



Variation no .3

Tullamore Town and Environs Development Plan 2010 (as extended)

To make amendments to the Tullamore Town and Environs Development Plan 2010 (as extended) specifically to incorporate the provisions of the Urban Regeneration & Housing Act 2015 relating to the Vacant Site Levy, Urban Renewal and Regeneration.

February 2018

The Members of Offaly County Council resolved to adopt Variation no. 3 of the Tullamore Town and Environs Development Plan 2010 (as extended) at its meeting on the 19th February 2018.

Variation No. 3 of the Tullamore Town and Environs Development Plan 2010 (as extended) is effective as of the 19th February 2018

Variation no. 3 – Tullamore Town and Environs Development Plan 2010 (as extended)

This is variation no. 3 of the Tullamore Town and Environs Development Plan 2010 (as extended) 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 the variation

The format of this variation is as follows:

- Sections of the adopted Tullamore Town and Environs Development Plan 2010 (as extended) which are amended are copied into the document retaining their formatting where possible for clarity.
- 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. 3 of the Tullamore Town and Environs Development Plan 2010 (as extended) 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 and,
- (b) specify the area(s) 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 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.

Appropriate Assessment

The variation has been screened to determine the need to undergo a Natura Impact Report (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 Report 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 Appropriate Assessment Screening Report and Determination accompany this variation.

Variation No. 3 – Tullamore Town and Environs Development Plan 2010 (as extended)

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

Insertion of the following text in to Chapter 4 *Overall Strategy*, as amended by the provisions of adopted variation no. 2 (Part A, Core Strategy, 2013) to the Tullamore Town and Environs Development Plan 2010 (as extended).

Chapter 4 Overall Strategy

Additional text to be included as part of section 3.4 of Variation No. 2 (Part A):

3.5 Delivery of Core Strategy

...

In accordance with the projected population targets as set out in the core strategy, the provision of housing is assumed on lands identified for residential development over the lifetime of this plan. In accordance with the provisions of the Urban Regeneration and Housing Act 2015, the Planning Authority will employ Site Activation Measures including the Vacant Site Levy to bring forward vacant and/or underutilised sites in Tullamore and its environs for the supply of housing where there is a determined need. The following zoned areas located in Tullamore and its Environs are subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the Vacant Site Levy:

- (a) All Residential zoned lands.
- (b) All lands located within the defined Tullamore Town Centre (i.e. lands zoned Town Centre, Commercial, Public/Community/Educational and Residential).

Two new objectives in Chapter 4 Overall Strategy, Section 4.15:

Renewal and Regeneration:

TTEO 04-09: 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 in Tullamore are identified:

1. **Residential:** All lands zoned residential (and considered appropriate for proper sequential development) in the Town and Environs area.
2. **Regeneration:** All lands located within the defined Town Centre boundary zoned Town Centre, Commercial, Public/Community/Educational and Residential)

TTEO 04-10: 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 in the Tullamore Town and Environs Area.

Chapter 7 Town Centre, Renewal and Retail

New sub-section under Renewal and addition to exiting objective TTEO- 07-03:

7.1.3 Renewal

...

7.1.3.4 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 Tullamore Town Centre in accordance with the core strategy.

7.5 Policy

Three new policies with heading:

Regeneration and renewal

TTEP 07-22 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.

TTEP 07-23 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 biodiversity etc.

7.6 Objectives

Additional text to be included in Objective TTEO 07-03:

TTEO 07-03: (a) It is an objective of the Council to facilitate, where appropriate, the development and renewal of sites and areas of Tullamore which are in need of regeneration and in particular to guide the holistic development of larger assembled site. The Council will facilitate and promote sensitive and in context re-development of underused or derelict to centre areas.

(b) It is an objective of the Council, in accordance with the Urban Regeneration and Housing Act 2015 to employ Site Activation Measures such as the Vacant Site Levy in order to facilitate and encourage appropriate development on lands in Tullamore Town Centre identified by the Core Strategy for Regeneration.

New text clarifying areas subject to Vacant Site Levy in description of landuse zonings.

Chapter 15: Landuse and Zoning

15.3 Zoning Objectives

...

15.3.2 Commercial

Commercial areas generally contain one or more of a wide variety of uses that include business uses, offices, hotel, public houses and some retailing (subject to assessment in relation to the County's Retail Strategy and the impact on the vitality and viability on the established town centre).

Uses that are particularly appropriate to these areas include wholesale, business service uses, the sale of motor vehicles and limited forms of retailing that involve the sale of bulky goods unsuitable to be carried away by pedestrians. It is important to prevent the expansion or introduction of uses that would be more appropriate elsewhere e.g. in town centre, neighbourhood centres or industrial areas. This would allow uses that are compatible with, or reinforce the commercial function of the area as a whole, to be fostered.

Future proposals, particularly those involving retail uses, will need to be assessed in relation to a number of considerations including the Councils' retail strategy and their impact on the vitality and viability of Tullamore town centre and also all of the other main neighbourhood centres located in the masterplan areas and on Collins Lane (refer to Chapter 5). By their nature, proposals for these areas may involve large-scale buildings and require a high degree of accessibility and parking space for car users and delivery vehicles.

Commercial zoned lands located within the defined boundary of the town centre will be subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the Vacant Site Levy.

15.3.4 Public/Community/Education Zoning Objective

The use of land as 'Public/Community/Education' shall be taken to include the use of land for the above stated uses, which generally include community related development (including the provision of schools, community halls, health care facilities, utilities, libraries and development for other community uses). Ancillary facilities such as dedicated open space or sports facilities will normally be facilitated within this zoning objective. Public/Community/Education zoned lands located within the defined boundary of the town centre will be subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the Vacant Site Levy.

15.3.6 Residential Zoning Objective

The use 'residential' shall be taken to primarily include the use of land for domestic dwellings (including meeting housing needs of members of the travelling community), religious and civic residences. It may also provide for a range of other uses particularly those that have the potential to foster, enhance and supplement 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 Tullamore and Environs area are subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the Vacant Site Levy.

15.3.7 Town Centre Zoning Objective

The use of land as Town Centre shall be taken to include the use of land for a mix of uses appropriate for the Town Centre, making provisions, where appropriate, for "primary" uses i.e. primarily commercial, retail, combined with other

compatible uses e.g. residential as “secondary”. These secondary uses will be considered by the Local Authorities, 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;- retail developments, banks and other financial institutions, cafes, community buildings, civic buildings, entertainment, hotels, leisure and recreation, offices, professional/specialist services, residential, restaurants etc. The Councils 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 Tullamore Town Centre, whilst meeting the needs of its community and surrounding hinterland.

The re-use of back lanes and mews buildings for specialised uses will be encouraged as a means of restoring the urban grain of the town subject to appropriate protection of the amenity of adjoining properties.

All town centre zoned lands are subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the Vacant Site Levy.

*****End*****