**Cavan County Development Plan 2014-2020**

**Variation Number 1**

7/12/2018

** **

**1.0 Introduction**

**1.1 General Introduction**

Proposed Variation Number 1 of the Cavan County Development Plan proposes the following change to the plan in question.

1. Seeks in accordance with the Urban Regeneration and Housing Act 2015 to integrate specific objectives which will identify and encourage the development and renewal of identified areas in need of regeneration or residential development and specify the areas identified in need of regeneration or residential development.

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

**1.2 Background to Proposed Variation**

The Urban Regeneration and Housing Act 2015 which was signed into law in July 2015 is premised on addressing matters nationally in terms of regeneration and housing supply. The Act aims to encourage urban regeneration with an emphasis placed on facilitating increased activity in the residential sector. The Vacant Site Levy was introduced under the legislation, as a site activation measure which is required to be integrated as part of the planning process, in seeking to ensure that vacant or underutilised land in urban areas is brought into beneficial use, in order to prevent

1. Adverse effects on existing amenities in such areas, in particular as a result of ruinous or neglected condition of any land
2. Urban blight and decay
3. Anti social behaviour, or
4. A shortage of habitable houses or of land suitable for residential use or a mixture of residential or other uses.

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

**1.3 Rationale to Proposed 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 Cavan County Development Plan 2014-2020. As the review of the Cavan County Development Plan 2014-2020 is not due to commence until June 2018, the suggested mechanism to adhere to the new provisions of the legislation is through the variation process.

**2.0 Proposed Variation**

**2.1 Application of the new objective on existing land use zonings for Residential Lands**

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 contained in the Cavan County Development Plan 2014-2020, therefore, ‘Residential Lands’ applies to the following zonings

* Zoning Objective **Town Core** – objective is that this establishes the extent of the town core and identifies the most suitable location for a mix of retail, commercial, residential, cultural and social issues. The overall aim is to strengthen the vitality and viability of the town core by actively facilitating the reuse of existing buildings, as well as brownfield and Greenfield sites. Residential is permitted in principle in the land use zoning.
* Zoning Objective **Existing Residential** –objective to promote the development of balanced communities and ensure that any new development in existing residential areas would have minimal impact on existing residential amenity.
* Zoning Objective **Proposed Residential** – objective is to provide for residential development and to protect and improve residential amenity.
* Zoning Objective **Residential, Mixed Use and other Uses (Virginia)**

Provides for a mix of residential development and other uses which would allow for both an expansion of the residential, employment and economic development of the town without detracting from the town core.

These zoning apply to the following towns – Belturbet, Ballyconnell, Ballyjamesduff, Cootehill, Kingscourt, Virginia, Bailieboro, Mullagh.

**2.2 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

1. The housing strategy and core strategy of the planning authority
2. House prices and the cost of renting houses in the area
3. 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 of choice for the receipt of such support and any changes to that number since the adoption of the planning authority’s development plan, an
4. Whether the number of habitable houses for purchase or rent was less than 5% of the total number of houses in the area
   1. **Cavan County Development Plan Core Strategy**

The Cavan 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 2020.

The following Table 1 details the number of residential units required to meet the target population of settlements in County Cavan up until 2020.

**Core Strategy Table**

**Table 1: Core Strategy Table**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  |  | | Target Population growth from 2011 – 2020 | Housing Land Requirement (ha) for Target Population Growth | Proposed Residential Land Zoning /Designation (Ha) with 50%  over zoning | Housing Yield (units) form Proposed Residential Land Zoning | Housing Yield (units) from other lands |
| County | | | 8,143 |  |  |  | There is additional capacity within the existing residential zoned land to cater for one-off dwellings. This will vary from town to town and includes both the potential for one-off dwellings as well as considerable capacity to re-use and re-develop un-used and derelict buildings. |
| Tier one | | Cavan Town & Environs | 2,195 | 43.6 | 65 | 1170 |
| Tier Two  (Large Towns) | | Bailieborough | 585 | 17.4 | 26 | 312 |
|  | | Ballyjamesduff | 585 | 17.4 | 26 | 312 |
|  | | Cootehill | 585 | 17.4 | 26 | 312 |
|  | | Virginia | 585 | 17.4 | 26 | 312 |
|  | | Kingscourt | 585 | 17.4 | 26 | 312 |
| Tier Three  (Medium Size Towns) | | Ballyconnell | 325 | 9.7 | 15 | 180 |
| Belturbet | 325 | 9.7 | 15 | 180 |
| Mullagh | 325 | 9.7 | 15 | 180 |
| Tier Four  (Small Towns) | | Killeshandra | 642 | 18 | 27 | 324 |
| Arvagh |
| Kilnaleck |
| Shercock |
| Ballyhaise |
| Ballinagh |
| Tier Five (Villages) | | Loch Gowna | 336 | 8 | 12 | 144 |
| Swanlinbar |
| Blacklion |
| Butlersbridge |
| Tier Six  (Small Villages, other settlements and open countryside) | | Bawnboy | 1071 | 32 |  |  |
| Dowra |
| Kilcogy |
| Stradone |
| Redhills |
| Mountnugent |
| Crossdoney |
| Crosskeys |

The Core Strategy above shows that the County Development Plan has displayed a targeted growth in the County of 8,143 persons in the period 2014-2020. This results in an expected requirement for 2951 houses in the plan period.

**2.4 Commencement Notices and Planning Permissions**

Planning permissions has been approved on Residential zoned lands for 35 dwellings since the adoption of the current development plan (June 2014). Of these 35 dwellings Commencement Notices have been submitted for 13 of them. This shows that the housing development carried out to date in the County falls far short of the identified requirement in the Core Strategy.

**2.5 Social Housing**

The number of persons of the social housing waiting list for a dwelling in County Cavan (minus Cavan Town) is 613. This figure clearly indicates that there is a demand for social housing in the town.

**2.6 County House and Rental Prices**

**Table 2 Average Asking Price and Monthly Rents**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Period | 1 bed Apt | % annual change | 2 bed terrace | % annual change | 3 bed semi d | % annual change | 4 bed bungalow | % annual change | 5 bed detached | % annual change |
| Average asking price (Sale Price) | | | |  |  |  |  |  |  |  |
| Q1  2018 | €48 | 7.0% | €63 | 6.4% | €91 | 4.8% | €174 | 3.8% | €188 | -4.2% |
| Q1  2017 | €45 | -1.2% | €59 | 16.2% | €87 | 12.4% | €168 | 4.8% | €197 | 9.1% |
| Average Monthly Rents (Rental Price) | | | |  |  |  |  |  |  |  |
| Q4  2017 | €478 | 9.5% | €541 | 9.0% | €645 | 8.3% | €703 | 8.4% | €725 | -0.9% |
| Q4  2016 | €436 | 9.1% | €496 | 11.2% | €595 | 7.9% | €648 | 9.9% | €732 | 15.0% |
|  |  |  |  |  |  |  |  |  |  |  |

**Source Daft.ie**

The table above shows the average asking price for houses for sale and the average monthly rents for residential units for sale over the past 2 years. The increases in asking and rental prices over the past 2 years are an indication of increasing demands and shortage of supply.

**2.7** **Percentage of Residential Units for Sale or Rent**

**Table 3 Percentage of Resideital Units for Sale or Rent**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Settlement | Housing Stock | Number of Units for Sale  May 2018 | Number of Units for Rent May 2018 | Total Numbers of Units for sale or rent  March 2017 | % units for sale/rent of total housing stock |
| County | **33,585** | **258** | **26** | **284** | **0.8%** |
| Cavan Town | **4813** | **53** | **4** | **57** | **1.18%** |

The number of residential units for rent or sale expressed as a percentage of the housing stock is set out in Table 3. This shows the number of dwellings for sale or rent in Cavan Town and in the remainder of the county as a percentage of the housing stock in Cavan Town and in the County. This percentage of residential units for sale or rent for both the town and the county falls well below the 5% figure as per Section 6(4) of the Urban Regeneration and Housing Act 2015.

**2.8 Conclusion**

It is clear from the above analysis detailing expected growth in the county and the number of houses needed to cater for this growth, increasing rent and sale price and the lack of number of houses for sale or rent in the county that there is a housing need in County Cavan however the inactivity in commencement of dwellings since the adoption of the development plan would raise concerns that there is a viability issue in relation to house construction.

**2.9 Application of the new objective on existing land use zonings for ‘Regeneration Lands’**

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 Cavan County Development Plan has no specific ‘regeneration’ land use zoning or ‘regeneration’ objective. It is proposed to include a new regeneration objective as part of the Core Strategy in Chapter 2 of the Cavan County Development Plan 2014-2020. This will also include categorisation of land use zonings as ‘regeneration’ land. This will allow vacant sits in these areas to be considered for inclusion on the register.

**‘Regeneration Land’** can apply to the following land use zonings

* Zoning Objective **Town Core**

Establishes the extent of town core and identifies the most suitable location for a mix of retail, commercial, residential, cultural and social uses.

* Zoning Objective **Industry Enterprise and Employment**

Identifies areas developed and suitable to be developed for industrial, enterprise and employment use, including all compatible activities and operations.

* Zoning Objective **Existing Retail**

Identifies areas outside of town cores that have been developed as retail use

* Zoning Objective **Commercial**

Identifies areas developed and suitable for commercial development such as hotel, community, car parking, tourism and recreation.

* Zoning Objective **Residential, Mixed Use and other Uses**

Provides for a mix of residential development and other uses which would allow for both an expansion of the residential, employment and economic development of the town without detracting from the town core.

These zoning objectives apply to the following towns -: Belturbet, Ballyconnell, Ballyjamesduff, Cootehill, Kingscourt, Virginia, Bailieboro, Mullagh.

**3.0 Environmental Considerations**

**3.1 Strategic Environmental Appraisal**

The Planning Authority determined using screening criteria set out in Schedule 2A Planning and Development Regulations 2001-2018, the Department of Housing, Planning and Local Government SEA Guidelines ad Annex 2 of Directive 2001/42/EC, that a Strategic Environmental Assessment is not required for the proposed draft variation to the Cavan County Development Plan 2014-2020.

**3.2 Appropriate Assessment Screening**

An Appropriate Assessment Screening was undertaken of the proposed draft variation to the Cavan County Development Plan 2014-2020, in accordance with Article 6(3) of the EU Habitats Directive (92/43/EEC). The drat variation is not predicted to have a likely impact on the key features or the qualifying interests of any Natura 2000 sites in or adjoining Cavan County area.

**4.0 Format of Proposed Variation**

The existing text of the Cavan County Development Plan 2014-2020 is shown in normal text.

* Deletions are shown as a strikethrough text e.g. ~~deleted text is shown like this.~~
* Amendments/Additions are shown in red text e.g. new text in shown in red

**4.1 Text of Proposed Variation**

The proposed variation consists of the following material amendments to the Cavan County Development Plan 2014-2020.

**Chapter 1 Section 1.2.Content of the Development Plan**

The renewal and development of areas in need of regeneration identified having regard to the core strategy, that are in need of regeneration, in order to prevent –

1. Adverse effects on existing amenities in such areas, in particular as a result of the ruinous or neglected condition of any land,
2. Urban blight or decay
3. Anti-social behaviour, or
4. A shortage of habitable houses or of land suitable for residential use or a mixture of residential and other uses

**Chapter 2, Section 2.4.1, Subsection 3**

**3. A rural County with increased Urbanisation**

Our Challenge is to recognise the rural nature of our county while supporting the continued development of out towns and villages. This can be achieved by ensuring that our towns and villages develop in a compact way with residential developments of an appropriate size developing close to town cores and a strict adherence to the principles of sustainable development which will ensure the protection of our biodiversity and natural heritage. The Council will implement the provisions of the Urban Regeneration and Housing Act 2015 which includes where appropriate the Vacant Site Levy in facilitating and encouraging the development and renewal designated vacant sites as provided for in the 2015 Act.

Section 2.5.1

**Tier One**

Cavan Town & Environs is our Tier one town. It is our County Town and has been classified as a hub town in the NSS and BRPG. The town is of strategic importance within the Border Region and has excellent transport linkages nationally, regionally and locally. This town became a Large Town within the context of census towns, in the 2011 census with a population in excess of 10,000. The Cavan Town & Environs Development Plan provides greater details and specific policies and objectives with regards to this town. The Council will implement in Tier One, Cavan Town, the provisions of the Urban Regeneration and Housing Act 2015 which includes where appropriate the Vacant Site Levy in facilitating and encouraging the development and renewal designated vacant sites as provided for in the 2015 Act.

**Tier Two**

Tier Two towns are the larger towns in the County, they are located in the east of the County mainly towards the border with Meath. While much smaller than the county town these towns are important as centres of population and employment and act as drivers of growth within the County. They support the continued development of the county town with which they have good linkages. These towns have populations of over 2,000 and a good mix of retail, social, professional, educational and commercial services. They are also providers of employment. Ballyjamesduff is the largest of these towns but has the lowest number and mix of retail and other services. Each of the towns will be considered in detail in the individual town plans which are accompanied by zoning maps which include land zoned for future residential use. These lands include a number of unfinished estates which require considerable work and therefore can not be considered to be developed lands. The quantum of residential land is zoned on the basis of the targeted population growth in the following section. Each of the larger towns has been provided with the same target growth to ensure that they have sufficient land available to cater for existing and future populations. It is not anticipated that they will all develop at the same rate, several factors could affect growth for example in-migration contributed to the high growth rate in Ballyjamesduff, if this were to reverse then the population growth could slow down. The viability of all future development must be considered in the context of the existing capacity of infrastructure such as Waste Water Treatment Systems. The Council will implement in Tier Two Towns, the provisions of the Urban Regeneration and Housing Act 2015, which includes where appropriate the Vacant Site Levy in facilitating and encouraging the development and renewal designated vacant sites as provided for in the 2015 Act.

**Tier Three**

Tier three towns have a good mix and variety of retail and some professional, educational and social providers. In the west of the county these are the larger towns and so have an important role to play as providers of essential services such as retail, education and recreational. In the east Mullagh town is classified as medium sized town but has a lower retail and service provision than the other medium towns. The proximity of this town to the Greater Dublin Area and the high population growth suggests that this town has become somewhat of a commuter town which in turn has had an effect on the development of services. Detailed zoning maps which will include land zoned for residential purposes will be included in the town plans. The lands zoned for future residential use include a number of unfinished estates which require considerable work and therefore can not be considered to be developed lands. The quantum of residential land is zoned on the basis of the targeted population growth in the following section. It is not anticipated that these towns will grow at an even rate but it is important that sufficient land is allocated to cater for existing and future growth. The viability of all future development must be considered in the context of the existing capacity of infrastructure such as Waste Water Treatment Systems. The Council will implement in Tier Three Towns, the provisions of the Urban Regeneration and Housing Act 2015 which includes where appropriate the Vacant Site Levy in facilitating and encouraging the development and renewal designated vacant sites as provided for in the 2015 Act.

**Section 2.8 Core Strategy Policies**

**Policy CSP3:**

To guide development of towns in a sequential manner, outwards from the core area to maximise the use of existing and future infrastructure provision, promote sustainable development and make better use of underutilised lands by implementing the provisions of the Urban Regeneration and Housing Act 2015 which includes where appropriate the Vacant Site Levy in facilitating and encouraging the development and renewal of designated vacant sites as provided for in the 2015 Act.

**Policy CSP21**

To facilitate in the implementation of the Urban Regeneration and Housing Act 2015, in particular, by way of utilising site activation measures, including the provision of the Vacant Site Levy, as appropriate to assist in bringing forward vacant and/or underutilised ‘residential’ and ‘regeneration’ lands into beneficial use within lands identified in the Cavan County Development Plan 2014-2020. For the purposes of clarity, ‘residential’ and ‘regeneration lands’ as identified in the Urban Regeneration and Housing Act 2015 to be interpreted within the Cavan County Development Plan 2014-2020 as follows

Residential: includes all lands zoned ‘Town Core’, ‘Existing Residential’, ‘Proposed Residential’ and ‘Residential, Mixed Use and Other Uses’ within Tier within Large (Tier 2) and Medium (Tier 3) Towns of the County.

Regeneration: includes all lands zoned ‘Town Core’, ‘Industry’, ‘Enterprise and Employment’, ‘Existing Retail’, ‘Commercial’, ‘Residential, Mixed Use and Other Uses’ within Large (Tier 2) and Medium (Tier 3) Towns of the County.

**CSP22**

To undertake site activation measures (including the utilisation of the Vacant Site Levy, where appropriate) set out under the Urban Regeneration and Housing Act 2015 to ensure that designated vacant sites, as provided for in the 2015 Act, are brought into beneficial use, while also ensuring more efficient return on investment in enabling infrastructure and to counter unsustainable urban sprawl.

**Chapter 5**

**Section 5.3 Provision of Housing**

It is a recommendation of the Housing Strategy that;

* ~~20%~~ 10% of land, that is zoned for residential use or a mix of residential and other uses shall be reserved for the purpose of ;

1. Housing for persons referred to in section 9(2) of the Housing Act 1988.
2. ~~Affordable housing, as defined in section 93 of the Planning and Development Act 2000.~~

HO12 Require, as provided for under Section 95 of the Act, as amended, that ~~20%~~ 10% of land zoned for residential use or for a mixture of residential and other uses shall be reserved for

~~for the purposes of (either or both):~~

~~- Housing for persons referred to in Section 9 (2) of the Housing Act, 1988,~~

~~- Affordable housing (as defined at Section 93 of the Planning and Development Act, 2000).~~

the provision of housing, in order to comply with the Planning and Development Act 2000, as amended and Urban Regeneration and Housing Act 2015.

~~This objective will apply to all applications for the development of more than~~ 4 ~~residential units or residential development on land of more than 0.1 hectares on lands zoned for residential use or for a mixture of residential and other uses. This objective will be implemented following consultation with the applicant/developer and having regard to their proposals for meeting the requirements of the Strategy and by the attachment of conditions to planning permissions for residential developments on lands zoned for residential use or a mixture of residential development and other uses.~~

**~~HO13~~** ~~Ensure the development of social and affordable housing units is carried out in consultation with the applicant/developer. The Planning and Development (Amendment) Act, 2002 has provided for a number of alternative options to satisfy the requirements to reserve lands under section 94 (4) (A) of the Planning and Development Act for social and affordable housing. In considering these options it will be the preference of the Council, subject to agreement, to require developers to build units of accommodation and transfer them into the ownership of the Council, or persons nominated by the Council, at an agreed cost. Where a financial contribution is accepted, this will be ring-fenced and used only by the Council in its functions under Part V and/or functions in the provision of housing under the Housing Acts. The transfer to the Planning Authority of the ownership of the land shall be the default option if no agreement is reached between the Council and the applicant/developer. In this instance the applicant/developer will be required to transfer the relevant percentage of the land, which is the subject of the application for permission, into the ownership of the Council for an agreed cost.~~

**Chapter 12**

**12.2 Zoning Objectives**

Town Core Development

**Objective:** Establishes the extent of the town core and identifies the most suitable location for a mix of retail, commercial, residential, cultural and social uses. The overall aim is to strengthen the vitality and viability of the town core by actively facilitating the reuse of existing buildings, as well as, brownfield and Greenfield sites. The emphasis will be on high quality urban design which does not detract from the existing urban framework. All Town Core zoned lands within the plan is subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the application of the Vacant Site Levy for regeneration and residential purposes where appropriate.

Existing Residential

**Objective:** To promote the development of balanced communities and ensure that any new development in existing residential areas would have a minimal impact on existing residential amenity. New housing and infill developments should be in keeping with the character of the area and existing buildings and shall not impact on the amenities of current or future residents. The design of new dwellings shall be of high quality with good layout design and adequate private and, where appropriate, public open space and an appropriate mix of house sizes, types and tenures. All Existing Residential zoned lands within the plan is subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the application of the Vacant Site Levy for residential purposes where appropriate.

**Proposed Residential**

**Objective:** To provide for residential development and to protect and improve residential amenity. New housing and infill developments should be of sensitive design which is complimentary to their surroundings. Residential development shall ensure the provision of high quality new residential environments with good layout design and adequate private and public open space and also provide an appropriate mix of house sizes, types and tenures. No piecemeal development can take place unless it does not conflict with the possible future development of towns. All Proposed Residential zoned lands within the plan is subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the application of the Vacant Site Levy for residential purposes where appropriate.

**Proposed Residential, Mixed Use and Other Uses**

**Objective:** This zone has been identified in Virginia town and is to provide for a mix of residential development and other uses which would allow for both an expansion of the residential, employment and economic development of the town without detracting from the town core. This is a strategically located site which is mainly undeveloped. It is environmentally sensitive being located in close proximity to Lough Ramor, all proposals must consider potential impacts on this lake. A buffer zone around the lake is provide but shall not be used as part of any allocation of open space and shall be developed as amenity space. An overall Masterplan shall be submitted to the Planning Authority for approval prior to the submission of any planning application. Residential development shall ensure the provision of high quality new residential environments with good layout design and adequate private and public open space and also provide an appropriate mix of house sizes, types and tenures. No piecemeal development can take place unless it does not conflict with the possible future development of the town. All Proposed Residential, Mixed Use and Other Uses zoned lands within the plan is subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the application of the Vacant Site Levy for regeneration and residential purposes where appropriate.

**Industry, Enterprise and Employment**

**Objective:** Identifies areas developed and suitable to be developed for industrial, enterprise and employment use, including all compatible activities and operations. Inappropriate mix of uses will not be encouraged, such as office based industry and retailing.All Industry, Enterprise and Employment zoned lands within the plan is subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the application of the Vacant Site Levy for regeneration purposes where appropriate.

**Existing Retail**

**Objective:** Identifies areas outside of town cores that have been developed as retail use.The development of any additional retail or the division of existing retail units into smaller units shall not be permitted. Proposals for any change of use shall include an assessment of impacts on town cores. All Existing Retail zoned lands within the plan is subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the application of the Vacant Site Levy for regeneration purposes where appropriate.

**Commercial**

**Objective:** Identifies areas developed and suitable for commercial development such as hotel, community, car parking, tourism and recreation. These are out of town core sites and so are not suitable for retail or town core commercial uses. All Commercial zoned lands within the plan is subject to the provisions of the Urban Regeneration and Housing Act 2015 with respect to the application of the Vacant Site Levy for regeneration purposes where appropriate.

**Appendix 6**

**Housing Strategy**

**Section 4**

**Recommendations**

4. ~~20%~~ 10% of land, that is zoned for residential use or a mix of residential and other uses shall be reserved for the provision of housing for the purposes of

~~- Housing for persons referred to in Section 9 (2) of the Housing Act, 1988,~~

~~- Affordable housing (as defined at Section 93 of the Planning and Development Act,~~ **~~2000).~~**

**compliance with the Planning and Development Act 2000 as amended and the Urban Regeneration and Housing Act 2015.**