

## KILDARE COUNTY COUNCIL



### PLANNING DEPARTMENT REPORT

#### Kildare County Council – Compulsory Purchase of Land Compulsory Acquisition Order No. 4 2025

##### Introduction:

The planning department have been requested by the housing department – Town Regeneration section to provide a planning history and policy context report in relation to the Compulsory Acquisition of properties at No. 2 & No. 3 Abbey Road, Naas, Co.Kildare W91 FHV1, W91E5R9.

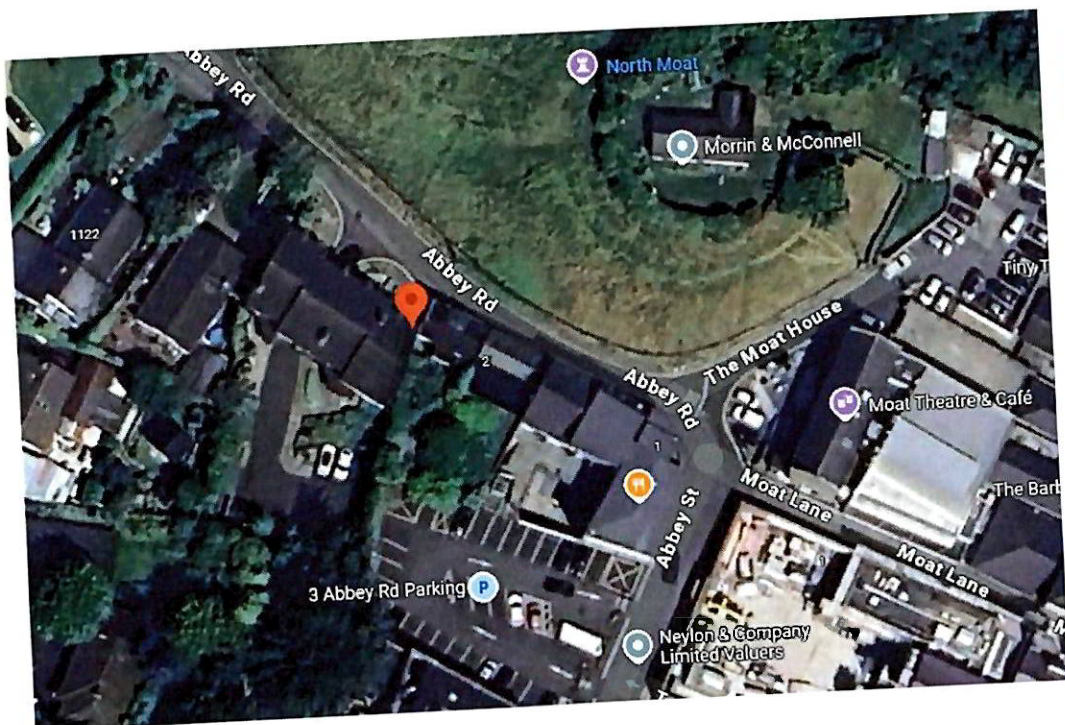
It is stated that the Objective of the Compulsory Acquisition Order is to bring this vacant unit back into productive use for housing purposes by securing and facilitating the renewal of the subject property.

The following provides details of the planning history of the subject unit alongside a policy context overview at County and local level.

##### Site Location/Context

The building/land subject to the CAO comprises of 2 No. two-storey townhouse properties in Naas, Co Kildare. There are two, two-storey dwellings on site. The site is part of a terrace of buildings and is bounded by more modern apartment units on either side. The Moat, historic site is located opposite the subject site to the north. A public car park is located to the south of the site.

The building is on lands zoned 'A Town Centre' where the stated Zoning objective is 'to protect, improve and provide for the future development of Town Centres.'



### **Planning History:**

Planning register Ref. 19/704

Permission granted to J.J Hipwell for the following:

(a) Demolition of 2 No. two storey townhouses and associated site development works. (b) Town House development consisting of 3 No. two storey townhouses. (c) All associated site development works. Granted 16/07/2020. Note: Permission due to expire on the 15/07/2025 (+45 days)

### **Policy Context relative to current Compulsory Purchase Order:**

The following provides a policy context overview relative to the CPO detailing policies/objectives from the Kildare County Development Plan 2023-2029.

### **Kildare County Development Plan 2023-2029**

#### **Objectives**

**CS 05:** Promote compact growth and the renewal of towns and villages through the development of underutilised town centres and brownfield sites, and where appropriate, pursue through active land management measures a co-ordinated planned approach to developing appropriately zoned lands at key locations, including regeneration areas, vacant sites and under-utilised areas in cooperation with state agencies, while also maintaining a 'live' baseline dataset to monitor the delivery of population growth on existing zoned and serviced lands to achieve the sustainable compact growth targets of 30% of all new housing within the existing urban footprint of settlements.

**CS 06:** Promote, and initiate where feasible, measures to reduce vacancy and the underutilisation of existing building stock and support initiatives that promote the reuse, refurbishment and retrofitting of existing buildings within settlements throughout the county.

**HO 011:** Support the revitalisation of the social and physical fabric of town and village centres by:

- a) Resisting, and where the opportunity arises, reversing the loss of residential use on upper floors.

- b) Supporting the use of the upper floors of existing town and village centre buildings for appropriate uses, including residential.

**HO 012:** Support and promote the renovation and re-use of obsolete, vacant and derelict homes, through the following measures:

- (i) Encourage the redevelopment and reuse, including energy retrofitting, of the existing housing stock.
- (ii) Support Government programmes and incentives to bring empty homes into use through various means, including potential expansion of the Town and Village Renewal Scheme as referred to in the Government's Rural Development Policy 2021-2025.
- (iii) Maximise the effective use of local authority housing stock and minimise local authority housing stock vacancy, including through effective refurbishment and retrofitting of older stock where appropriate.
- (iv) Promote the conversion of vacant properties into new social and affordable homes through schemes including the Repair and Leasing Scheme and the Buy and Renew Scheme. Kildare County Council will endeavour to promote these schemes and

encourage owners of vacant properties to avail of these schemes, directly or in cooperation with Approved Housing Bodies.

**RE O36:** Address derelict sites in towns and villages by invoking the powers of the Derelict Sites Act, 1990 (as amended) and by the Planning and Development Act, 2000 (as amended).

**RET A3:** Identify obsolete and potential renewal areas and, through active and positive engagement with landowners, to encourage and facilitate the re-use and regeneration of derelict land and buildings in the county's main towns, villages and smaller centres. The Council will use its statutory powers, including the Derelict Sites Act (as amended), the Vacant Site Levy and/or Compulsory Purchase Order, where necessary.

**UD A5:** Continue to tackle vacant residential and derelict sites within town centres through various initiatives, including the following:

- Targeted engagement with landowners.
- Promoting awareness of the Buy and Renew and Repair and Lease Schemes.
- Developing tailored responses through selected Town Renewal Masterplans.
- Applying for any funds made available under the Government's Housing for All plan (2021) to increase residential living opportunities in vacant or underutilised buildings.
- Land Activation Measures, including the use of the Derelict Sites Act, Section 59 mechanisms related to the Record of Protected Structures and Compulsory Purchase Powers.
- The preparation of Town Centre First Plans by designated town teams.

### **Section 16.3.3 Active Land Management and Urban Renewal**

A comprehensive approach to active land management in the county is considered vital in achieving key provisions of the Core Strategy relating to compact growth, housing delivery and urban renewal.

The Council will accelerate its active land management activities across the following areas:

- Strategic Projects and Public Realm Team – securing funding for urban, town and village renewal projects across the county.
- Application of the Vacant Site Levy to key residential and regeneration sites.
- Appointment of a Vacant Homes Officer to maximise housing occupancy and potential residential living opportunities.
- Site coordination and site assembly, including the use of the Compulsory Purchase Orders.
- Derelict Sites Act, (1990) (as amended)

### **Naas Local Area Plan 2021 - 2027**

The subject site forms part of the Canal Quarter Core Regeneration Area (CRA) as identified in the Naas Local Area Plan.

Abbey Street is identified as a part of the Canal Quarter CRA part (a) which extends both sides of the street and west to the Canal.

**Policy CQ1 Canal Quarter:**

*It is the policy of the council to protect and enhance the amenity of the lands located within the Canal Quarter through sensitive interventions to improve the existing amenity and to encourage and promote appropriate development and regeneration of this area in a sustainable manner*

**Policy URD1 – Urban Regeneration and Development**

*It is the policy of the Council to promote the implementation of the Regeneration and Urban Development Strategy to ensure that planned growth for the town occurs in a sustainable and sequential manner while prioritising a low carbon, compact, consolidated and connected pattern of development in order to realise a vibrant and regenerated town centre; a prosperous, enterprising, dynamic and green economy; supported by an inclusive and age friendly community.*

URD 1.1 Promote the town centre as the priority location for commercial, civic, social and cultural development and to promote new infill and backland development that consolidates and regenerates the existing urban core.

URD 1.3 Encourage full utilisation of buildings and sites, in particular use of upper floors and backlands where appropriate, with due cognisance to quality of urban design, integration and linkages.

**10.2.5. Vacant Sites and Derelict Buildings**

Vacant development sites represent both a challenge and an opportunity for Naas. While such sites currently detract from the visual aesthetics and vibrancy of the town, they have the potential to provide for additional housing, employment, cultural and other uses.

The Urban Regeneration and Housing Act 2015 (as amended) provides for a levy on registered vacant sites and is supported by Objective HCO 1.5 of the Plan, where such a levy is to be applied to vacant sites in lands zoned for Town Centre, Regeneration and Residential Uses. The vacant site levy represents part of a continued shift in national policy towards active land management within our urban settlements and is envisaged to play an important role in the future development of Naas, particularly with regard to sites within the designated Core Regeneration Areas of the town centre, other regeneration lands and lands zoned for residential use.

In relation to derelict buildings the Planning Authority will, where appropriate, continue to use its powers under the Derelict Sites Act 1990 (as amended) to deal with the issue of dereliction in the town.

**BH 1.4** Proactively address dereliction, endangerment, neglect and vacancy in the town centre through the use of the Council's legal process and through the promotion of appropriate uses and the sensitive conservation of historic buildings

**Conclusion:**

Having regard to the proposal to acquire the properties at No2. & No.3 Abbey Road, Naas, Co.Kildare W91 FHV1, W91 E5R9 through Compulsory Acquisition Order and to return these units to active use, it is considered that the proposal is supported by and would be in line with the above listed policy

provisions of both the Kildare County Development Plan 2023-2029 and the Naas Local Area Plan 2021 – 2027.



Planner

13/05/2025

Date



Director of Service

13/5/2025

Date

