

# **Volume 1**

## **Proposed Variation to the Kinsale Town Development Plan 2009**

### **Vacant Site Levy-Residential and Regeneration Areas**

Inclusion of new text and objective in relation to the Vacant Site Levy and Regeneration Areas to accommodate the implementation of the Urban Regeneration and Housing Act, 2015.

**10<sup>th</sup> November 2017**



## How to make a Submission

- 1.1. The proposed Variation to the Kinsale Town Development Plan, 2009 is available from the Council <https://www.corkcoco.ie/> if required, a hard copy of the document may be inspected between the hours of 9.30 a.m. and 4.00p.m, from **Friday 10<sup>th</sup> November 2017 to Friday 8<sup>th</sup> December 2017** at the following locations:
  - Planning Department, Floor 1, County Hall, Cork.
  - Planning Department, Norton House, Skibbereen, Co. Cork.
  - Cork County Council Offices, Mallow.
  - Public Libraries – Please check libraries regarding opening times and availability.
- 1.2. Copies of the documents may be requested by phone (Tel: 021-4285900) or collected from the Planning Department, Floor 1, County Hall between the hours of 9.30am and 4.00pm during the above period.
- 1.3. Submissions or observations regarding Proposed Variation of the Kinsale Town Development Plan, 2009 are hereby invited from members of the public, children, or groups or associations representing the interests of children and other interested parties during the period **Friday 10<sup>th</sup> November 2017 to Friday 8<sup>th</sup> December 2017** Submissions may be made in either of the following two ways:
  - On-line via <https://www.corkcoco.ie/> following the instructions providedOR
  - In written form to the Senior Planner, Planning Policy Unit, Cork County Council, Floor 13, County Hall, Cork. T12R2NC.
- 1.4. All such submissions lodged within the above period and prior to the close of business at **4.00pm on Friday 8<sup>th</sup> December 2017**, will be taken into consideration in the finalisation of Proposed Variation of the Kinsale Town Development Plan, 2009

**To avoid delay and congestion the public are advised to make their submissions or observations to the Council well in advance of the closing date.**

**The County Council regrets that submissions made by e-mail cannot be accepted**

<b>Contents</b>	<b>Page No.</b>
<b>Section 1 Purpose and Scope of the Variation</b>	<b>4</b>
<b>Section 2 Text of Proposed Variation</b>	<b>6</b>



## Section 1 Purpose and Scope of the Variation

### Introduction

1.5. The purpose of this Variation of the Kinsale Town Development Plan, 2009 is to include new text and objectives to accommodate the Vacant Site Levy and Regeneration Areas and the implementation of the Urban Regeneration and Housing Act, 2015. This will facilitate application of the Vacant Sites Levy where considered appropriate.

### Environmental Assessment

#### Strategic Environmental Assessment

- 1.6. Strategic Environmental Assessment (SEA) is the process by which environmental considerations are required to be fully integrated into the preparation and adoption of plans and programmes. It should be noted that results from the SEA process were fully considered and integrated into the preparation and making of this Variation. The SEA Screening Report is contained in Volume 2 Environmental Reports, of this Variation which is also available online at <https://www.corkcoco.ie/>
- 1.7. Cork County Council has determined under Section 13K of the Planning & Development (Strategic Environmental Assessment) Regulations 2004 that the proposed Variation is NOT likely to have significant effects on the environment and a copy of its decision including, as appropriate, the reasons for not requiring an environmental assessment is also available for inspection at <https://www.corkcoco.ie/>

#### Strategic Flood Risk Assessment

- 1.8. In order to meet the needs of the Strategic Environmental Assessment process and the requirements of the Department of the Environment, Heritage and Local Government / Office of Public Works Guidelines, 'The Planning System and Flood Risk Management' (2009), Cork County Council carried out a Strategic Flood Risk Assessment of the proposed Variation. It determined that the proposed Variation would not give rise to any issues with regard to Strategic Flood Risk Assessment. This determination is contained in Volume 2 Environmental Reports Appendix A which is available online at <https://www.corkcoco.ie/>

#### Habitats Directive Assessment (HDA)

- 1.9. In accordance with requirements under the EU Habitats Directive (43/92/EEC) and EU Birds Directive (79/409/EEC) and section 177 of the Planning and Development (Amendment) Act 2010, the impacts of the policies and objectives of all statutory land use plans on certain sites that are designated for the protection of nature under EU legislation, must be assessed as an integral part of the preparation of the Variation of the plan. This is to determine whether or not the implementation of plan policies could have negative consequences for the habitats or plant and animal species for which these sites are designated. This assessment process is called a Habitats Directive Assessment (HDA) and must be carried out at all stages of the plan making process.
- 1.10. Habitats Directive Assessment is an iterative process which runs parallel to and informs the preparation of the Variation. It involves analysis and review of policies as they emerge, to ensure that their implementation will not impact on sites designated for nature conservation, nor on the habitats or species for which they are designated. Within this process, regard has been made to the potential for policies to contribute to impacts which on their own might not be significant, but which could contribute to an impact which is significant when considered in combination with impacts arising from the implementation of other plans or projects.
- 1.11. The assessment process may result in the development of new policy areas and/or the modification or removal of certain policies to be presented in the final Variation. The results of this analysis and review are presented alongside each stage of the Variation process as it is published. At the end of the Variation process, a final report has been produced which summarises the assessments completed at each stage of

the plan making process. The report also contains a summary of how ecological considerations have been integrated into the Variation, and a conclusion statement as to whether the Variation could affect the integrity of any European site.

- 1.12.** The proposed Variation has been assessed under the Habitat's Directive and the Natura Impact Report containing the findings of the assessment are available in Volume 2 Environmental Reports which is available online at <https://www.corkcoco.ie/>

## **Section 2 Text of Proposed Variation to the Kinsale Town Development Plan, 2009**

Text to be included is shown in **Bold and Red**

### **Volume 2 Policies and Objectives**

#### **04 Housing**

Insert new Section 4.9 after Section 4.8 including text and objective as follows;

#### **4.9 Vacant Site Levy-Residential and Regeneration Areas**

##### **Vacant Sites Levy**

**4.9.1 It is the intention of Cork County Council to implement the provisions of the Urban Regeneration and Housing Act 2015, through the establishment of a Vacant Sites Register, identifying sites on which a vacant site levy can be applied. The planning authority will proactively engage through the Municipal District sub-county structures, to identify suitable vacant sites on lands zoned residential and on lands designated as regeneration areas in this plan, which meet the criteria for inclusion in the vacant site register. This will be achieved through a focused application of the levy, facilitating sustainable urban development and bring such vacant sites and buildings in urban areas into beneficial use.**

##### **Regeneration Areas**

**4.9.2 The Urban Regeneration and Housing Act 2015, provides for the inclusion of objectives for the development and renewal of areas identified as being in need of regeneration. As part of the preparation of the Local Area Plans, regeneration sites have been identified in many of our towns. The main objective in identifying Regenerations Areas is to draw attention to the opportunities that exist to redevelop key areas within the towns, where such sites have the potential to contribute to the rejuvenation of the towns, deliver housing, and perhaps act as a catalyst for other developments. In accordance with the provisions of the Urban Regeneration and Housing Act 2015, regeneration areas may, in time, be subject to the Vacant Sites Levy where the regeneration area is vacant or idle and this has adverse effects on the amenities / character of the area.**

#### **Town Development Plan Objective**

##### **VSRA1 Vacant Site Levy-Residential and Regeneration Areas**

**Encourage 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”.**