland and be sensitive and responsive to the existing prevailing pattern, scale, density and design of the village. The development of vacant/derelict or underutilized land or buildings is a key priority in these villages to encourage the most efficient use of land and promote the renewal, regeneration and consolidation of village centres.</p>
---	---

1.16 (b) Settlement Strategy Objective:

Renewal and regeneration:

SSO-01: It is an objective of the Council as per the Urban Regeneration and Housing Act 2015, to use site activation measures such as the Vacant Site Levy in specific areas to bring forward vacant or underutilized Residentially zoned lands and Regeneration land into beneficial use where considered necessary for the renewal and regeneration including:

1. **Residential:** All lands zoned residential (and considered appropriate for proper sequential development) in the towns of Tullamore, Birr, Edenderry Portarlinton.
2. **Regeneration:** All lands contained within the defined Town Centre/Core Settlement areas of all towns and villages across County Offaly (Tiers 1-5 (inclusive) Settlement Hierarchy).

Chapter 5: Retail and Town Centre Strategy

5.3.1 Define boundaries of the core shopping areas, ~~or~~ town centres, regeneration areas

Volume 2 of the plan provides for the settlement plans for all settlement areas within the county. The core retail area or town centre of each settlement area has been delineated to identify clearly the location of the retailing function of the settlement. Identifying and delineating core retail areas or town centres allows a focused approach for retailing ~~and~~, town centre action initiatives, **uses that promote and facilitate renewal and regeneration**, as well as the proper application of the sequential approach to retail development.

5.4.1 Town Centre Strategy Approach

Replace heading:

~~Vacancy Rates, Derelict Sites, Brownfield Sites and Potential Opportunity Sites~~

with:

Town Centre Renewal

Renewal and Regeneration

Sustainable and compact urban development ensures the most efficient use of land and reduces unnecessary urban sprawl. The development of underutilized or vacant lands within the boundaries of town centres is crucial for:

- (1) Supporting the key objective of renewal and regeneration
- (2) Encouraging a more sustainable approach and efficient use of lands
- (3) Accommodating a range of needs including housing where considered necessary.

The Council will utilize all available activation measures and mechanisms, including the Vacant Site Levy to facilitate and encourage the appropriate development of vacant sites on lands identified as *Regeneration Lands* in the defined Town Centre/Core Settlement areas of all towns and villages across County Offaly (Tiers 1-5 (inclusive) Settlement Hierarchy).

Vacancy Rates

Town centres are constantly evolving...

Derelict Sites

The Derelict Site Act 1990...

5.5 Retail and Town Centre Policies

Three new policies

RTCP-19 It is Council policy where any brownfield lands are proposed for reuse/regeneration, to require that these should be appropriately remediated to avoid or minimise any potential significant environmental impacts or human health impacts that may arise. The development of these areas, should be carried out in a manner that is consistent with the core strategy and with the principles of sustainable development.

RTCP-20 It is Council policy that for the development of brownfield lands, due consideration and proper assessment should be made on aspects such as contaminated soil removal/remediation, noise, and air quality, waste management, possible service infrastructure provision issues, possible presence of invasive species, ensuring appropriate management/control, implications for bio-diversity etc.

5.6 Retail and Town Centre Objectives

New objective

RTCO-04: It is an objective of the Council, in accordance with the provisions of the Urban Regeneration and Housing Act 2015, to use site activation measures such as the Vacant Site Levy in order to facilitate and encourage appropriate development on lands identified for *Regeneration*. Regeneration lands are identified as being all lands contained within the defined Town Centre/Core Settlement areas of all towns and villages across County Offaly (Tiers 1-5 (inclusive) Settlement Hierarchy).

Chapter 8: Development Management Standards

8.26 Landuse and Zoning

8.26.4 Zoning Objectives

The following are the **zoning objectives** of the plan and they apply to the land use zoning contained in the Town and Village Plans contained in Volume 2.

Residential Zoning Objective

The use 'Residential' shall be taken to primarily include the use of land for domestic dwellings (including group housing for members of the travelling community), convents and civic institutions. It may also provide for a range of other uses particularly those that have the potential to foster the development of new residential communities for example, schools, crèches, local convenience store, doctor/dental surgeries, open space (formal and informal) etc. **All residential zoned lands in the settlement areas of Tullamore, Birr, Edenderry and Portarlington are subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the Vacant Site Levy.**

Town/Village Centre Mixed Use Zoning Objective

The use of land as Town/Village Centre Mixed Use shall be taken to include the use of land for a mix of uses, making provisions, where appropriate for ~~"primary"~~ uses i.e. ~~primarily~~ commercial/retail and combined with other compatible uses e.g. residential as ~~"secondary"~~. ~~These secondary uses will be considered by the Local Authority, having regard to the particular character of the area.~~ A diversity of uses for both day and evening is encouraged. These areas require high levels of accessibility, including pedestrian, cyclists and public transport (where feasible).

Compatible uses within this zoning objective include;- banks and other financial institutions, cafes, community buildings, civic buildings, entertainment, hotels, leisure and recreation, offices, professional/specialist services, restaurants etc. **The Council will continue to ensure that any development proposed is in the interests of proper planning and sustainable development, and serves to reinforce the vitality and viability of town and village centres, whilst meeting the needs of its community and surrounding hinterland.**

Development proposals should be of a use, scale, form and design that accords with the role, function and size of the location in both the Settlement Hierarchy and the Retail Hierarchy of the plan i.e. town centre setting or a village centre setting.

All town/village centre mixed use zoning objectives, particularly as defined as defined Town Centre/Core Settlement areas in the settlement plans of volume 2, identified as Regeneration Lands, are subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the vacant site levy.

Volume 2: Settlement Plans

Amendments to Volume 2 include additional text and objectives to:

- Clara Town Plan
- Ferbane Town Plan
- Banagher Town Plan
- Daingean Town Plan
- Kilcormac Town Plan
- Village Plan Guide

Clara Town Plan

Chapter 3 Town Centre, Retail and Renewal

New sub-section, policy and objective

3.5 Renewal and Regeneration

Renewal areas in need of regeneration:

In accordance with the provisions of the Urban Regeneration and Housing Act 2015, Clara Town Centre (as delineated in Map 3.1) is identified as a designated focus area for Renewal and Regeneration. Offaly County Council will use measures through the implementation of the Vacant Site Levy to incentivise the use and development of vacant and underutilised sites in Clara Town Centre in the interests of sustainable urban development.

CTPP3-04

Employ, where considered necessary, the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy) to encourage and facilitate the appropriate 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 and 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.

For clarity, all lands located within the defined Clara Town Centre boundary are subject to the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy).

CTPO3-01

Identify Vacant Sites within the Town Centre (Regeneration area) in accordance with the criteria set out in the Urban Regeneration and Housing Act 2015, for the application of the vacant site levy where necessary to encourage development.

Ferbane Town Plan

Chapter 3 Town Centre, Retail and Renewal

3.4 Renewal and Regeneration

...

New sub-section, policy and objective

Renewal Areas in need of Regeneration

In accordance with the provisions of the Urban Regeneration and Housing Act 2015, Ferbane Town Centre (as delineated in Map 3.1) is identified as a designated focus area for Renewal and Regeneration. Offaly County Council will use measures through the implementation of the Vacant Site Levy to incentivise the use and development of vacant and underutilised sites in Ferbane Town Centre in the interests of sustainable urban development.

**Ferbane
Pol 3-10**

Employ, where considered necessary, the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy) to encourage and facilitate the appropriate 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 and 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.
For clarity, all lands located within the defined Ferbane Town Centre boundary are subject to the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy).

**Ferbane Obj
3-06**

Identify Vacant Sites within the Town Centre (Regeneration area) in accordance with the criteria set out in the Urban Regeneration and Housing Act 2015, for the application of the vacant site levy where necessary to encourage development.

Banagher Town Plan

Chapter 3 Town Centre, Retail and Renewal

3.4 Renewal and Regeneration

Renewal Areas in need of Regeneration

In accordance with the provisions of the Urban Regeneration and Housing Act 2015, Banagher Town Centre (as delineated in Map 3.1) is identified as a designated focus area for Renewal and Regeneration. Offaly County Council will use measures through the implementation of the Vacant Site Levy to incentivise the use and development of vacant and underutilised sites in Banagher Town Centre in the interests of sustainable urban development.

Banagher Pol 3-10

Employ, where considered necessary, the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy) to encourage and facilitate the appropriate 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 and 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.
For clarity, all lands located within the defined Banagher Town Centre boundary are subject to the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy).

Banagher Obj 3-06

Identify Vacant Sites within the Town Centre (Regeneration area) in accordance with the criteria set out in the Urban Regeneration and Housing Act 2015, for the application of the vacant site levy where necessary to encourage development.

Daingean Town Plan

Chapter 3 Town Centre, Retail and Renewal

3.4 Renewal and Regeneration

Renewal Areas in need of Regeneration

In accordance with the provisions of the Urban Regeneration and Housing Act 2015, Daingean Town Centre (as delineated in Map 3.1) is identified as a designated focus area for Renewal and Regeneration. Offaly County Council will use measures through the implementation of the Vacant Site Levy to incentivise the use and development of vacant and underutilised sites in Daingean Town Centre in the interests of sustainable urban development.

**Daingean
Pol 3-10**

Employ, where considered necessary, the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy) to encourage and facilitate the appropriate 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 and 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.
For clarity, all lands located within the defined Daingean Town Centre boundary are subject to the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy).

**Daingean
Obj 3-06**

Identify Vacant Sites within the Town Centre (Regeneration area) in accordance with the criteria set out in the Urban Regeneration and Housing Act 2015, for the application of the vacant site levy where necessary to encourage development.

Kilcormac Town Plan

3.4 Renewal and Regeneration

Renewal Areas in need of Regeneration

In accordance with the provisions of the Urban Regeneration and Housing Act 2015, Kilcormac Town Centre (as delineated in Map 3.1) is identified as a designated focus area for Renewal and Regeneration. Offaly County Council will use measures through the implementation of the Vacant Site Levy to incentivise the use and development of vacant and underutilised sites in Kilcormac Town Centre in the interests of sustainable urban development.

Daingean Pol 3-10	Employ, where considered necessary, the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy) to encourage and facilitate the appropriate 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 and 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. For clarity, all lands located within the defined Kilcormac Town Centre boundary are subject to the provisions of the Urban Regeneration and Housing Act 2015 (Vacant Site Levy).
Daingean Obj 3-06	Identify Vacant Sites within the Town Centre (Regeneration area) in accordance with the criteria set out in the Urban Regeneration and Housing Act 2015, for the application of the vacant site levy where necessary to encourage development.

Village Plan Guide

New section:

1.16: Renewal and Regeneration:

In accordance with the provisions of the Urban Regeneration and Housing Act 2015, all lands within the Settlement Core areas of all Villages are identified as designated focus areas for Renewal and Regeneration. Offaly County Council will use measures through the implementation of the Vacant Site Levy to incentivise the use and development of vacant and underutilised sites in village centres in the interests of sustainable urban development.

*****End*****