

25 November 2020

Regeneration Section,
Longford County Council,
Great Water Street,
Co. Longford

Re: Proposed Variation No. 5 of the Longford County Development Plan 2015-2021

A chara,

Thank you for your authority's work in preparing Proposed Variation No. 5 of the Longford County Development Plan 2015-2021 (the variation).

In accordance with the provisions of section 31AM of the Planning and Development Act 2000, as amended (the Act), the Office is obliged to evaluate and assess development plans and variations of development plans in the context of certain statutory parameters including:

- Matters generally to be contained in a development plan (section 10) and, in particular, section 10(2)(n) in relation to climate change;
- Consistency with the National Planning Framework (NPF) and the Regional Spatial and Economic Strategy for the Eastern and Midland Regional Assembly (RSES);
- Ministerial guidelines issued under section 28;
- Ministerial policy directives issued under section 29, and,
- Such other legislative and policy matters as the Minister may communicate to the Office in writing.

The Office commends your authority for preparing the proposed variation which will provide policy support for the wider application of the Urban Regeneration and Housing Act 2015 (Vacant Sites Levy) (VSL).

While the Office supports the broader application of the VSL, it is considered that the proposed amended Policy CS2 could be altered to ensure greater consistency with the intended application of

the VSL under the Urban Regeneration and Housing Act 2015 and development plan policy. The reasons for this are outlined below.

This submission has been prepared to provide a high-level input to your authority in finalising the proposed variation of the plan.

Scope of amended policy

The proposed variation would amend Policy CS2 in the county development plan to incorporate provision for the wider application of the VSL to already zoned lands within settlements in county Longford, where public infrastructure and facilities are provided to facilitate development.

The amended Policy CS2 would apply to lands zoned for development within designated towns and village envelopes (as indicated at Appendix 1A-1F) including:

- Lands bounding Longford Town Environs (Appendix 1A)
- Granard Key Service Town (Appendix 1B)
- Edgeworthstown Service Town (Appendix 1C)
- Ballymahon and Lanesborough Local Service Towns (Appendix 1D),
- Serviced Settlements (Appendix 1E)
- Rural Service Settlements (Appendix 1F)

Vacant Site Levy (VSL)

The Urban Regeneration and Housing Act 2015 introduced the VSL as a site activation measure which can become an integral part of the development planning process, to ensure that vacant or underutilised land in urban areas is brought into beneficial use, while also ensuring a more efficient return on state investment in enabling infrastructure and helping to counter unsustainable urban sprawl¹.

The levy provisions can be applied for regeneration and residential development purposes to both vacant sites in designated areas in central urban areas (largely "brownfield sites") identified in development plans or local area plans, as well as to vacant sites in designated areas which are in outer urban areas (largely "green field sites") and which have the potential to provide housing to meet local housing need and demand.

 $^{^{1}}$ Circular letter PL 7/2016 – Implementation of the Vacant Site Levy

In the case of the greenfield sites, it should be noted that the levy can potentially be applied to land designated as "residential land" for the purposes of the levy, and in respect of which there is an extant planning permission which has not yet been activated. It should also be noted that the scope of the levy provisions applies to vacant sites in "regeneration land" or "residential land" in designated areas irrespective of the ownership status of the sites².

Having regard to national and regional policies promoting compact growth such National Policy Objective 3 (NPO 3) and Regional Policy Objective 3.3 (RPO 3.3) and the intended application of the VSL under the Urban Regeneration and Housing Act 2015, the Office considers that proposed blanket approach is too broad and insufficiently targeted to specific settlements or areas within settlements where regeneration is required.

In this regard, the policy approach needs to be more targeted to larger settlements identified for growth in the settlement hierarchy and specific areas within settlements where regeneration is required similar to the approach for Longford Town in Variation No. 2 of the Longford County Development Plan 2015-2021, and consistent with policies for regeneration such as CPO 4.59 and CPO 6.50 in the draft Longford County Development Plan 2021-2027.

The planning authority is advised to consider a more limited application of the policy which has regard to, inter alia, the settlement strategy and settlements targeted for growth, areas in need of regeneration, and national and regional policies supporting compact growth. In this regard, the planning authority should refer to Circular letter PL 7/2016 – *Implementation of the Vacant Site Lewy*.

Observation 1:

The planning authority is advised to reconsider the approach to apply Policy CS2 to all zoned land in all settlements in the county since it appears inconsistent with the intended application of the Vacant Site Levy as a site activation measure to promote regeneration and development on vacant residential land while helping to counter unsustainable urban sprawl.

In this regard, the planning authority is to identify a regeneration zone and strategic sites to act as regeneration catalysts in a similar manner to the approach followed for Longford Town as part of Variation No. 2 to the Longford County Development Plan 2015-2021 and

 $^{^2}$ Circular letter PL 7/2016 – Implementation of the vacant site levy

consistent with national and regional policies promoting compact growth such National Policy Objective 3 and Regional Policy Objective 3.3.

Consistency with Development Plan

As part of Variation No. 2 of the current plan, the planning authority inserted Policy CS2 in respect of lands designated for regeneration within the "Town Core" and "Residential" character areas in the Longford Town and Environs Local Area Plan. The policy enables the planning authority to examine if there are sites where the VSL is applicable. Variation No. 2 also identified a regeneration area/zone³ in Longford Town within which the VSL can be applied as required.

It is noted that the current plan includes the zoning Site Resolution Objective — 'To provide a mix of uses for the sustainable regeneration of the area' and that this zone is applied to land in Ballymahon, Aughnacliffe, Carriglass, Drumlish, Kenagh and Newtownforbes. While no reference is made to whether it is appropriate to apply the VSL to any of the sites with the Site Resolution Objective, it is noted that the sites with the Site Resolution Objective in Drumlish, Newtownforbes, Kenagh and to a lesser extent Aughnacliffe are all remote from the town/village centre.

Proposed Variation No. 5 proposes to amend policy CS2 so that it applies to all zoned land in all settlements in the six tiers of the settlement hierarchy. However, it is noted that the first line of policy CS2 and the amended policy CS2 states:

'Functional roles of the larger towns shall be maintained and supported by the promotion of appropriate development in these areas and through the development management process and other mechanisms and initiatives, including the vacant sites levy, as opportunities arise...' (Emphasis added)

Therefore, the wording in the first line of the policy is in consistent with its application to smaller towns, villages and rural nodes in the county.

Section 6.5.1.2 of the draft Longford County Development Plan 2021-2027 (the draft plan) sets out the planning authority's intended approach for the application of the VSL.

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

³ Within the regeneration area, 8 strategic sites have been identified as regeneration catalysts in the town

- Lands zoned primarily for residential purposes;
- Lands in need of regeneration which includes:
 - Mixed Use/Expanded Town Centre zonings as they offer opportunities to sustain and enhance the vitality and viability of town centres and where appropriate to consolidate urban areas.
 - All 'Enterprise and Employment' and 'Commercial' zoned lands contained within Tier 1 – Tier 3 of the County's settlement hierarchy.

These land use zonings are subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the Vacant Site Levy for 'regeneration' purposes. The application of the VSL needs to be coordinated with the strategic focus on compact growth in the development plan...

Section 6.5.2 – Designation of Regeneration Areas in the draft plan states the following:

'This Plan sets a framework to identify and secure the redevelopment and regeneration of areas in need of renewal and supports the active land management of vacant sites to address incidents of urban decay and vacancy...'

It is noted that the draft plan identifies Longford, Granard, Edgeworthstown, Ballymahon, Drumlish and Lanesborough as 'regeneration areas' and retains the zoning Site Resolution Objective for specific sites in settlements across the county.

Since the proposed Variation No. 5 would apply policy CS2 to all zoned land in all settlements in the hierarchy, it is not consistent with the intended application of the VSL in section 6.5. 1.2 of the draft plan, which sets out two broad categories of land that the VSL may apply to, and states that 'The application of the VSL needs to be coordinated with the strategic focus on compact growth in the development plan...'

The Office considers that the application of Policy CS2 to all zoned land including land in smaller settlements is inconsistent with the intent of the current policy to apply the VSL to larger towns and the coordinated approach with a strategic focus on compact growth outlined in section 6.5.1.2 in the draft county development plan.

Observation 2

The planning authority is advised to amend the revised Policy CS2 to limit its application to the larger towns identified for growth in the settlement strategy consistent with Policy CS2 as adopted under Variation No. 2 of the County Development Plan.

The planning authority is advised that any proposed changes to Policy CS2 need to consider emerging policies for regeneration in the draft Longford County Development Plan 2021-2017 such as in sections 6.5.1.2 and 6.5.2.

Summary

Arising from the foregoing evaluation and assessment of Proposed Variation No. 5 of the Longford County Development Plan 2015-2021, the Office concludes that no recommendations are warranted under the provisions of section 31AM(3)(a) of the Act since the variation will provide policy support for the wider application of the Vacant Site Levy.

Notwithstanding, the Office strongly advises the planning authority to address the two observations above in order to ensure that the proposed variation provides an appropriate framework for the application of the Vacant Site Levy to settlements in county Longford.

Your authority is required to notify this Office within **5 working days** of the making of the variation and send a copy of the written statement and maps as made, in accordance with section 31AM(6) of the Act. **Please note that this statutory time line differs from the requirement for other consultees and must be complied with**.

Please feel free to contact the staff of the Office in the context of your authority's responses to the above, which we would be happy to facilitate. Contact can be initiated through plans@opr.ie.

Yours sincerely,

Anne Marie O'Connor

Deputy Regulator and Director of Plans Evaluations