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**Adopted Variation Number 1 of Cavan Town and Environs Development Plan 2014-2020.**

**Adopted at Council Meeting of 14th December 2018.**

**Format of Proposed Variation**

The existing text of the Cavan Town and Environs 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 arising from adoption of Variation No.1 are shown in red text e.g. new text in shown in red

**Text of Proposed Variation**

The adopted Variation No. 1 consists of the following material amendments to the Cavan Town and Environs Development Plan 2014-2020.

**Section 1.1.Content of the Development Plan**

The renewal and development of areas in need of regenerationidentified 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 1 - Section 1.2 Aim of Development Plan**

The aims of the plan are

6.To strengthen the urban structure in the County through the planned and orderly development of the County Town. 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.

**Chapter 2**

**2.4 Development Areas in Cavan Town and Environs**

**Brownfield/Infill Sites**

Brownfield sites are defined as

*‘any land which has been subjected to building, engineering or other operations, excluding temporary uses or urban green spaces’* Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas, May 2009.

As per the above Guidelines where these or other suitable infill sites exist in close proximity to the town core/centre area, the opportunity for their redevelopment shall be promoted. Inner suburban/infill sites can revitalise areas by utilising the capacity of existing social and physical infrastructure.

Redevelopment of these sites, close to the town core area is strongly encouraged.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. Assessment of applications in these areas shall ensure that proposed developments will not result in sterilisation or backland areas to become landlocked.

**Section 2.5 Phasing**

**~~Town Core, Infill Sites, Backlands and Brownfield sites~~**

**Policy CSP1:**

Toencourage and promote residential development of existing Brownfield and infill sites located in Town Core and Phase 1 and 2 ~~and 3~~ zoned lands of the Phasing Map. ~~The phased management and release of existing residential units, over that of Greenfield sites will take place within the life-time of the Plan.~~ 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.

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There are also a number of backland, infill and brownfield sites and many of these have been identified in the Urban Design Framework. The development of infill, brownfield and backland lands will be strongly encouraged in this zoning. The Council will utilise all available tools and mechanisms, including the Vacant Site Levy in facilitating and encouraging the renewal of vacant and/or underutilised sites.

**Phase 2 ~~and 3~~ –circa 800m -1km of the town core**

Phase 2 lands are located a further distance from the town core and thus not as easily accessible to the town core services and sustainable transport modes. Further investment in some Phase 2 ~~and 3~~ sites ~~is~~ may be required to fully integrate these sites into the town. ~~The sites are located at Drumelis, Lisdarn, Swellan, Drumalee, Cullies, Drumlark and Killynebber.~~ Some of these sites may require infrastructure upgrade ~~and thus are not immediately suitable for development,~~ however many are suitable for development or are extensions to already developed housing developments. ~~These lands~~ The development of Phase 2 lands will be subject to a Justification Test and strict criteria in relation to suitability for housing development and as such will be considered on a case by case basis.

**Phase 3 –Undeveloped Residential Lands**

These lands are considered suitable for development in a period of time outside the development plan, due to their distance to services, amenities and town core. These lands would require service investment and are not immediately suitable for development.

**2.5.5 Phase 4 – Previous Housing Consolidation Area**

This is fringe urban housing located on the periphery of the town. The existing plan recognised the established residential groups or clusters. Many of these sites are unserviced in terms of public sewer and the existing plan sought to acknowledge them with this class of use.

Essentially Phase 3 and 4 lands are not suitable for residential development within the lifetime of this current plan i.e. 2014 to 2020.

**Sequential Test**

Applications for development on lands zoned for ‘Phase 2 will only be considered with the submission of a Sequential Approach included in the Justification Test.  The Sequential approach, as set out in the Departments’ Development Plan Guidelines (DoEHLG,2007) specifies that zoning shall extend outwards from the centre of an urban area, with undeveloped lands closest to the core and public transport routes being given preference, encouraging infill opportunities, and that areas zoned shall be contiguous to existing zoned development lands and that any exception must be clearly justified in the written statement in accordance with the principles of this Core Strategy.

**Policy CSP2:**

To permit residential development on Town Core and Phase 1 and 2 lands only during the plan period, subject to compliance with the Cavan Town and Environs Development Plan Core Strategy. Grants of permission on Phase 1 and 2 lands shall be closely monitored by the Planning Authority to ensure compliance with the Core StrategyOnly on completion\* of 70% of lands included in Phase 1 and Phase 2 shall subsequent phasing be considered for additional development. In such circumstances proposals shall be accompanied with a Justification Test/Sequential Test consistent with that required for Phase 2.

\*Completion of a development is where all dwellings are constructed and permission is in full compliance with planning conditions.

**Policy CSP5A**

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 Town and Environs 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 Town and Environs Development Plan 2014-2020 as follows

Residential :includes all lands zoned Town Centre/Core, Existing Residential, Phase 1, and 2 ~~and 3~~ residential lands.

Regeneration: includes all lands zoned town centre, Enterprise and Employment, Industry/Enterprise/Employment, Commercial and Associated Services, Retail and Retail Warehousing.

**CSP5B**

To undertake site activation measures (including the utilisation of the Vacant Site Levy) set out under the Urban Regeneration and Housing Act 2015 to ensure that vacant or underutilised land/residential lands within the plan boundary area for Cavan Town and Environs are brought into beneficial use, while also ensuring more efficient return on investment in enabling infrastructure and to counter unsustainable urban sprawl.

**Policy CSP2A** New developments on Phase 2 lands shall be accompanied by a detailed site section rationale. The feasibility of the development of all Phase 1 lands shall be detailed and new proposals shall only be considered when the rationale has proven how the proposed site contributes to the organic growth of Cavan Town and a satisfactory sequential test/justification test. The rationale shall assess and detail how the proposal

1. Avails of services and infrastructure – sustainable transport, services and proximity to town centre.
2. Contributes to the population allocation as set out in the Core Strategy
3. Results in potential for the economic and social development of Cavan Town
4. Complies with the principle of a Sequential Test
5. Integrates with the existing and future development of the lands and those in the vicinity of the site
6. Contributes to choice of housing type.
7. Contributes to the proper planning and sustainable development of Cavan Town, is in the interests of residential amenities and good design practice.
8. Demonstrates that the provision of development on the lands does not compromise the ability of the wider area of zoned land to be developed in the future.

**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.~~

HO11 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 the 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.~~

**~~HO12~~** ~~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 9**

**9.11 Zoning Objectives**

(TC) Town Centre

Objective

To protect and enhance the special physical and social character of Cavan Town Centre while providing and/or improving town centre facilities. All Town Centre 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 protect and improve existing residential amenity. 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.

Residential (Phase 1, and 2 ~~and 3~~ )

Objective

To provide for residential development and to protect and improve residential amenity. All Residential (Phase 1 and 2) zoned land 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.

**Residential Phase ~~2~~ 3 and 4 lands**

**Objective**

To identify lands that are not suitable for Residential development within the current development plan period.

Enterprise & Employment

Objective

To facilitate opportunities for general employment and enterprise and related activities. All 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.

Industrial/Enterprise/Employment

Objective

To facilitate opportunities for general industrial, employment, enterprise and related activities. All Industrial/Enterprise/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.

Commercial and Associated Services

Objective

To protect provide for and/or improve retail centre facilities. All Commercial and Associated Services 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 and Retail Warehousing

Objective

To acknowledge existing retail and retailing warehousing located outside Town Core zoning. All Existing Retail and Retail Warehousing 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 2**

**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.

**Alterations to Zonings**

Make following alteration to Zoning Map of Cavan Town and Environs Development Plan 2014-2020

Alteration of 6.615hectares of Phase 3 Residential lands to Phase 2 Residential lands as per attached Map A

