In a move to respond to some of the shortfalls in the planning process, the Vacant Housing Refurbishment Bill, 2017 was published by the legislature and is currently at the Third Stage before Dáil Éireann.

The intended function of the Bill is to facilitate an expedited process for building control and planning administration in each local authority. The Bill proposes a “One-Stop-Shop” to consider applications for planning and building control applications, including the renovation and change of use applications for existing properties. The Bill seeks to achieve a number of functions including, but not limited to:

- the acceleration of the supply of dwellings in existing buildings;
- ensuring compliance with safety standards in existing multi-occupancy residential buildings;
- regularising existing unauthorized developments;
- adding three new classes of exempted development;
- implementing direct inspection of design plans and on-site inspection before construction;
- ensuring greater compliance in the conversion and refurbishment of existing structures in urban areas to residential use;
- introducing inspectors that are independent of the building owners and their agents;
- the implementation of a “work permit” to replace the fire safety and disability certificates and will verify compliance with other parts of the Building Regulations.

What prompted the Bill?

According to the 2016 Census, 12.3 per cent of the 2,003,645 dwellings that formed the Irish housing stock were vacant: a striking statistic in light of recent media narratives surrounding housing shortages. Experts in the construction industry have long pointed to outdated planning and development procedures to explain the apparent dichotomy, which they submit discourages and delays redevelopment of existing vacant properties and has lead to the many vacant and underutilised properties nationwide. Recent high profile planning fiascos such as the withdrawal of Apple from the Athenry Datacentre Development continue to highlight the shortfalls in the Irish planning process and act as an active reminder of the reforms that are required. Such calls for reform are particularly apposite in the current economic climate where infrastructural and economic growth are so inextricably linked and there is fear that foreign and indeed domestic investors may be deterred by an outdated, sluggish planning process.

Reaction

The Bill was discussed before the Joint Oireachtas Committee on Housing, Planning and Local Government on 31 January, 2018 and 28 March, 2018 where amongst others, members of the Society of Chartered Surveyors (SCSI), the Royal Institute of the Architects of Ireland (RIAI) and Engineers Ireland were invited to discuss and scrutinize the Bill. The Bill was universally welcomed as a positive step towards reducing the timeframe with which applications for redevelopment are made, with the “One-Stop-Shop” concept being equally well received for its holistic, streamlining approach. Concerns were expressed...
by SCSI regarding the timeframes envisaged by the Bill for the fast-track process and the increased strain this would place on the local authorities’ resources; while they also queried the lack of restrictions in terms of project size for refurbishments. RIAI emphasised that in order to ensure the competency of the “authorised persons” and panel of professionals, they must comprise professional and trained personnel; they also expressed concern at the revision of the technical guidance documents, the lack of references to zoning, vacant houses or vacant buildings in the Bill and opined that the lifetime of the Bill be limited to two years. Engineers Ireland expressed concern that the proposed works-permit would undermine awareness of fire-safety and disability access certification.

A Constructive Step?

The Bill must be applauded as a positive step towards reforming and streamlining the planning process. It is hoped that innovative changes to the planning process for housing refurbishment could have a positive knock-on effect on the planning process as a whole. There are undoubted refinements which must yet be made to the Bill and the legislature must be commended for hearing the views of SCSI, RIAI, Engineers Ireland and other interested parties, but it is hoped that their views are taken into consideration and implemented before the Bill is enacted. Overall the Bill must be welcomed as a positive, constructive step towards a collaborative, efficient approach to planning and building, and it is hoped that this facilitates the efficient supply of high-quality housing, helps invigorate the construction sector and inevitably contributes to the solving of the current housing crisis.

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