



South Dublin County Council

# Development Plan 2016 – 2022

A VISION FOR SOUTH DUBLIN'S FUTURE

## Proposed Variation No. 2

# Vacant Site Levy

*Planning Report*

February 2018



## Proposed Variation No. 2 South Dublin County Council County Development Plan 2016-2022

This is Proposed Variation No. 2 of the South Dublin County Council 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 proposed variation has been prepared in accordance with Section 13(2) of the Planning and Development Act 2000 (as amended). The proposed variation is accompanied by a Strategic Environmental Assessment (SEA) Screening Report and Determination and an Appropriate Assessment Screening Report and Determination.

### **Public Display:**

The Proposed Variation No. 2 of the South Dublin County Council County Development Plan 2016-2022 along with accompanying environmental reports is being placed on public display and may be inspected from **Friday 16<sup>th</sup> February 2018 to Friday 16<sup>th</sup> March 2018** (both dates inclusive) during normal opening hours at County Hall Tallaght, the Civic Offices Clondalkin and in County Library, Tallaght and all Local Branch Libraries during normal opening hours for each library (excluding Bank Holidays).

The documents may also be viewed on South Dublin County Council's website at [www.sdcc.ie](http://www.sdcc.ie)

### **Making a submission:**

Written submissions or observations with respect to this proposed variation can be made in writing to the address below no later than **4.00pm 16<sup>th</sup> March 2018** (12.00 midnight if made online).

Submissions should be in ONE medium only and include the full name and address of the person making the submission, details of organisation, community group or company represented where relevant and clearly marked – *Proposed Variation No. 2 South Dublin County Development Plan*. As an online facility has been provided for your convenience, e-mail submissions will not be accepted.

Any written submissions or observations in respect of the proposed variation received within the timeframe will be taken into consideration before the making of the proposed variation.

### **Submissions or observations to:**

On Line: <https://consult.sdblincoco.ie/> up to 12.00 midnight on **16<sup>th</sup> March 2018**.

**OR**

By Post: Senior Executive Officer, Forward Planning Section, Land Use, Planning and Transportation Department, South Dublin County Council, County Hall, Tallaght, Dublin 24

LATE SUBMISSIONS WILL NOT BE ACCEPTED

### **What happens after submissions stage?**

After the closing date for making submissions has expired, the Chief Executive's report on any submissions or observations received within the submission period will be prepared and submitted to the members of the authority for their consideration. This report will include the response of the Chief Executive to the issues raised, taking account of the proper planning and sustainable development of the area, the statutory obligations of any local authority in the area and any relevant policies or objectives for the time being of the Government or of any Minister of the Government.



## 1.0 Introduction

South Dublin County Council has prepared proposed variation No.2 to the 2016-2022 County Development Plan. The proposed variation seeks, in accordance with the provisions of the Urban Regeneration and Housing Act 2015 to integrate specific written objectives for the development and renewal of areas in need of housing or regeneration and to specify the areas that are in need of regeneration and/or housing.

## 2.0 Background to Proposed Variation No. 2

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 consequent to the Government's Construction 2020 Strategy.

The purpose of Proposed Variation No. 2 of the South Dublin County Council Development Plan 2016-2022 is to incorporate the Vacant Site Levy (VSL) provisions as introduced by the Urban Regeneration and Housing Act 2015. The VSL is to incentivise the development of vacant sites in urban areas, and is a site activation measure, to ensure that vacant or underutilised land in urban areas is brought into beneficial use. As part of the Act, Planning Authorities must include an objective in their Development Plans for the development and renewal of areas in need of regeneration and must establish a vacant site register.

All planning authorities are encouraged to implement the provisions of URHA with respect to the vacant site levy by way of an approach which includes the following steps:

- Establish and maintain a vacant site register (1st January 2017)
- Make provision for the development of vacant sites in designated areas by way of an explicit objective in development plans.
- Identify vacant sites
- Engage with landowners
- Register vacant sites
- Application of levy

Proposed amendments to the Development Plan have been drafted on this basis and it is proposed that these would form a Variation to the Development Plan.

## 3.0 Environmental Considerations

The proposed 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 proposed 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 proposed variation. The Planning

Authority has determined that the implementation of the proposed variation will not have significant adverse effects on the environment. The SEA Screening Report and Determination sit as accompanying reports to this proposed variation.

### **Appropriate Assessment**

The proposed 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 proposed variation will not require a Natural Impact Assessment since it has been excluded on that basis of objective information that the proposed 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 proposed variation.

## **4.0 Proposed Text Changes to South Dublin County Development Plan 2016-2022**

This document presents details of the proposed variation to the South Dublin County Council Development Plan 2016-2022.

Where appropriate, extracts of text before and after the proposed variation are included in order to present the variation within their context. It is only the proposed changes that submissions or observations can be made upon and not the contextual information.

The proposed changes to text are structured to follow the sequence of the adopted County Development Plan. This document should therefore be read in conjunction with the relevant sections of the County Development Plan as adopted in 2016.

Each Variation is accompanied by the relevant section / figure and page number of the County Development Plan to which the proposed variation relates.

The nature and extent of the proposed variation are identified as follows:

- Proposed alterations, if any, involving additional text are shown in **green**.
- Proposed alterations, if any, involving deletion of text are shown in ~~**red**~~.
- Existing text, where no changes are proposed, is shown in **black**

To note: no changes are proposed to the landuse zoning map or any landuse zoning objective under Proposed Variation No.2.

Chapter 1	Page Number
Introduction and Core Strategy	23-24

### 1.8.0 Phasing, Prioritisation and Infrastructure Delivery

Map 1.3 outlines the sites that have been identified as having development potential during the plan period. In terms of phasing, planning prioritisation and infrastructure delivery it is advised that:

- 1) The continued consolidation of the established urban and suburban built form is a priority during the period 2016-2022. There is significant capacity for new housing on serviced lands to the east of the M50, south of the River Dodder and in the Metropolitan Consolidation Towns.
- 2) Strategic growth nodes at Adamstown and Clonburris (SDZs) offer significant potential for housing and commercial activity and are priority development areas. The SDZs are serviced by strategic water, drainage and transport infrastructure. The delivery of sufficient public transport and road capacity shall be actively supported in tandem with future development of the SDZs so as to facilitate sustainable new development in these areas. Internal physical and social infrastructure is required to be delivered in tandem with housing. The future development of these areas is/will be subject to approved Planning Schemes and is dependent on a sustainable delivery model.
- 3) The Ballycullen/Oldcourt LAP area is a key growth node at the edge of the Consolidation Areas within the Gateway. Future development will be dependent on the delivery of a surface water drainage scheme. Social and physical infrastructure and services will also need to be provided in tandem with the delivery of housing. Delivery of the surface water drainage scheme is due during the lifetime of this Plan.
- 4) Underutilised industrial lands that are close to town centres and transport nodes are designated with Zoning Objective Regeneration 'REGEN' (to facilitate enterprise and/or residential led regeneration). These lands are serviced and offer significant potential for more intensive employment and/or residential development and associated uses. The transition from underutilised industrial areas is likely to occur on an incremental basis and may need to be supported by an economic regeneration strategy. It is envisaged that not more than 50% of these areas will come forward for housing during the period 2016-2022.
- 5) The emerging settlement of Saggart/Citywest will develop based on the capacity of the public transport network and social infrastructure. While additional long term capacity exists in this area, the capacity of zoned lands is considered to be sufficient to meet demand during the period 2016-2022.
- 6) Rathcoole and Newcastle have limited public transport provision and social services, and as such, are not identified as growth nodes. These settlements will develop at an incremental pace, based on the delivery of social, physical and transport infrastructure and services. The capacity of zoned lands is considered to be largely sufficient to meet long term demand.

All residential and mixed use zoned lands have access to the strategic road, water and drainage networks and utilities.

The South Dublin County (Section 48) Development Contribution Scheme (2016 – 2020) assesses the future infrastructure needs of the County and seeks to prioritise the delivery of road and transport infrastructure; surface water drainage infrastructure; community facilities; and parks and open spaces in key growth areas, in tandem with the delivery of new communities.

The achievement of the Core Strategy is intrinsically linked to the delivery of concurrent water and drainage infrastructure by Irish Water to serve the priority growth locations. As such, the investment programme of Irish Water is a key influence on the achievement of the Core Strategy.

The delivery of enhanced transport infrastructure will be dependent on the investment programmes of government agencies such as the Department of Transport, Tourism and Sport, the National Transport Authority (NTA) and Transport Infrastructure Ireland (TII).

### 1.8.1 Vacant Sites

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Vacant development sites are both a challenge and an opportunity for the County to provide additional housing, employment and other important uses. Active land management, including the implementation of the vacant site levy, is key to realising the vision and objectives of the Core Strategy.

The Urban Regeneration and Housing Act 2015 provides for a levy to be applied on vacant sites in residential and regeneration zoned lands, which are suitable for housing but are not coming forward for development. This is a key measure to encourage and promote the development of such vacant sites. The Act sets out two classes of land in which the levy may apply:

- Residential land, under Section 10 (2)(a) of the Planning Act 2000 (as amended).
- Regeneration land, under Section 10(2)(h) of the Planning Act 2000 (as amended).

In accordance with the Urban Regeneration and Housing Act 2015, it is a key pillar of the Development Plan to promote the appropriate development and renewal of areas that are in need of regeneration, identified having regard to the core strategy, in order to prevent:

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



<b>Chapter 2</b>	<b>Page Number</b>
<b>Housing</b>	<b>30</b>

### **2.1.1 SUPPLY OF HOUSING**

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The Strategy identifies capacity for approximately 40,150 housing units in the County to 2022. Consolidation and sustainable intensification in established urban and suburban areas, through infill development and brownfield redevelopment on 'REGEN' zoned lands, is a priority.

Strategic growth nodes at Adamstown and Clonburris SDZs are also priority development areas. Ballycullen/Oldcourt and Saggart/Citywest will develop based on the capacity of the public transport network and social infrastructure. Rathcoole and Newcastle are not identified as major growth nodes. These settlements will develop at an incremental pace based on the delivery of social, physical and transport infrastructure and services.

#### **HOUSING (H) Policy 2 Supply of Housing**

It is the policy of the Council to seek to ensure that sufficient zoned land continues to be available at appropriate locations to satisfy the housing requirements of the County.

#### **H2 Objective 1:**

To ensure that sufficient zoned land, which could be serviced by sufficient public transport and road capacity, continues to be available at appropriate locations to satisfy the housing requirements of the County and to support and facilitate the development of housing lands based on the Settlement Strategy outlined in Chapter 1 Introduction and Core Strategy.

#### **H2 Objective 2:**

To promote residential development through active land management and a co-ordinated planned approach to developing appropriately zoned lands at key locations, including regeneration areas, vacant sites and under-utilised areas.

#### **H2 Objective 3:**

To implement the Vacant Site Levy for all vacant development sites, as appropriate, in the County and to prepare and make publicly available a register of vacant sites, as set out in the Urban Regeneration and Housing Act 2015 (or any superseding Act).

<b>Chapter 11</b>	<b>Page Number</b>
<b>Implementation</b>	<b>197</b>

### 11.1.0 Land Use Zoning Objectives

**Table 11.16:** Zoning Objective 'RU': 'To protect and improve rural amenity and to provide for the development of agriculture'

<b>USE CLASSES RELATED TO ZONING OBJECTIVE</b>	
<b>Permitted in Principle</b>	Aerodrome/Airfield, Agriculture, Allotments, Cemetery, Concrete/Asphalt Plant in or adjacent to a Quarry, Home Based Economic Activities, Industry-Extractive, Open Space, Public Services, Rural Industry-Food.
<b>Open for Consideration</b>	Abattoir, Bed & Breakfast, Boarding Kennels, Camp Site, Car Park, Childcare Facilities, Community Centre, Crematorium, Cultural Use, Doctor/Dentist, Education, Embassy, Enterprise Centre, Fuel Depot, Funeral Home, Garden Centre, Guest House, Health Centre, Heavy Vehicle Park, Hotel/Hostel, Offices less than 100 sq.m, Petrol Station, Place of Worship, Primary Health Care Centre, Public House, Recreational-Facility, Recycling Facility, Refuse Landfill/ Tip, Residential, Restaurant/Café, Service Garage, Shop-Local, Social Club, Sports Club/Facility, Stadium, Traveller Accommodation, Veterinary Surgery.
<b>Not Permitted</b>	Advertisements and Advertising Structures, Betting Office, Caravan Park- Residential, Conference Centre, Hospital, Housing for Older People, Industry- General, Industry-Light, Industry-Special, Live-Work Units, Motor Sales Outlet, Nightclub, Nursing Home, Office-Based Industry, Offices 100sq.m-1,000 sq.m, Offices over 1,000 sq.m, Off-Licence, Outdoor Entertainment Park, Refuse Transfer Station, Residential Institution, Retail Warehouse, Retirement Home, Science and Technology Based Enterprise, Scrap Yard, Shop-Major Sales Outlet, Shop- Neighbourhood, Transport Depot, Warehousing, Wholesale Outlet, Wind Farm.

a In existing premises

b In Villages to serve local needs

c In accordance with Council policy for residential development in rural areas

f In accordance with a Local Area Plan

h For small-scale amenity or recreational purposes only

### 11.1.2 Vacant Site Levy- Residential and Regeneration Lands

Land is a finite resource and should be used efficiently, especially zoned and serviced land in urban areas, which provides significant opportunities for housing, employment, regeneration and the creation of sustainable communities. There are currently a considerable number of vacant sites in urban areas throughout the country, which are lying dormant and undeveloped. South Dublin County Council is committed to identifying and prioritising the development of vacant and under-utilised sites in the county for housing and regeneration purposes.

The Urban Regeneration and Housing Act 2015 sets out two broad categories of vacant land that the levy may apply to:

- Lands zoned primarily for residential purposes
- Lands in need of regeneration

The following lands zoned for residential or primarily residential purposes are included for the purposes as set out in the Urban Regeneration and Housing Act 2015 in relation to the vacant land levy:

- Objective RES and RES-N zoned lands as they have capacity to provide for residential accommodation.

The following zoned lands are included as lands with the objective of development and renewal of areas in need of regeneration:

- Objective REGEN (regeneration), TC (town centre), DC (District Centre), VC (village centre) and LC (local centre).

These lands offer great potential for the significant supply of housing and employment space, as set out in their zoning objectives. Furthermore, the local, town, village and district centre zoned lands are included given their critical role for sustainable neighbourhoods and wider communities.





South Dublin County Council  
Development Plan  
2016 – 2022

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