

20th April 2017

To: The Mayor and Each Member of Limerick City and County Council

Re: Proposed Variation No. 6(b) to the extended Limerick City Development Plan 2010-2016 to incorporate the vacant site levy, as provided for in the Urban Regeneration and Housing Act 2015

A Chomhairleoir, a chara,

I enclose herewith a copy of the Chief Executive's Report on the Proposed Variation No. 6(b) to the extended Limerick City Development Plan 2010-2016 for your consideration. The proposed variation comprises of the incorporation of the vacant site levy, as provided for in the Urban Regeneration and Housing Act 2015.

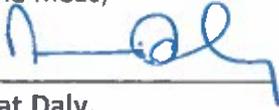
The proposed variation was placed on public display for a period of not less than 4 weeks from Saturday 25th February 2017 to Monday 27th March 2017 inclusive. A total of 6 written submissions were received within the statutory time frame. A report consisting of a summary of the submissions received, together with the Chief Executive's recommendations are attached as required by Section 13 of the Planning and Development Act, 2000 (as amended). The submissions can be inspected in the Forward Planning Section during normal office hours and copies of the original submissions will be available for inspection at the Full Council meeting in May.

You are invited to attend a briefing meeting on the 16th May 2017 at 10.00 am in the Absolute Hotel. Lunch will be provided.

The Members of Limerick City and County Council, at their May meeting shall consider the Chief Executive's Report and decide whether to accept or amend proposed variation No. 6(b) to the extended Limerick City Development Plan 2010-2016. Any proposed amendments will be put on public display for a further 4 weeks.

If you have any queries on the report please contact Maria Woods, A/Senior Planner, on 061-407228.

Mise le meas,



Dr. Pat Daly,
Director of Services,
Economic Development Directorate

Section 13 (4) (a)
Chief Executive's Report to Members

**On Submissions to the Proposed
Variation No. 6 (b) to Limerick City
Development Plan 2010 – 2016 as
Extended**

To incorporate the vacant site levy, as provided for in the
Urban Regeneration and Housing Act 2015

20th April 2017



Comhairle Cathrach
& Contae **Luimnigh**

Limerick City
& County Council

Forward Planning
Limerick City and County Council,
Economic Development and Planning Department,
7/8 Patrick Street,
Limerick

1.1 Introduction

This report presents the submissions and observations made following publication of the Proposed Variation no. 6 (b) to the Limerick City Development Plan, 2010-2016 (Extended), and sets out the Chief Executive's responses to the issues raised. The report forms part of the statutory procedure for preparing a variation to a Development Plan that is set out in Section 13 of the Planning and Development Act, 2000 as amended.

Under the Planning and Development Act 2000, as amended, the Chief Executive is required to prepare a report on the submissions and observations received in respect of the proposed variation, including submissions made by the Minister and the Regional Authority, to respond to the issues raised and to make recommendations in relation to the proposed variation, taking into account the proper planning and sustainable development of the area, the statutory obligations of the Local Authority and relevant policies or objectives of the Government or any Minister of Government.

The variation consists of the following:

- to incorporate the vacant site levy, as provided for in the Urban Regeneration and Housing Act 2015

1.2 Public Display period

The proposed variation was placed on public display for a period of not less than 4 weeks from Saturday 25th February 2017 to Monday 27th March 2017 inclusive. A total of 6 written submissions were received within the statutory time frame in response to the public display period.

1.3 Structure of the Report

Section A addresses each of the 6 written submissions and observations received. It includes the names of persons or agencies that made the submissions and observations, a summary of the issues raised, the response and recommendation of the Chief Executive on each submission and SEA/AA comments, where relevant.

1.4 Next Step

Following receipt of the Chief Executive's Report, the Members of the Council have up to 6 weeks in which to consider the contents of the report and the proposed variation. Members may then accept the proposed variation with or without amendments. Should amendments be proposed which would constitute material alterations to the variation, there is a further public display period (4 weeks) giving members of the public an opportunity to comment on the proposed amendments only. This is followed by the preparation of a second Chief Executive's Report to the

Members on any submissions or observations received on the proposed amendments.

Members may then decide to make the variation with or without the proposed amendments or with modifications to the proposed amendments, as they consider appropriate and subject to the provisions of the Planning and Development Act, 2000 as amended. The formal making of the variation is by resolution of the Council.

During the variation process the Council must consider the proper planning and sustainable development of the area, statutory obligations and any relevant plans and policies of the Government or any Minister of the Government.

2.0 Persons / Bodies who made Submissions within the Statutory Timeframe

Sub. No.	Submission Received From
1	Department of Housing, Planning, Community and Local Government
2	Southern Regional Assembly
3	Environmental Protection Agency
4	Transport Infrastructure Ireland
5	An Taisce
6	Irish Water

Section A

2.1 Submissions, Responses and Chief Executive's Recommendations

	Name/Group: Department of Housing, Planning, Community and Local Government	
Ref.	Submission summary	Chief Executive's Response
1	The DoHPCLG welcomes the inclusion of the text in support of urban regeneration and the Vacant Site Levy	Comments noted
	Chief Executive's Recommendation:	No Change
	Implications for SEA/AA	N/A

	Name/Group: Southern Regional Assembly	
Ref.	Submission summary	Chief Executive's Response
2	The submission sets out details of the Regional Planning Guidelines for the Mid West Region 2010 -2022 in terms of Housing Provisions and Development Plan Implications. The Regional Assembly considers that the proposed variation will enable implementation of the Urban Regeneration and Housing Act 2015 and would be consistent, as far as is practicable, with the Regional Planning Guidelines – Mid West Region 2010-2022.	Comments noted
	Chief Executive's Recommendation:	No Change
	Implications for SEA/AA	N/A

	Name/Group: Environmental Protection Agency	
Ref.	Submission summary	Chief Executive's Response
3	a) The Agency outlines that they note our determination on Strategic Environmental Assessment. They also outline that the development of land associated with the variation should be linked to the ability to provide appropriate critical service infrastructure to support further development. In addition to this environmental sensitivities/vulnerabilities should be taken into consideration.	a) In identifying the sites and determining their suitability for development of housing, the Local Authority are required to assess the ability to service the site in terms of necessary infrastructure and examine limiting factors for example flood risk or environmental constraints. This may result in a site been excluded from the Vacant Site Register, if housing cannot be delivered.

	<p>b) Furthermore a commitment should be made to ensure Shannon CFRAMS will be taken into account as well as the requirements of the Planning Systems and Flood Risk Management Guidelines for Planning Authorities (OPW DEHLG 2009).</p> <p>c) The submission outlines that there are a number of key plans currently being prepared (undergoing SEA), which should be taken into account in implementing the variation, including:</p> <ul style="list-style-type: none"> - National Planning Framework - Regional Spatial & Economic Strategies - 2nd Cycle of Water Framework Directive River Basin Management Plans <p>Limerick City and County Council should determine whether or not any future proposed variations/amendments would be likely to have significant effects on the environment.</p>	<p>b) See above</p> <p>c) Comments noted</p>
	Chief Executive's Recommendation:	No Change
	Implications for SEA/AA	N/A

	Name/Group: Transport Infrastructure Ireland	
Ref.	Submission summary	Chief Executive's Response
4	Acknowledges the objective of the proposed variation and in that regard have no specific observation to make.	Comments noted
	Chief Executive's Recommendation:	No Change
	Implications for SEA/AA	N/A

	Name/Group: An Taisce	
Ref.	Submission summary	Chief Executive's Response
5	a) Welcomes the incorporation of the Vacant Site Levy; however feel that the wording could be stronger. Would like to see a commitment from the Local Authority to establish	a) The Vacant Site Register was established on January 1 st 2017, in accordance with the legalisation. While there are no sites currently on the register, it

	<p>a Vacant Site Register and continually update such a register, so that appropriate levies can be applied. Note that the Register is on the Local Authority website, however is blank, it is suggested that the register shall be updated every three months and this shall be reflected in the register.</p> <p>b) An Taisce offer their assistance in identifying vacant sites, which could be placed on the register and see the job as a considerable task in identifying vacant site in the City.</p>	<p>will be populated on completion of the identification of sites and will be maintained and updated as appropriate.</p> <p>b) Comments noted and offer of assistance appreciated.</p>
	Chief Executive's Recommendation:	No Change
	Implications for SEA/AA	N/A

	Name/Group: Irish Water	
Ref.	Submission summary	Chief Executive's Response
6	It is not anticipated that the proposed variation will impact on Irish Water's ability to facilitate the Limerick City Development Plan. Irish Water can are only in a position to confirm water and wastewater availability for site specific new development through Irish Water's pre – connection enquiry process	Comments noted
	Chief Executive's Recommendation:	No Change
	Implications for SEA/AA	N/A

2.2 Chief Executive's Recommendation

In accordance with Section 13 of the Planning and Development Act 2000 (as amended), it is recommended that proposed variation No. 6(b) is made in accordance with the details published on the 25th of February 2017.

Pat Daly
 Director of Services
 Economic Development