

Minutes of Meeting of Planning & Emergency Services Strategic Policy Committee held on Tuesday 6th April 2022 at 10.00a.m. via zoom from Planning Meeting Room, Civic Offices, Nenagh.

Present: In the Chair - Cllr. Phyll Bugler
Councillors – Via zoom – Hughie McGrath, Micheál Lowry, Michael O’Meara, Joe Hannigan, John Carroll, Roger Kennedy, Ger Darcy, Marie Murphy.
Mike Edwards, Patti O’Neill.
In Attendance: Eamon Lonergan, Director of Services via zoom
Anne Marie Devaney, Acting Senior Executive Planner via zoom
Dave Carroll, Chief Fire Officer
Brian Clancy, Administrative Officer
Apologies: John O’Shaughnessy

1. Votes of Sympathy

A vote was proposed by Cllr. G. Darcy and was extended to the following:
Cllr. P. Bugler on the death of her brother, William
Marie Ryan, Senior Executive Planner on the death of her mother, Kathleen
Nevan Phelan, Senior Executive Technician on the death of his father, Richard

2. Minutes of last meeting held on 23rd November 2021

The minutes of the last meeting held on 23rd November 2021 were proposed by Cllr. J. Carroll, seconded by Cllr. G. Darcy and adopted.

3. Update on the Draft County Development Plan 2022-2028

Anne Marie Devaney, Acting Senior Executive Planner gave an update to the meeting on the current stage of the Draft County Development Plan 2022-2028 and replied to queries raised. The principal points were as follows:

First Tipperary Strategic Plan

- ▶ Statement of **Our Agreed** Vision/Principles
- ▶ Lifespan to **2028**
- ▶ Strategic for **Future Generations**
- ▶ Framework for **Investment** and Funding
- ▶ **Jobs** Creation
- ▶ People and **Communities**
- ▶ **Climate Action**/Future Sustainability

Core Strategy Vision

Tipperary -A Vibrant Place where people can live, visit and work in a competitive and resilient economy, a sustainable environment and an inclusive and active community



Public Consultation – Having our Say

- ▶ Public Consultation Phases – Pre-draft & Draft
 - Webinars
 - Social Media
 - Dedicated Website & Web-Portal
 - Radio & Print media
 - County Council Offices & Libraries
- ▶ Elected Members - Workshops





Chief Executive's Report – Key Amendments

- ▶ Population growth distribution and implications for residential land use zoning – Core Strategy (OPR/SRA)
- ▶ Housing Affordability
- ▶ Strengthening of Climate Action, Flood Risk management, nature based solutions, circular economy etc
- ▶ Framework for Town Plans and Local Area Plans
- ▶ Plan as a Framework for investment and competitive bidding
- ▶ Sustainable Transport Targets
- ▶ 'Housing for All' and 'Town Centre First'
- ▶ Targets for Renewable Energy development

Members' Amendments

- Proposed Amendment 1: Clonmel as Key Town in line with RSES*
- Proposed Amendment 2: Town Centres First*
- Proposed Amendment 3: Vacancy in Town Centres*
- Proposed Amendment 4: One-off Houses on Strategic Regional Routes*
- Proposed Amendment 5: Rural Enterprise*
- Proposed Amendment 6: Education and Lifelong Learning*
- Proposed Amendment 7: Regional Enterprise Plans*
- Proposed Amendment 8: Wording relating to Environment and Natural Assets*
- Proposed Amendment 9: Blue and Greenways*
- Proposed Amendment 10: Wording relating to Water Supply*
- Proposed Amendment 11: Record of Protected Structures*

Public Consultation & Next Steps

- ▶ 1 April – 3 May
 - ▶ Submissions Stage
- ▶ Chief Executives Report
 - ▶ Members Workshops
- ▶ July Plenary Meeting
 - ▶ In effect 6 weeks after resolution

Cllr. P. Bugler thanked Anne Marie Devaney for the presentation. Anne Marie stated that 24 Workshops were held during the public consultation stage. We are currently at the start of Stage 3 which involves public consultation on the proposed Material Amendments, submissions or observations relating to the Proposed Amendments must be made in writing from 1st April to no later than 4p.m. on Tuesday 3rd May 2022. All submissions will be published online. The aim is for adoption of the Plan at the July Meeting of the Council to be held on 11th July with the Plan taking effect 6 weeks from then. Eamon Lonergan stated that the Plan is consistent with the National Planning Framework and includes policies that can attract investment with a strong and ambitious vision for Tipperary.

4. Preparation of Local Area Plans for Roscrea, Clonmel, Nenagh and Thurles

Anne Marie Devaney, Acting Senior Executive Planner gave an update to the meeting on the preparation of Local Area Plans for Roscrea, Clonmel, Nenagh and Thurles and replied to queries raised. The principal points were as follows:

Table 4.2 Framework of Town Plans and Local Area Plans

Hierarchy	Name	Planning Framework	Local Area Plan Commencement
Key Towns & Self-Sustaining Regional Driver	Clonmel	Clonmel & Environs Development Plan 2013 (as extended)	2022
Key Towns	Nenagh	Nenagh Town & Environs Development Plan 2013 (as extended)	2022
	Thurles	Thurles & Environs Development Plan 2009 (as extended)	2022
District Towns	Roscrea	Roscrea Local Area Plan 2012 (as extended)	2022
	Carrick-on-Suir	Carrick-on-Suir Development Plan 2013 (as extended)	2023
	Tipperary Town	Tipperary Town & Environs Development Plan 2013 (as extended)	2023
	Cashel	Cashel & Environs Development Plan 2009 (as extended)	2023

	Templemore	Templemore & Environs Development Plan 2012 (as extended)	2023
	Cahir	Cahir Local Area Plan 2021	2028
Local Towns	Ballina, Newport, Fethard	Settlement Plan – Volume 2 of the County Development Plan	2028

Legislative Provisions for Local Area Plans

- ▶ What is the relationship between development plans and local area plans?
 - ▶ S.18 – Planning Authority may at any time, and for any particular sub-area within its functional area prepare a local area plan.
 - ▶ S.19 - LAP must be consistent with the objectives of the development plan, its core strategy and any relevant regional spatial and economic strategy (RSES).
 - ▶ (1) is designated as a town in the most recent census of population;
 - ▶ (2) has a population in excess of 5,000; and
 - ▶ (3) is situated in the functional area of a planning authority which is a county council

County Development Plan – Framework for Local Area Plans

- ▶ Core Strategy
- ▶ Town Profile Plan
- ▶ Strategy for Growth
- ▶ Support the current planning framework
- ▶ Integrate the objectives of the RSES as they relate to each town
- ▶ Support the preparation of Local Area Plans for these towns
- ▶ Strong focus on compact growth, sustainability mobility and the role of each town in the regional context.

Record of Protected Structures

- ▶ S.54 - Planning Authority may add to or delete from its record of protected structures a structure, a specified part of a structure or a specified feature of the attendant grounds of a structure, where:
 - ▶ (a) the Planning Authority considers that –
 - (i) in the case of an addition, the addition is necessary or desirable in order to protect a structure, or part of a structure, of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, or
 - (ii) in the case of a deletion, the protection of the structure or part is no longer warranted, and
 - ▶ (b) the addition or deletion is made when making a development plan under Part II or in accordance with Section 55

Cllr. P. Bugler expressed concerns whether investment would be seen in town centres now with the increased cost of building materials and energy. Anne Marie Devaney stated the Plans put in place a policy and framework for development. The Housing for All policy document and subsequent

legislation under the Affordable Housing Act 2021 introduced changes to Part V for land purchased after 1st August 2021, any new planning permissions for housing development on that land will have a 20% Part V requirement (previously 10%) which should have the effect of increasing supply. We need to be prepared for development should it come on line. Replying to Cllr. H. McGrath, Anne Marie Devaney confirmed that a quantum of land will have to be dezoned in the Nenagh & Environs Local Area Plan as we move towards a more strategic framework to 2031. In response to Cllr. P. Bugler it was confirmed that the Settlement Plans for Ballina, Newport and Fethard will be reviewed every 6 years.

5. Finance Act 2021 – Residential Zoned Land Tax

Anne Marie Devaney, Acting Senior Executive Planner gave a presentation to the meeting on the Finance Act 2021 – Residential Zoned Land Tax and replied to queries raised. The principal points were as follows:

The Finance Act 2021

- Residential Zoned Land Tax – Dec 22nd
- Replaces the Vacant Site Levy
- Land Activation Measure
- Annual Tax – 3% of Market Value*
- Effective dates
 - Where land is already zoned for residential development on 1 January 2022, it will become chargeable from 1 January 2024
 - If the land falls within the scope of the zoned land tax after 1 January 2022, then it will be chargeable on the third year after it comes within the scope of the tax
 - Eligible Land – zoned & suitable for residential development, that is serviced
 - Exclusions from the zoned land tax:
 - existing habitable dwellings and their curtilage,
 - land that is used for certain infrastructure or facilities, for example utilities, transport, social or community or recreational purposes,
 - land where a site is designated as a derelict site and liable for the Derelict Sites Levy,
 - land which is zoned for residential use but is used to provide services consistent with a residential area (such as a corner shop).

Consultation

- ▶ LA to publish Draft Map and make available – Nov '22
- ▶ Submission to be made by 1 Jan '23*
- ▶ LA must respond to individual submissions – Determination by 1 April '23**
- ▶ Determination/Decision can be appealed to ABP
- ▶ Zoning Submissions

Important Dates

- 1 November 2022: Publication of draft map by the Planning Authority showing lands in scope.
- January 2023: Final date for submissions from landowners and members of the public.
- 1 April 2023: Date by which determinations are to be made by Planning Authority on submissions, after which the decision may be appealed to An Bord Pleanála. An Bord Pleanála have 16 weeks to determine appeals.
- 1 May 2023: Publication of a supplemental Map by Planning Authorities of any other lands identified as being in scope during the first consultation process.
- 1 June 2023: Final date for submissions on supplemental map by landowners.

- 1 August 2023: Date by which determinations are to be made of Planning Authorities on supplemental map submissions, after which the decision may be appealed to An Bord Pleanála. An Bord Pleanála have 8 weeks to determine appeals.
- 1 December 2023: Final Map to be published by the Planning Authority
- 1 February 2024: Residential Zoned Land Tax becomes operational.

In response to a query from Cllr. R. Kennedy, Anne Marie Devaney stated that local authority land is not liable for the land tax. The Residential Zoned Land Tax was introduced under Department of Finance/Revenue legislation. Local authorities are required to set out a capital building programme under separate legislation. Replying to Cllr. P. Bugler it was confirmed that a levy of €30,000 would apply to land valued at €1m i.e. 3% of the market value of land that is zoned as being suitable for residential development and is serviced. In response to Cllr. M. Murphy, Anne Marie Devaney stated there is no provision in the legislation to engage with the elected members regarding implementation of the Act however they will have a role in the zoning of land for residential development under the development plan/local area plans which meet the criteria for inclusion in the local authority maps which will be published in accordance with the Finance Act. The land must be serviced which means having access to the necessary public infrastructure and facilities including road and footpath access, public lighting, foul sewer drainage, surface water drainage and water supply necessary for dwellings to be developed and for which there is service capacity sufficient to enable housing to be developed.

6. Date of next meeting/Any other business

It was agreed to hold the remaining 3 SPC Meetings for 2022, on 17th May, 20th September and 22nd November 2022 via zoom hosted from the Planning Meeting Room, Civic Offices, Nenagh.

This concluded the business of the meeting.