



Comhairle Cathrach & Contae Phort Láirge
Waterford City & County Council

Part V Social Housing Provision Waterford City & County Council

**Proposed Variation No. 3b to Waterford City
Development Plan 2013-2019**

**Proposed Variation No. 3b to Waterford County
Development Plan 2011-2017**

**Proposed Variation No. 3b to Dungarvan Town
Development Plan 2012-2018**

Introduction

The enactment of the Urban Regeneration and Housing Act in September 2015 forms part of the national Construction 2020 Strategy which seeks to address key issues such as the provision of housing whilst developing a more sustainable construction sector. Following the downturn in Ireland's economy from late 2007 and the reduced level of housing activity, a decision was taken to review the provisions of Part V of the Planning and Development Act 2000 (as amended) and specifically, Section 96 which deals with the provision of social and affordable housing.

The enactment of the Urban Regeneration and Housing Act 2015 provides for a range of actions to encourage developers and landowners into developing land zoned for residential use and/or urban land identified by local authorities in need of regeneration. The primary mechanisms are:

- Introduction of a Vacant Sites Levy;
- Revisions to Part V Social & Affordable Housing and Development Contribution requirements.

Variation 3b focuses on changes to Part V and incorporating those changes into the Waterford City, Waterford County and Dungarvan Town Plans.

Purpose of Variation

Further to the enactment of the Urban Regeneration and Housing Act 2015, Waterford City & County Council is proposing to make a variation to the Waterford City Development Plan 2013-2019, the Waterford County Development Plan 2011-2017 and the Dungarvan Town Development Plan 2012-2018 to take account of the revised provisions for Part V (Social & Affordable housing). Waterford City and County Council is also proposing to vary the Housing Strategy of said plans in line with the Act as set out above.

Previously, developers were required to reserve up to 20% of land zoned for residential use or residential and other uses, for social and affordable housing. Under the Urban Regeneration and Housing Act 2015, the social housing requirement to be met by developers has been reduced to 10% and the affordable housing element has been removed. The options available

to a developer, as to how they comply with the social housing obligations have also been amended. The option of providing a cash payment in lieu of social housing has been removed, as has the option of transferring undeveloped land, *other* than on the planning permission site. Developers have the option of transferring completed units on land which is not the subject of the planning application. The option of leasing units between the developer and the Council is also available or a combination of the aforementioned options.

Structure of Variation

The proposed variation will provide an update to Part V Social & Affordable Housing for each of the development plans and housing strategies to reflect the enactment of the aforementioned Urban Regeneration and Housing Act 2015. The variation shall be read in conjunction with the existing development plans/housing strategies. As outlined above, the affordable housing element has been removed under the Act. Any reference to Social and Affordable Housing in the Development Plans/Housing Strategies shall be superceded by the text the subject of the variation and should be interpreted as being precedent in terms of development requirements and standards. This is important in order to have a common and clear understanding for Part V Social Housing provision across the city and county as a whole.

Whilst every effort has been made to ensure consistency between requirements mentioned in other chapters of both the City & County Development Plans and the Dungarvan Town Development Plan with respect to Part V social housing, where there is any conflict arising between policies set out in other chapters, the requirements of the Urban Regeneration and Housing Act 2015 should be interpreted as being precedent in terms of development requirements and standards. This is important in order to have a common and clear strategic vision for Part V Social Housing provision across the county as a whole.

Note: No changes are proposed to any land use zoning objectives in the Waterford City Development Plan, Waterford County Development Plan or Dungarvan Town Development Plan under this variation process.

Strategic Environmental Appraisal

Strategic Environmental Assessment (SEA) is the formal, systematic evaluation of the likely significant environmental effects of implementing a plan or programme before the decision is

made to adopt the plan or programme. The purpose is to “*provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation of plans and programmes with a view to promoting sustainable development.*”(European Directive 2001/42/EC).

The Planning Authority determined, using the screening criteria set out in Schedule 2A Planning & Development Regulations 2001 – 2013, the DoEHLG SEA Guidelines and Annex 2 of Directive 2001/42/EC, that a Strategic Environmental Assessment was not required for the proposed Draft Variation No. 3b to the Waterford City Development Plan 2013-2019, Waterford County Development Plan 2011-2017 and Dungarvan Town Development Plan 2012-2018.

Appropriate Assessment Screening

Article 6(3) of European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) requires competent authorities, in this case Waterford City & County Council, to undertake an Appropriate Assessment (AA) of any plan or project not directly connected with or necessary to the management of a Natura 2000 site but likely to have a significant effect thereon, either individually or in combination with other plans or projects. The assessment examines the implications of proceeding with the plan or project in view of the site's conservation objectives.

An Appropriate Assessment Screening was undertaken of the proposed Draft Variation to the Waterford City Development Plan 2013-2019, Waterford County Development Plan 2011-2017, and Dungarvan Town Development Plan 2012-2018 in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/43/EEC). It was determined that a Stage II Appropriate Assessment was not required.

Making a Submission/Observation

A copy of the proposed variation is available for inspection at the following locations from **16th November 2016** until **14th December 2016**:

- Waterford City & County Council Planning Department, Menapia Building, The Mall,
Waterford City
- Waterford City & County Council, Planning Department, Davitts Quay, Dungarvan, Co.
Waterford.

- www.waterfordcouncil.ie

The accompanying SEA Screening and AA Screening documents will also be available.

Any interested parties are invited to make submissions in respect of the proposed variation before **5.00pm on 14th December** 2016. Any submissions or observations so made will be taken into consideration by the Council before the making of the variation. Submissions or observations in electronic format can be e-mailed to partVvariation@waterfordcouncil.ie

Please make your submission by one medium only i.e. in hard copy or email. This will avoid the duplication of submission reference numbers and will streamline the process. Your assistance on this issue is appreciated. All submissions must be clearly marked '***Part V Variation***'

The proposed variations to the three Development Plans are set out below, together with the proposed insertions *in red italics* and deletions in ~~striketrough~~.

Waterford City Development Plan 2013-2019

CHAPTER 2 - CORE STRATEGY

2.3 Housing Strategy

In accordance with Part V of the Planning and Development Act, 2000 (as amended) the Plan includes an up to date Housing Strategy which has been integrated into the Housing chapter. The Housing Strategy reflects the housing land provisions of the Core Strategy where adequate zoned housing land to meet the envisaged housing demand for the Plan period has been duly demonstrated. The strategy provides for:

- The housing requirements of persons with different income levels and for those who cannot afford to provide accommodation for themselves, and in particular for those in need of social and affordable housing in the area.
- A specified percentage of zoned land in the Development Plan for residential use, or for a mixture of residential and other uses, being reserved for social ~~and/or affordable~~ housing.

- Provision of a mixture of house types and sizes and other housing supports to match the requirements of the different categories of households, including the special requirements of elderly persons and persons with disabilities and other special needs households.
- Counteracting undue segregation in housing between persons of different social backgrounds as reflected in its Part V provisions.
- The incorporation for the direction of new housing policy shift where housing need will be satisfied in the future through home purchase, social housing provision and supports and/or through the private rented market including leasing and rental accommodation schemes.

CHAPTER 8 - HOUSING

8.0 Introduction

Part V of the Planning & Development Act 2000 (*as amended*) requires a Planning Authority to draw up a Housing Strategy and integrate it into the Development Plan. In addition, the Act makes communities needs for social ~~and affordable~~ housing a material planning consideration which must be taken into account when formulating the Development Plan policies, preparing a housing strategy, and deciding on planning applications or appeals.

A housing strategy shall:

- Ensure that sufficient and suitable land is zoned in the Development Plan for residential use (or for a mixture of residential and other uses), to meet the requirements of the housing strategy and to ensure that a scarcity of such zoned land does not occur at any time during the period of the Development Plan.
- Take into account the need to ensure that housing accommodation is available for persons who have different levels of income and who cannot afford to provide accommodation for themselves, and in particular for those in need of social and affordable housing in the area. A housing strategy shall therefore provide that as a general policy a specified percentage, not being more than ~~20%~~ *10%*, of the land zoned in the development Plan for residential use, or for a mixture of residential and other uses, shall be reserved for social ~~and/or affordable~~ housing.

- Ensure that a mixture of house types and sizes are developed to reasonably match the requirements of the different categories of households, as may be determined by the Planning Authority, including the special requirements of elderly persons and person with disabilities and other special needs, including Travellers and Homeless households as reflected in the Housing Needs Assessment carried out by the Housing Authority in accordance with section 20 of the Housing (Miscellaneous Provisions) Act 2009.
- Counteract undue segregation in housing between persons of different social backgrounds. Therefore the Planning Authority may indicate in respect of any residential area that there is no requirement for social/~~affordable~~ housing in respect of that area, or that a lower percentage than that specified in the housing strategy may instead be required.

The Development Plan must include objectives to secure implementation of the strategy, by including objectives requiring that a specified percentage of lands zoned for residential development or that a specified % of housing units be made available for social/~~affordable~~ housing under the various housing programmes.

The Planning Authority, or An Bord Pleanala on appeal, may require as a condition of a grant of permission, that a developer enter into an agreement concerning the development of land for the purposes of social ~~and affordable~~ housing.

8.1 Housing Policy

The core objective of housing policy is to enable every household to have available affordable residential accommodation, suited to its needs, in a good environment and as far as possible, at the tenure of its choice. The key challenge is the creation and maintenance of sustainable communities, which may be defined as places where,

- people want to live and work, now and in the future,
- they meet the diverse needs of existing and future residents, are sensitive to their environment and contribute to a high quality of life,
- that are safe and inclusive, child friendly, well-planned, and offers equality of opportunity and good services for all.

The principal mechanism adopted for the delivery of sustainable communities in this development plan is through the continued implementation of the Waterford City Neighbourhood Strategy. The Neighbourhood Strategy defines the neighbourhood structure and proposes policies and strategies for the development of the neighbourhoods. The Strategy identifies six neighbourhoods and two neighbourhoods have been designated in the Kilkenny County Development Plan for the environs of Waterford City in Co. Kilkenny.

The focus of the Housing and Neighbourhood Strategies has been and will continue to be on providing for:

- continuing improvements in the quality of housing and neighbourhoods.
- tailored housing services through a range of policy instruments that respond in different ways to provide a comprehensive and effective package of measures to go towards meeting housing needs for those who cannot afford to meet their own housing needs.
- Use of a range of delivery mechanisms based on the life cycle approach e.g. private rented accommodation for those with a short term housing need, Rental Accommodation and leasing schemes, Grant aid schemes and Special needs and inter-agency cooperation in delivering services.

The Strategy will be implemented through:

- ensuring that there is sufficient land zoned for residential development at appropriate densities to meet the requirements of the housing strategy.
- innovative and high quality housing and estate design,
- provision of quality amenities, community facilities and public services.
- provision of social ~~and affordable~~ housing, including by means of the Part V mechanism.
- high standards of management, maintenance and presentation of estates.
- community development based on the neighbourhood approach.

8.3 Social ~~Housing and Affordable~~ Supply and Demand

Waterford City Council as the public Housing Authority has traditionally played a substantial role in the provision of housing in Waterford City and indeed in the Ferrybank suburbs

evidenced by the fact that to-date almost 30% of all housing stock in the City was originally provided through the Council's social housing programmes. The Council has also assisted more than 3,000 households to access and retain private home ownership through a variety of schemes over the past 30 years including housing loans, shared ownership, affordable housing and tenant purchase schemes, improvement in lieu and housing aid grants schemes.

It is envisaged that future delivery of housing supports will be provided through the following range of delivery mechanisms:

- Vacancies arising from existing housing stock, through full implementation of the rental accommodation and leasing Schemes, through voluntary housing sector schemes and through casual lettings in the voluntary housing sector,
- provision for special needs in the area of homeless provision and for older persons and people with disabilities,
- Small infill schemes,
- Grant aid schemes for people with disabilities,
- Housing grant aid for the elderly,
- Mobility aids grants through energy efficiency programmes,
- Inspection regime of houses being rented in the private market (PRTB).

Given the prevailing economic situation new social housing construction will be very much limited for the forthcoming plan period apart from special needs and small infill schemes. Emphasis will be placed on meeting the changing needs of City households and by maintaining the integrity of the existing private housing stock, through the full range of the private house grants schemes, i.e. mobility aids grants, housing aid for the elderly and housing adaption grants for people with disabilities.

In formulating the Housing Strategy it is necessary to:-

- review, redirect and formulate policy in relation to the provision for social and affordable housing needs in Waterford City for the plan period
- Determine the likely demand for social housing for the plan period
- Establish the type of social housing supports to be provided

- Identify the provision of social housing supports to meet the projected demand by
 - Ensuring optimum usage of existing social housing stock through, the continuous upgrading of stock as vacancies arise, remedial works and active void management programme.
 - Ensuring optimum usage of available private housing units under the leasing and rental Accommodation Schemes as well as optimum usage of the Housing grants schemes to targeted needs.

~~Affordable Housing Schemes~~

~~Affordable housing support schemes in the current economic climate will struggle to deliver house prices at a price that is lower than current open market prices and, accordingly, the effect of removing the scheme, should it be phased out as discussed in recent Housing Policy Statement, is unlikely to have any material affect on the housing list or those seeking housing support.~~

8.4 Distribution of Social and Affordable Housing

The Part V objective, as outlined in Section 95 of the Planning and Development Act, 2000, shall be ~~retained~~ *updated in accordance with the provisions of the Urban Regeneration and Housing Act 2015*. This requires that ~~20%~~ *10%* of the land zoned in the Plan for residential use, or for a mixture of residential and other uses, shall be reserved for the provision of Social ~~and Affordable~~ housing. The relevant legal references are found in Section 9(2) of the Housing Act, 1988 (Social Housing) and Section 19 Housing (Miscellaneous Provisions) Act 2009 ~~and, for Affordable Housing, as defined in Section 93 of the Planning & Development Act, 2000~~. Any legislative change altering the provisions of Part V shall be adhered to and incorporated into the Housing Strategy as appropriate. This objective is deemed to apply in respect of all zoned lands where the zoning objective permits residential development.

The ~~20%~~ *10%* limit is now more relevant in the context of not allowing more than ~~20%~~ *10%* of units to be used as Social Housing in private estates under the Rental Accommodation and Leasing schemes. The Development Plan ensures that sufficient lands are zoned to facilitate the predicted need for housing of all categories including:

- the number of potential first time house purchasers whose incomes disqualify them from inclusion on the Council's housing list, but which does not enable them to purchase on the private housing market;
- the need to counteract undue segregation in housing between persons of different social backgrounds;
- the need to provide for socially integrated communities within the proposed neighbourhood structure.

~~It is, therefore, an objective of the Development Plan that all lands specified above where the 20% requirement applies that the relevant reservations, for housing for persons referred to in section 9 (2) of the Housing Act 1988 (social housing and for affordable housing) shall be as follows and this will be retained.~~

NEIGHBOURHOOD SOCIAL HOUSING AFFORDABLE HOUSING

NEIGHBOURHOOD	SOCIAL HOUSING	AFFORDABLE HOUSING
North West Suburbs Neighbourhoods 1 & 2	8%	12%
Ballybeg/Kilbarry	3%	17%
Kileohan/Ballytruckle	8%	12%
Farranshoneen/Ballinakill	10%	10%
Knockboy/Blenheim	10%	10%
Other areas	10%	10%

~~Conditions attached to planning permissions for residential development to which the 20% **10%** social/affordable quota applies will require developers to enter into an agreement with the Council. Such agreements provide developers with a number of options, for example, the developer can make a monetary contribution, transfer ownership of 20% of the site to the Council, or may build houses/apartments and transfer 20% of the floorspace to persons nominated by the Council (i.e. to those eligible for social and/or affordable housing) at an agreed cost, or may transfer a number of fully or partially serviced housing sites to the Council at an agreed cost. The various options for compliance are set down in the Planning and Development (Amendment) Act 2002.~~

The Council's options are as follows, and the preferred option for each will be dealt with on an individual basis, subject to:

- ~~The payment of a monetary contribution.~~
 - ~~The transfer of completed dwellings on the site to the equivalent monetary value;~~
 - ~~The transfer of completed dwellings elsewhere, but preferably within the same neighbourhood to the equivalent monetary value;~~
 - ~~The transfer of fully or partially serviced sites on the site;~~
 - ~~The transfer of a portion of the site;~~
 - ~~The transfer of serviced sites at another location;~~
 - ~~The transfer of land at another location.~~
- Transfer of ownership of 10% of the site to the Council;-or
 - Build houses/apartments and transfer 10% of the floor area of same to the Council at an agreed cost; or
 - *Transfer of a number of houses on other land within the functional area of the Council; or*
 - *Grant of a lease to the Council of houses either within the application site or on other land within the functional area of the Council; or*
 - *A combination of the aforementioned options.*

~~An agreement may provide for a combination of the above.~~

The Council in making such agreements will have regard to:

- The Development Plan and any relevant Local Area Plans or area action plans;
- The need to ensure the overall coherence of the development to which the planning application relates;
- The views of the developer in relation to the impact of the agreement on the proposed development; and
- The need for social integration;
- Limited funding availability to purchase units.

The Council will require developers to whom the ~~20%~~ 10% quota applies to discuss the likely terms of Part V agreements at pre-planning consultations. Both the Council and the developer would thus have a common understanding of the nature of the likely agreement

before a decision to grant planning permission is made. ~~It will be the Council's objective to finalize the agreement within 2 months of the grant of permission, in order to avoid delaying the start of housing development.~~ *It is a requirement of the Urban Regeneration & Housing Act 2015 that a Part V agreement shall be reached between the developer and the Council prior to the lodgement of the commencement notice for a permitted development.*

All social housing provided under Part V of the Planning and Development Act, 2000 (*as amended*) in accordance with this Strategy shall be allocated to persons on the waiting list in accordance with the Council's priority Allocation scheme, ~~and affordable housing provided under Part V of the Act in accordance with the terms of this Housing Strategy shall be allotted in accordance with a Scheme of Priorities for affordable housing adopted by City Council.~~

Waterford County Development Plan 2011-2017

5.4 Social and Affordable Housing

5.4.1 Direct Provision of Social Housing Needs including Special Needs

Waterford Housing Authorities will seek to meet the needs of households in need of housing through a range of social housing options, as set out in the Council's Corporate Plan, Housing Action Plan and other special programmes. The Council is committed to promoting and facilitating the use of the full range of these social housing options (as set out below), as resources permit:

- Provision of New Social Housing by Waterford Housing Authorities;
- Housing Acquisition Programme;
- ~~Affordable Housing Schemes;~~
- Rental Accommodation Scheme;
- Leasing arrangements;
- Incremental purchase scheme; and
- Other social housing options which include shared ownership schemes, improvement works in lieu of local authority house scheme, traditional housing loans, mortgage

allowance schemes, extensions to private houses, essential repairs grants and tenant purchase schemes.

It is important that social ~~and affordable~~ housing is properly integrated into existing communities. The Council will endeavour to accommodate all social housing applicants at, or as close as possible to, their location of choice.

5.4.2 Part V Provision of Social and Affordable Housing

In accordance with Part V (Sections 96 & 97) of the Planning and Development Act 2000 (as amended), Waterford County Council will require social ~~and/or affordable~~ housing to be provided within housing developments on residentially zoned lands or on other land use zones which allow for a mix of uses including residential (i.e. tourism, town centre and depending on the circumstances, Masterplan or Special Use zones). Exemptions will be applicable for developments of ~~4~~ **9** or less houses, or for housing on sites of 0.1 hectares or less.

Developers, to which the ~~20%~~ **10%** social/~~affordable~~ housing provision¹ applies, will be required to enter into an agreement with the Council. ~~to:~~

Developers, to which the ~~20%~~ **10%** social/~~affordable~~ housing provision applies, will be required to enter into an agreement with the Council to:

- Transfer ownership of ~~20%~~ **10%** of the site to the Council;-or
- Build houses/apartments and transfer ~~20%~~ **10%** of the floor area of same to the Council at an agreed cost; or
- *Transfer of a number of houses on other land within the functional area of the Council; or*
- *Grant of a lease to the Council of houses either within the application site or on other land within the functional area of the Council; or*
- *A combination of the aforementioned options.*

¹ ~~As set out in the Housing Strategy, Appendix A1, an analysis of the range of outcomes for Part V percentage fixing suggests that maintenance of the 20% Part V contributions is appropriate at this time.~~

- ~~Provide for the transfer to the Council of the ownership of any other appropriately zoned land within the functional area of the planning authority;~~
- ~~Make a monetary contribution equivalent in value to 20% of the value of the site.~~

The Council encourages housing developers, to whom the provisions of Part V will apply, to liaise, at the earliest possible opportunity, with the Housing Section of Waterford County Council to discuss the likely terms of the Part V agreements. All applications, which are subject to the provisions of Part V, must be accompanied by either a certificate of exemption or a proposal to comply with Part V. ~~It shall be a condition of any such permission issued that the developer enter onto a formal agreement with the Council not later than 8 weeks from the date of grant of the permission.~~ *It is a requirement of the 2015 Urban Regeneration & Housing Act that a Part V agreement shall be reached between the developer and the local authority prior to the lodgement of the commencement notice for a permitted development.*

Policy H5

To require a ~~20%~~ **10%** quota of social ~~and/or affordable~~ housing to be provided within housing developments on residentially zoned lands or on other land use zones, which allow for a mix of uses including residential, in accordance with the options set out in Section 5.4.2 of the Plan.

5.5.2 Housing for Persons with Disabilities

Social ~~and affordable~~ housing for people with disabilities is required with respect to appropriate crisis units, sheltered and supported housing and independent living options. This housing should not be segregated from the community; rather it must be integrated into housing estates and into the core of towns and villages to allow for a fully inclusive society. Housing for people with disabilities should meet the following requirements:

- **Location** – accessible to public transport and community facilities and services;
- **Access** – pedestrian safety and ease of access should be catered for by ensuring that pavements are dished and best access practice is adhered to. (Refer to Section 10.5 Development Standards);

- **Connectivity** – housing should be integrated into the community to avoid social inclusion and to provide a support network; and
- **Accessible design** – should suit the requirements of individual residents.

Meeting the housing needs of people with a disability may also take the form of adapting an existing dwelling. Part M of the Building Regulations, 2001 sets out the provision that must be made in a building to enable people with disabilities to safely and independently gain access to, and use a building. Guidance on how the requirements can be met is set out in *Technical Guidance Document M – Access for people with Disabilities*.

Dungarvan Town Development Plan 2012-2018

4.4 Social and Affordable Housing

4.4.1 Direct Provision of Social Housing Needs including Special Needs

Waterford Housing Authorities will seek to meet the needs of households in need of housing through a range of social housing options, as set out in the Council's Corporate Plan, Housing Action Plan and other special programmes. The Council is committed to promoting and facilitating the use of the full range of these social housing options (as set out below), as resources permit:

- Provision of New Social Housing by Waterford Housing Authorities;
- Housing Acquisition Programme;
- ~~Affordable Housing Schemes~~;
- Rental Accommodation Scheme;
- Leasing arrangements;
- Incremental purchase scheme; and
- Other social housing options which include shared ownership schemes, improvement works in lieu of local authority house scheme, traditional housing loans, mortgage allowance schemes, extensions to private houses, essential repairs grants and tenant purchase schemes.

It is important that social ~~and affordable~~ housing is properly integrated into existing communities. The Council will endeavour to accommodate all social housing applicants at, or as close as possible to, their location of choice.

4.4.2 Part V Provision of Social and Affordable Housing

In accordance with Part V (Sections 96 & 97) of the Planning and Development Act 2000 (as amended), Dungarvan Town Council will require social ~~and/or affordable~~ housing to be provided within housing developments on residentially zoned lands or on other land use zones which allow for a mix of uses including residential (i.e. tourism, town centre and depending on the circumstances, Masterplan or Special Use zones). Exemptions will be applicable for developments of ~~4~~ 9 or less houses, or for housing on sites of 0.1 hectares or less.

Developers, to which the ~~20%~~ 10% social/~~affordable~~ housing provision applies, will be required to enter into an agreement with the Council to:

- Transfer ownership of ~~20%~~ 10% of the site to the Council;-or
- Build houses/apartments and transfer ~~20%~~ 10% of the floor area of same to the Council at an agreed cost; or
- *Transfer of a number of houses on other land within the functional area of the Council; or*
- *Grant of a lease to the Council of houses either within the application site or on other land within the functional area of the Council; or*
- *A combination of the aforementioned options.*
- ~~Provide for the transfer to the Council of the ownership of any other appropriately zoned land within the functional area of the planning authority;~~
- ~~Make a monetary contribution equivalent in value to 20% of the value of the site.~~

The Council encourages housing developers, to whom the provisions of Part V will apply, to liaise, at the earliest possible opportunity, with the Housing Section of Waterford County Council to discuss the likely terms of the Part V agreements. All applications, which are subject to the provisions of Part V, must be accompanied by either a certificate of exemption or a proposal to comply with Part V. ~~It shall be a condition of any such permission issued that the developer enter onto a formal agreement with the Council not later than 8 weeks from~~

~~the date of grant of the permission.~~ *It is a requirement of the 2015 Urban Regeneration & Housing Act that a Part V agreement shall be reached between the developer and the local authority prior to the lodgement of the commencement notice for a permitted development.*

Policy H5

To require a ~~20%~~ **10%** quota of social ~~and/or affordable~~ housing to be provided within housing developments on residentially zoned lands or on other land use zones, which allow for a mix of uses which including residential, in accordance with the options set out in Section 4.4.2 of the Plan.

4.5.2 Housing for Persons with Disabilities

Social ~~and affordable~~ housing for people with disabilities is required with respect to appropriate crisis units, sheltered and supported housing and independent living options. This housing should not be segregated from the community; rather it must be integrated into housing estates and into the core of towns and villages to allow for a fully inclusive society. Housing for people with disabilities should meet the following requirements:

- **Location** – accessible to public transport and community facilities and services;
- **Access** – pedestrian safety and ease of access should be catered for by ensuring that pavements are dished and best access practice is adhered to. (Refer to Section 10.5 Development Standards);
- **Connectivity** – housing should be integrated into the community to avoid social inclusion and to provide a support network; and
- **Accessible design** – should suit the requirements of individual residents.

Meeting the housing needs of people with a disability may also take the form of adapting an existing dwelling. Part M of the Building Regulations, 2001 sets out the provision that must be made in a building to enable people with disabilities to safely and independently gain access to, and use a building. Guidance on how the requirements can be met is set out in *Technical Guidance Document M – Access for people with Disabilities*.

Appendix A1 Housing Strategy Waterford County **Development Plan 2011-2017 & Dungarvan Town Development** **Plan 2012-2018**

Reviewing the Strategy: overview

In the light of the above, and using updated analysis of requirements, the Housing Strategy 2011-2017:

- Reduces the anticipated annual required rate of housing delivery for the period to 2017;
- Ties the spatial targets of the strategy to the National Spatial Strategy and targets set out in the CDP;
- Sets new targets for Local Authority and Voluntary and Cooperative housing sector deliveries of social and affordable housing;
- Varies the mechanisms for Part V affordable housing delivery in accordance with the Planning and Development (Amendment) Act 2002;
- Maintains the ~~20%~~ **10%** rule for social ~~and affordable~~ housing within new housing developments.

3 Strategy for Social ~~and Affordable~~ Housing Provision

3.1 Direct provision of social housing including special needs

It is recognised that there will continue to be a need for social and affordable housing irrespective of the level of overall housing output.

Waterford Housing Authorities will therefore endeavour to meet the needs of households through a range of social housing options, including the house building programme, as set out in the Council's Corporate Plan, Housing Action Plan and other special programmes. The council is committed to promoting and facilitating the use of the full range of these social housing options.

The challenge is to ensure delivery of this programme and achievement of the maximum amount of social ~~and affordable~~ housing, thereby providing a quicker and more affordable access to housing for people on limited means. Achieving this will require the Local Authorities to play a wider promotional role, which will also necessitate an enhanced contribution from the voluntary sector.

~~Affordable Housing Schemes~~

~~Within the County Council area, under this scheme the Council provides new houses, at cost price on land owned by them, to persons qualifying under the terms of the scheme. During 2009, 8 such houses were provided and it is anticipated that 25 such houses will be provided in 2010 in Crobally Tramore.~~

3.2 Provision of social and affordable housing through Part V of the Planning and Development Act 2000

In addition to the direct provision of social ~~and affordable~~ housing, and assistance to voluntary housing agencies for such direct provision, the Authority proposes vigorously to pursue the provisions of Part V of the Planning and Development Act 2000 in order to facilitate the provision of such housing alongside private sector developments throughout the County. The policy for implementation of the Part V provisions is set out in Section 4.2 below.

4.1 Housing Location, Design and Mix

The planning authorities will aim to focus future land purchases in smaller pockets in both the main towns and rural villages and settlements in order to counter balance the level of social/affordable housing being provided in the main settlements under Part V of the Planning and Development Act 2000. It is important that social ~~and affordable~~ housing is properly integrated into existing communities.

4.2 Planning Permissions and Part V of the Planning and Development Act 2000 (*as amended*)

Section 96 of the Planning and Development Act 2000 (<i>as amended</i>) <i>including the enactment of the Urban Regeneration and Housing Act 2015</i> provides that the objectives of the Housing Strategy in relation to social and affordable housing shall

be implemented by means of conditions attached to planning permissions for residential development.

Under the Urban Regeneration and Housing Act 2015, Waterford County Council will require a ~~20%~~ *10%* quota of social/~~affordable~~ housing to be provided in each housing development within the County, *with the affordable housing element having been removed.* ~~and~~ *This* requirement will be included as a condition of development, with the exception of application for development of ~~4~~ *9* or less houses, or for housing on land of ~~0.2~~ *0.1* hectares or less.

Conditions attached to planning permissions for residential development to which the ~~20%~~ *10%* social/~~affordable~~ quota applies will require developers to enter into an agreement with the Council. Such agreements provide developers with a number of options; e.g.

- The developer can transfer ownership of ~~20%~~ *10%* of the site to the Council, or
- May build houses/apartments and transfer ~~20%~~ *10%* of the floor area of them to the Council at an agreed cost, or
- *Transfer of a number of houses on other land within the functional area of the Council; or*
- *Grant of a lease to the Council of houses either within the application site or on other land within the functional area of the Council.*
- ~~May transfer a number of fully or partially serviced housing sites to the Council at an agreed cost.~~
- ~~May provide for the transfer to the planning authority of the ownership of any other land within the functional area of the planning authority.~~

~~The ratio of social to affordable houses to be provided, will be assessed on a case by case basis, having regard to local housing needs.~~

In so far as it is known at the time of the agreement, the Council will indicate to the developer its intentions in relation to the provision of social/~~affordable~~ housing, including a description of the proposed houses, on the land or sites to be transferred, where such lands form part of the site for which an application has been made.

The Council, in making such agreements, will have regard to:

- The Development Plan and any relevant local area plan;
- The need to ensure the overall coherence of the development to which the planning application relates;
- The views of the developer in relation to the impact of the agreement on the

proposed, and;

- The need for social integration.

The Council's Planning & Housing Sections will encourage housing developers to whom the ~~20%~~ **10%** quota will apply to discuss the likely terms of the Part V agreements at such consultations. ~~An agreement in relation to compliance with Part V of the Act must be made prior to submission of planning application.~~ *A Part V agreement shall be reached between the developer and the local authority prior to the lodgement of the commencement notice for a permitted development.*

~~It is currently a condition of all permissions being issued, to which Part V complies, that all agreements must be reached within 8 weeks of the grant of permission.~~

All social housing provided under Part V of the Planning & Development Act 2000 (*as amended*) in accordance with this Strategy shall be allocated to persons on the Waiting List for that allocation area in accordance with the Council's Scheme of Letting Priorities; ~~and affordable housing provided under Part V of the Act in accordance with the terms of this Housing Strategy all shall be allocated in accordance with a Scheme of Priorities for affordable housing as adopted by the Council.~~

4.3 Meeting the needs of persons with special requirements

People with Disabilities

Social ~~and affordable~~ housing for people with disabilities is required with respect to appropriate crisis units, sheltered and supported housing, and independent living options – a range of housing options are required. Such housing should not be segregated from the general population; rather it should be integrated within housing estates and between estates, towns and villages.

