

Vacant Sites

Urban Regeneration and Housing Act 2015

Proposed Variation No. 4 to Monaghan County Development Plan 2013 - 2019 (incorporating the development plans for Monaghan, Carrickmacross, Castleblayney, Clones and Ballybay)

under section 13 of the Planning and Development Acts 2000 - 2015



July 2017

Introduction

The commencement of the Urban Regeneration and Housing Act 2015 on 1st September 2015 introduced a new statutory obligation for all Planning Authorities to establish a register of vacant sites and to make provision for a vacant site levy. Part IV (section 28) of the Act is an amendment of section 10(2) of the Act of 2000 (as amended by section 7(b) of the Act of 2010) by substituting paragraph (h) with the following:

“(h) 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 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.”

Accordingly, Monaghan County Council is required to include the objective for the development and renewal of identified areas in need of **residential** or **regeneration** development as part of the Core Strategy of the County Development Plan. Chapter 3 of the Plan contains the Core Strategy for future development for County Monaghan.

It is considered appropriate to include the new objectives for the regeneration and renewal of land and the active land management of vacant sites within the Settlement/Core Strategy chapter. The new text will explain the legislative context of the vacant sites register (Urban Regeneration and Housing Act 2015), the objective of regeneration and renewal of land and the identifying of vacant sites which will involve engagement with property owners to bring these sites back into use. The legislation stipulates that only sites/structures on either “residential” or “regeneration” land are eligible to be placed on the vacant sites register, where the vacant sites levy will apply.

In accordance with the legislation, the County Council has established a vacant sites register for sites in excess of 0.05 hectares, in designated areas, and in accordance with the Act, is effective from the 1st January 2017. Where a site is on the register for a period of 12 months, the County Council may apply a levy at a rate of 3% of the market value of the vacant site.

Application of the new objective on existing land use zonings

“Residential Land”

Section 3 of the 2015 Act defines “residential land” as,

“..land included by a planning authority in its development plan or local area plan...with the objective of zoning solely or primarily for residential purposes, and includes any structures on such land.”

Having regard to the existing land use zonings which are primarily for residential, “Residential land” applies to the following land use zonings.

8.3.1 Zoning Objective A – Town Centre

- To provide for the development and improvement of appropriate town centre uses including retail, commercial, residential, cultural and social use, with the overall aim of maintaining and strengthening the vitality and viability of the town centre

8.3.2 Zoning Objective B – Existing Residential Lands

- To protect and improve existing residential amenity

8.3.3 Zoning Objective C – Proposed Residential Lands

- To provide for new residential development and for new and improved ancillary services

8.3.4 Zoning Objective D – Strategic Residential Reserve

- To ensure that lands that are not considered necessary for residential development during the period 2013 to 2019, are protected for future residential development

Determination of need for housing under section 6(4) of the Urban Regeneration and Housing Act, 2015

The local authority’s need for housing shall be determined having regard to: (s. 6(4))

- (a) The housing strategy and core strategy of the planning authority*
- (b) House prices and the cost of renting houses in the area*
- (c) The number of households qualified for social housing support in accordance with section 20 of the Housing (Miscellaneous Provisions) Act 2009 that have specified the area as an area of choice for the receipt of such support and any changes to that number since the adoption of the planning authority’s development plan, and*
- (d) Whether the number of habitable houses for purchase or rent was less than 5 per cent of the total number of houses in the area.*

County Development Plan Core strategy

The County Development Plan’s Core Strategy sets out the required housing need to meet the target population for the duration of the development plan period up until 2019.

The following table (1) details the number of residential units required for the main settlements to meet the target population growth up until 2019.

Table 1. No. of residential units required to meet 2019 target population per main settlements in County Monaghan

Settlement	Target population growth from 2011 to 2019	No. of units (average household size 2.55 persons)
County	8,367	3,281
Monaghan Town	1,450	569
Carrickmacross	580	227
Castleblayney	556	218
Clones	490	192
Ballybay	245	96
Other settlements and rural area	5,346	2,096

(Extract from Table 3.13 Core Strategy Table, County Development Plan 2013-2019)

The number of residential units for which commencement notices were received from the start of the current development plan period – beginning March 2013 until end March 2017 are detailed in the table 2 below.

Table 2 No. of residential units for which commencement notices have been received from 1st March 2013 until end March 2017

Year	Settlement					
	Monaghan	Carrickmacross	Castleblayney	Clones	Ballybay	County (outside of 5 towns)
2017 (to end March)	4	23 (relates to planning ref. 16/129)	-	-	-	22
2016	12	(23) (relates to planning ref. 16/129) 20 (planning ref. 15/475)	-	-	-	78
2015	-	15 (relates to planning ref. 12/363)	-	-	-	69
2014	1	(15) (relates to planning ref. 12/363)	-	-	-	91
2013 (from 1 st March)	-	(15) (relates to planning ref. 12/363)	-	-	-	71
Total	17	58	-	-	-	331

The housing development carried out to date falls far short of the identified requirement in the Core Strategy.

The numbers on social housing waiting lists for the 5 towns is listed in table 3 below.

Table 3 No. of social housing applicants in the 5 main settlement towns in County Monaghan

Settlement	No. of social housing applicants
Monaghan	406
Carrickmacross	241
Castleblayney	198
Clones	87
Ballybay	76
Total for 5 main settlements	1,008

Source: Monaghan County Council Housing section, March 2017

The figures clearly indicate a pressing demand for social housing units in the main settlements.

House and rental prices

Table 4 below details average asking prices for Quarters 1 of 2017 and 2016 and for monthly rentals for Quarters 4 of 2016 and 2015 along with percentage annual change.

Table 4 Average asking prices and monthly rental, County Monaghan

Period	1 bed apt.	% annual change	2 bed terraced	% annual change	3 bed semi-d	% annual change	4 bed bungalow	% annual change	5 bed detached	% annual change
Average Asking Prices (€000s)										
Q1 2017	€52	1	€68	18.9	€101	15	€194	7.1	€227	11.6
Q1 2016	€52	8.4	€57	9.1	€88	17.6	€182	12.9	€205	6.1
Average Monthly Rental										
Q4 2016	€474	8.1	€538	10.2	€646	6.9	€703	8.9	€794	14.0
Q4 2015	€432	3.4	€480	4.7	€592	2.2	€639	1.9	€690	2.5

Source: Daft.ie

The increases in asking and rental prices over the past two years are an indication of increasing demand and shortage of supply.

Number of residential units for rent or sale expressed as a percentage of the housing stock

Table 5 details the housing stock in the county and the five towns and presents the numbers of units that are for sale or rent, expressing these as a percentage of the total housing stock

Table 5 Housing stock (Census 2016 Interim) and residential units for sale or rent in March 2017

Settlement	Housing stock	No. units for sale Mar. 2017	No. units for rent Mar. 2017	Total units for sale/rent Mar. 2017	% units for sale/rent of total housing stock
County	25,633	143	22	165	.006
Monaghan Town	3,082	18	7	25	.008
Carrickmacross Town	1,047	25	2	27	.025
Castleblayney Town	915	8	4	12	.013
Clones Town	835	6	0	6	.007
Ballybay Urban	283	12	1	13	.046

The percentage of residential units for sale or rent for the county and the five towns falls well below the five per cent figure detailed in the Act.

Conclusion

It is clear from the above that there is a very significant housing need in County Monaghan, particularly within the towns of Monaghan, Carrickmacross and Castleblayney and to a lesser degree in Clones and Ballybay.

“Regeneration Land”

Section 3 of the 2015 Act defines “regeneration land” as

“.....land identified by a planning authority in its development plan or local area plan....with the objective of development and renewal of areas in need of regeneration, and includes any structures on such land.”

At present, the County Development Plan has no specific “regeneration” land-use zoning or “regeneration” objective. However, regeneration and renewal is a central tenet of the development plan goals and of many individual objectives. Furthermore many existing land-use zonings have an urban regeneration intent as part of the overall objective. It is proposed to include a new general regeneration objective as part of the Core Strategy in Chapter 3 of the Plan.

This will also include categorisation of land use zonings as ‘regeneration’ land. This will allow vacant sites in these areas to be considered for inclusion on the Register.

“Regeneration land” can apply to the following land use zonings:

8.3.1 Zoning Objective A – Town Centre

- To provide for the development and improvement of appropriate town centre uses including retail, commercial, residential, cultural and social use, with the overall aim of maintaining and strengthening the vitality and viability of the town centre

8.3.5 Zoning Objective E – Industry, Enterprise and Employment

- To provide for new industrial, enterprise and employment development and to facilitate the expansion of existing industrial and employment enterprises

8.3.6 Zoning Objective F – Existing Commercial

- To provide for existing commercial development

8.3.7 Zoning Objective G – Community Services/Facilities

- To provide for community, civic and educational facilities

8.3.8 Zoning Objective H – Recreation and Amenity

- To protect and provide for recreation and open space for the present and future needs of the towns

8.3.9 Zoning Objective I – Landscape Protection/Conservation

- To protect landscape features within the towns from development that would detrimentally impact on the amenity of the landscape/townscape, on the natural setting of the towns, or on the natural attenuation offered by flood plains

8.3.10 Zoning Objective J – Local Areas Action Plan (LAAP)

- To prepare and implement Local Area Action Plans for those areas identified within the towns

Strategic Environmental Appraisal

Strategic Environmental Assessment

Strategic Environmental Assessment (SEA) is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programmes 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 contribute to the integration of environmental considerations into the preparation of plans and programmes with a view to promoting sustainable development.” (EU Directive 2001/42/EC)

The Planning Authority determined, using the screening criteria set out in Schedule 2A Planning and Development Regulations 2001-2013, the DEHLG SEA Guidelines and Annex 2 of Directive 2001/42/EC, that a Strategic Environmental Assessment was not required for the proposed Draft Variation to the Monaghan County Development Plan 2013-2019, incorporating the development plans for Monaghan, Carrickmacross, Castleblayney, Clones and Ballybay.

Appropriate Assessment Screening

Article 6(3) of the 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 Monaghan County Council, to undertake 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 and 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 Monaghan County Development Plan 2013-2019, incorporating the development plans for Monaghan, Carrickmacross, Castleblayney, Clones and Ballybay, in accordance with requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC). It was determined that a Stage II Appropriate Assessment was not required.

Proposed Variation

The proposed variation consists of the following material amendments:

To insert new text to Chapter 3 Settlement/Core Strategy of the Monaghan County Development Plan 2013 – 2019 incorporating the Development Plans for Monaghan, Carrickmacross, Castleblayney, Clones and Ballybay.

3.4.6.1 Promoting regeneration and redevelopment of vacant land

Part of the development and regeneration strategy of the Development Plan is to engage in the active land management of vacant sites. This will promote and facilitate the rejuvenation of regeneration areas, increase housing supply and create more opportunity for employment. The Urban Regeneration and Housing Act 2015 introduced the vacant site levy initiative as a site activation measure to ensure that vacant and underutilised land in urban areas is brought into beneficial use, while also ensuring a more effective return on State investment in enabling infrastructure and helping to counter unsustainable urban sprawl. Action under the Urban Regeneration and Housing Act 2015 will be complemented by action taken to tackle dereliction under the Derelict Sites Act 1990 (as amended).

3.4.6.2 Vacant Sites Register

The County Council has established a vacant sites register on 1st January 2017 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 County Council may apply a levy at a rate of 3% of the market valuation of the vacant site.

The levy may be applied to all identified 'Regeneration' land and 'Residential' land in existing land use zonings of the County Development Plan.

"Residential" land is identified and applied to the following zonings:

8.3.1 Zoning Objective A – Town Centre

- To provide for the development and improvement of appropriate town centre uses including retail, commercial, residential, cultural and social use, with the overall aim of maintaining and strengthening the vitality and viability of the town centre

8.3.2 Zoning Objective B – Existing Residential Lands

- To protect and improve existing residential amenity

8.3.3 Zoning Objective C – Proposed Residential Lands

- To provide for new residential development and for new and improved ancillary services

8.3.4 Zoning Objective D – Strategic Residential Reserve

- To ensure that lands that are not considered necessary for residential development during the period 2013 to 2019, are protected for future residential development

Regeneration of land and buildings in need of development and renewal throughout the county is an objective of the Development Plan. In addition ‘Regeneration land’ as defined under the 2015 Act is applied to the zoning objectives listed below.

3.4.6.3 Regeneration and Renewal

Monaghan County Council will seek to develop and improve areas in need of development and renewal. In particular, the areas covered by the following zoning objectives are areas where the objective for regeneration and renewal will apply and are considered to constitute regeneration land.

“Regeneration land” is identified and applied to the following land use zonings:

8.3.1 Zoning Objective A – Town Centre

- To provide for the development and improvement of appropriate town centre uses including retail, commercial, residential, cultural and social use, with the overall aim of maintaining and strengthening the vitality and viability of the town centre

8.3.5 Zoning Objective E – Industry, Enterprise and Employment

- To provide for new industrial, enterprise and employment development and to facilitate the expansion of existing industrial and employment enterprises

8.3.6 Zoning Objective F – Existing Commercial

- To provide for existing commercial development

8.3.7 Zoning Objective G – Community Services/Facilities

- To provide for community, civic and educational facilities

8.3.8 Zoning Objective H – Recreation and Amenity

- To protect and provide for recreation and open space for the present and future needs of the towns

8.3.9 Zoning Objective I – Landscape Protection/Conservation

- To protect landscape features within the towns from development that would detrimentally impact on the amenity of the landscape/townscape, on the natural setting of the towns, or on the natural attenuation offered by flood plains

8.3.10 Zoning Objective J – Local Areas Action Plan (LAAP)

- To prepare and implement Local Area Action Plans for those areas identified within the towns

Please refer to the specifics of each land use zoning objective in Chapter 8 of the County Development Plan which should be read in association with the objective of active land management of vacant sites.

3.4.6.4 Active land management of vacant sites

Monaghan County Council will implement an Active Land Management Strategy in relation to vacant land in the County. A Vacant Sites Register has been established and will be maintained which will enable the County Council to pursue the efficient and sustainable use of County's land resources.

Conclusion

It is considered that the proposed amendments set out above accords with the obligations of the Planning Authority under the Urban Regeneration and Housing Act 2015; will promote and facilitate urban regeneration, tackle housing supply issues and accords with the proper planning and sustainable development of the area.