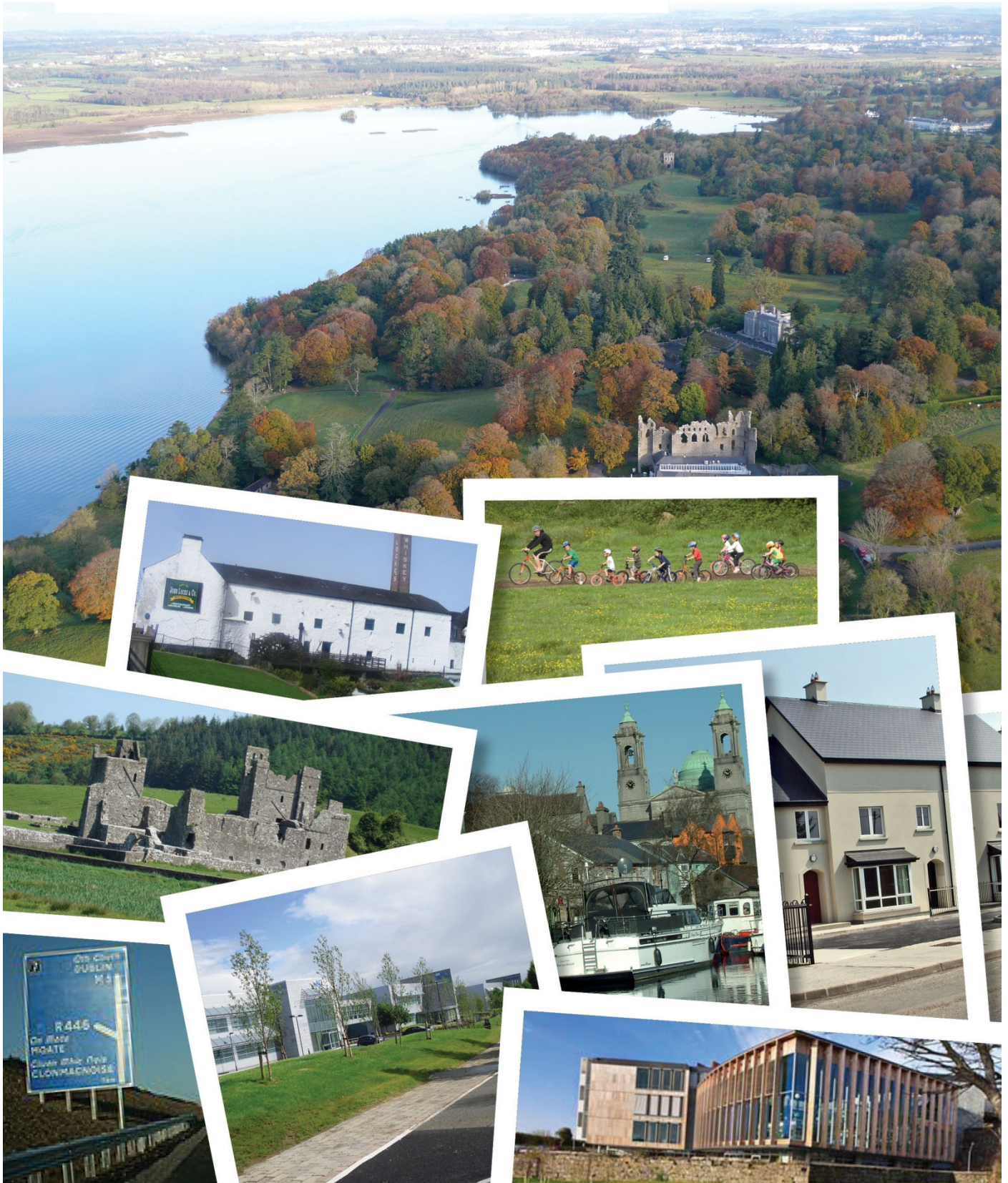


# WESTMEATH COUNTY DEVELOPMENT PLAN 2014 - 2020

Proposed process to be undertaken by Westmeath  
County Council in implementing the Urban  
Regeneration & Housing Act 2015 (Vacant Site Levy)





### **Urban Regeneration & Housing Act (2015)**

The Urban Regeneration and Housing Act was signed into law on the 28th July 2015, and is primarily premised on addressing matters nationally in terms of housing supply and regeneration. The Act aims to encourage urban regeneration with an emphasis placed on facilitating increased activity in the residential construction sector. The Vacant Site Levy was introduced under this 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 underutilized land in urban areas is brought into beneficial use, 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”.*

### **Requirement to undertake a Variation/Amendment to existing Development Plans/LAP.**

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

In the case of County Westmeath, and in order to comply with this requirement, it is proposed that three processes would be commenced and run concurrently as follows:

- Commence a Variation process to the Westmeath County Development Plan 2014-2020
- Commence a Variation process to the Athlone Town Development Plan 2014-2020 and
- Commence an Amendment process to the Mullingar Local Area Plan 2014-2020.

The nature of these variations (and amendment in the case of the Mullingar LAP) is to provide an explicit objective within the respective plans which provides for the development of vacant sites within designated areas contained within the town boundary for the identified settlements. These designated areas will incorporate “residential land” and/or “regeneration land” (as defined under the URHA 2015) and will be in accordance with the Council’s Core Strategy.

It is intended that the Designated Areas for the purpose of this legislation in County Westmeath would be all of the lands within the Development Plan Boundary of the following towns:

- Tier 1 – Gateway Towns - **Mullingar Athlone**
- Tier 2 – Key Service Town - **Castlepollard**
- Tier 3 – Service Towns – **Moate, Kilbeggan, Kinnegad**

## **Proposed Process to be Undertaken**

- 1) The Council will commence the statutory process in the preparation of these variations and amendment as soon as possible, in accordance with Section 13(2) and Section 20(3) of the Planning and Development Act 2000 (as amended). As you are aware, the making of variations to development plans and amendments to LAPs is a reserved function. In the case of the forthcoming variations/amendment, the Members will be required to consider proposals put forward in relation to the following:
  - **Designated Areas** i.e. Urban Areas to be designated within the County for the purposes of implementing the Vacant Site Levy. Note: These areas are not site specific, but encompass all zoned lands contained within respective town boundaries and suitable for residential development and/or regeneration. An accompanying map which identifies these designated areas will form part of the proposed variation/amendment.
  - **Mandatory objective(s)** to be adopted within the respective development plans and town plans which are consistent with the Council's Core Strategy and allow for the implementation of Site Activation measures (including the application of Vacant Site Levy).
- 2) Following the making of the variations and amendment to the various plans, it is an executive function to identify specific sites /lands within the designated areas that will be placed on the Council's Vacant Sites Register. The Council is required to carry out the following steps before entering a site on the Register:
  - (i) Notify the site owner in writing of its proposed entry onto the Register and allow the owner 28 days to make a submission regarding the proposed entry onto the Register;
  - (ii) Where the Planning Authority concludes that a site has been vacant for the 12 months preceding the decision and continues to be vacant, it shall include the site on the Register and give written notice to that effect to the site owner;
  - (iii) Information to be included on the Register includes: relevant property ownership folio reference attaching to the land; name & address of site owner; particulars of the market value of the site (as determined by the Planning Authority or Valuations Tribunal on appeal); any other matters prescribed by the Minister.

**Appeals Process:** An owner of a site entered on the Vacant Site Register may appeal same to An Bord Pleanála within 28 days of being notified of its inclusion. The onus is on the owner to demonstrate that a site / majority of a site was not vacant or idle over the relevant period.

## **Timescale**

It is envisaged that notification to individual owners regarding their proposed inclusion on the Vacant Site Register will commence prior to 1<sup>st</sup> June 2018 (subject to all preparatory steps being satisfactorily undertaken).

## **Monies Received**

Any levies received in respect of this process must be accounted for as follows:

- Levies arising from residential lands to be utilised by the Local Authority in the provision of housing, or infrastructure/services or other matters required in the provision of housing.
- Levies arising from regeneration lands to be utilised by the Local Authority in the development and renewal of regeneration land in the vicinity of the particular site.

**Brief Summary of Overall Process Required in Implementing the provisions of the Urban Regeneration and Housing Act 2015 and the Vacant Site Levy.**

<b>Step 1</b>	<p>(a) Undertake a Variation to the Westmeath County Development Plan and Athlone Town Development Plan and undertake an Amendment to the Mullingar Local Area Plan which will incorporate an explicit objective for the development and renewal of identified 'residential' and 'regeneration' lands for the purposes of the Vacant Site Levy.</p> <p>(b) Incorporate designated areas within which the VSL <u>can</u> be applied, by a way of a map to be included in the above Variations/ Amendment.</p>	Reserved Function
<b>Step 2</b>	Identify individual vacant sites within the relevant designated areas which in the opinion of the Planning Authority were vacant during the previous year.	Executive Function
<b>Step 3</b>	Maintain a Vacant Sites Register (established Jan 2017)	Executive Function
<b>Step 4</b>	Issue notices to registered owners of vacant sites included in the Register prior to June 1 <sup>st</sup> each year, indicating that such site owners shall be charged with a levy in respect of the current year, the following January. (to be carried out in advance of 1st June 2018).	Executive Function
<b>Step 5</b>	Continue, in each subsequent year, to charge a levy on the registered owner of each vacant site which remains included on the Register (estimated to commence in January 2019).	Executive Function

It is considered that the implementation of this initiative in this county will assist in the provision of much needed housing development and may also be a catalyst in the redevelopment of brownfield and opportunity sites. I propose to commence the Variation / Amendment processes as soon as practicable and to bring a report before you for your consideration in the first quarter of 2018.

**Pat Gallagher**  
**Chief Executive**