

ARKLOW TOWN COUNCIL

Planning and Development Act 2000, as amended

DRAFT

DEVELOPMENT CONTRIBUTION SCHEME 2014

Index

- 1.0 Introduction
- 2.0 Preamble
- 3.0 Classes of Public Infrastructure and Facilities
- 4.0 Basis for the Determination of the Contribution
- 5.0 Exemptions that apply
- 6.0 List of Projects of Public Infrastructure and Facilities

1.0 Introduction

The Draft Scheme has been prepared in accordance with S.48 of the Planning and Development Act 2000, as amended, and regard was had to the “Guidelines for Planning Authorities on Development Contributions”, issued by the Department of the Environment, Community and Local Government in January 2013.

The Water Services (No. 2) Act 2013, which was enacted on the 25th December 2013, transferred a range of statutory water services functions from Arklow Town Council to Irish Water from the 01st January 2014. As a result of this, all of the Class 2 Public Infrastructure & Facilities Water and Drainage projects identified in Appendix 1 of the Scheme, other than the Various Surface Water Improvement Schemes, are no longer to be provided, or intended to be provided by, or on behalf of, Arklow Town Council. Therefore, Arklow Town Council cannot include conditions on permissions granted after the 01st of January 2014 that require contributions towards such Class 2 public infrastructure & facilities.

2.0 Preamble

2.1 The Scheme sets out the following:

- The classes of public infrastructure and facilities in respect of which contributions will be sought.
- The contributions required to be paid.
- The exemptions that may apply.
- The main public infrastructure and facilities for which contributions will be sought.

2.2 The public infrastructure and facilities identified in the list of public infrastructure in Appendix 1 of the Scheme, are considered to be those projects that can be progressed with the funding which it is projected will be received under the Scheme up to 2022 and any other required funding.

2.3 Public infrastructure and facilities are defined in S48 (17) of the Planning and Development Act 2000, as amended.

2.4 The Planning Authority when granting a permission under S34 of the Planning and Development Act 2000, as amended, will include conditions requiring the payment of contributions in respect of public infrastructure and facilities benefiting development in its functional area in line with the terms of the Scheme.

2.5 The Planning Authority may, in addition to the terms of the Scheme, require the payment of special contributions in respect of a particular development where specific costs not included in the Scheme are, or will be, incurred by the Local Authority in respect of public infrastructure

and facilities which benefit the proposed development. The provisions set out under S48 (12) of the Planning and Development Act 2000, as amended, shall apply to any special contribution required by a condition attached to a permission.

2.6 An appeal may be brought to An Bord Pleanála where an applicant for permission considers that the terms of the Scheme have not been properly applied in respect of any condition laid down by the Planning Authority, or in relation to a condition requiring the payment of a special contribution laid down by the Planning Authority.

3.0 Classes of Public Infrastructure and Facilities

3.1 Table 3.1 sets out the classes of public infrastructure and facilities in respect of which contributions will be sought.

Table 3.1

Class of public infrastructure and facilities	Description
Class 1	Roads and Transportation
Class 2	Water and Drainage
Class 3	Community & Recreational Amenity

4.0 Basis for the Determination of the Contribution

4.1 The development contributions to be sought for each development type are set out below.

Table 4.1

RESIDENTIAL				
Unit Size m²	Contribution per unit €			
	Class 1	Class 2	Class 3	Total
>0 ≤ 100	€4600	€800	€2000	€7400
>100	€4600 + €40/m ² over 100m ²	€800 + €7/m ² over 100m ²	€2000 + €10/m ² over 100m ²	€7400 + €57/m ² over 100m ²

Table 4.2

INDUSTRIAL/COMMERCIAL DEVELOPMENT				
Development Type	Class 1 €/m²	Class 2 €/m²	Class 3 €/m²	Total €/m²
Commercial e.g. Retail, Retail Warehousing, Office, e.t.c.	32	4	8	44
Industrial e.g. Manufacturing, Warehousing, e.t.c.	32	3	8	43

Table 4.3

MISCELLANEOUS DEVELOPMENT				
Development Type	Class 1 €	Class 2 €	Class 3 €	Total €
Extractive/Disposal	2,750 per ha per 10m depth	N/A	550 per ha per 10m depth	3,300 per ha per 10m depth
Forestry	550 per ha	N/A	N/A	550 per ha
Recreation/Leisure	550 per ha	N/A	N/A	550 per ha
Open Storage/Hard Surfaced Commercial	€12 per m ²	N/A	N/A	€12 per m ²

Table 4.4

Category	Amount of Contribution
Shortfall in provision of car- parking spaces required.	€3,000 per space required.

Table 4.1 Residential - refers to all residential development in Wicklow Town Council Area as a Large Growth Town I.

Table 4.2 Industrial/Commercial refers to all industrial and commercial developments, including extensions.

Floor areas will be based on Gross Floor area.

Table 4.3 Miscellaneous Development refers to the particular development types listed in the table. Paragraph 4.5 further clarifies the contributions specified in this table.

Table 4.4 refers to other contributions in lieu of the shortfall of car parking spaces required. The Town Development Plan details the car parking spaces required.

4.2 **Residential extensions** that do no increase the overall floor area of the house over 100m² in urban areas will be exempt from contributions.

Residential extensions that increase the floor area over 100m² in urban areas will be subject to contributions at the m² rates identified in Table 4.1. The applicable floor area for calculating the contributions will be the floor area of the extension that increases the floor area of the dwelling over 100m² in urban areas with a waiver given for the first 40m².

Residential extensions where the floor area is already over 100m² in urban areas will be calculated on the floor area of the extension, with a waiver given for the first 40m².

For clarification, the waiver for the first 40m² will only apply in full where the dwelling has not been previously extended, with a reduced waiver allowed, where the dwelling has been previously extended by less than 40m².

4.3 In the case of replacement residential units the contribution sought will be the difference in the contribution for the original unit size and the new unit size.

4.4 Holiday homes, B&Bs and other similar types of tourist accommodation will be treated as being in the commercial category for the purposes of the scheme.

4.5 Buildings/Structures (including non-mobile plant & machinery), which form part of Extractive/Disposal and Recreation/Leisure Development Types, will incur development contributions at the rate for Industrial/Commercial Development Type.

The area for the purpose of Extractive/Disposal development type in Table 4.5 will be the area of land from which it is proposed materials will be extracted from or deposited on. Buffer zones will not be included.

Extractive/Disposal developments will incur a special contribution for the upgrading of the local road network facilitating the particular development, where required.

4.6 Contributions in Table 4.1, 4.2 & 4.3, will increase on each and every 01st of January in line with the Wholesale Price Index - Building and Construction (i.e. materials and wages) published by the Central Statistics Office, (or similar index if discontinued), rounded up or down to the nearest €25 for the per unit rate and €1 for the per m² rates.

4.7 Reduced rates for temporary permissions, for 10 years or less, shall be charged as follows:

- 33% of the relevant contribution specified in the Scheme for permissions up to 3 years.
- 50% of the relevant contribution specified in the Scheme for permissions up to 5 years.
- 66% of the relevant contribution specified in the Scheme for permissions up to 10 years.

4.8 There will be no double charging. Credit will be given for previously paid development contributions or previous authorised use or existing floor areas.

Development contributions shall not be charged on a change of use permission, where such change of use does not result in a significant intensification of demand on public infrastructure.

4.9 As an incentive for employment generating development in the Town, where contributions are attached to a permission in accordance with Table 4.2 of this Scheme, a once off reduction/refund of 20% in development contributions for Industrial/Commercial development, as

set out in Table 4.2, will be allowed for development which is completed within two years of the adoption of this scheme. This reduction/refund will be applied at the time the development has been completed.

Developments that benefit from the 20% reduction detailed in 4.10 will not be entitled to any reduction detailed in Table 5.1.

- 4.10 This paragraph refers to where permission is granted for development after the date of adoption of this Scheme, and the subject development includes for retention and/or completion of residential units or industrial/commercial buildings. Where substantial works have been carried out to the individual residential units or industrial/commercial buildings, in the opinion of the Planning Authority, on foot of a previous permission, the contributions required for these incomplete residential units, or industrial/commercial buildings, will be computed on the basis of the contributions sought in the permission under which those units were commenced.

5.0 Exemptions

5.1 S48 (3) (c) of the Planning & Development Act 2000, as amended, allows for a reduction in contributions or no contribution in certain circumstances under the terms of the Scheme. Table 5.1 details the exemptions that are allowed under the Scheme.

5.2 No exemptions/reductions will be allowed for retention permissions.

Table 5.1

Development Type	Reduction/Increase
Social Housing	100% reduction
Housing provided by Voluntary organisations or Co-Operative housing bodies as outlined in Article 157 (2) of the Planning & Development Regulations 2001, as amended	100% reduction
Facilities provided by organisations which are considered exempt from planning fees as outlined in Article 157 (1) (a) – (c) of the Planning & Development Regulations 2001, as amended	100% reduction
Commercial development in the core town centre areas/main street locations, which consolidate and strengthen the historical town centre.	10%
Residential extensions for disabled persons in receipt of a disabled persons grant.	100% reduction
Tourism development in accordance with tourism chapter of the relevant Town Development Plan. (Chapter 7 of the W-RDP 2013)	20% reduction
Works to Protected Structures that contribute to their protection and restoration	50% reduction
Crèche/Childcare facilities	50% reduction
Agricultural	100% reduction
Forestry	100% reduction on first 50 hectares
Development which generates employment and commences within 2 years of contribution scheme date	20% reduction

6.0 List of Public Infrastructure and Facilities

- 6.1 The list of projects for the various Classes of public infrastructure and facilities is set out in the tables included in Appendix 1.
- 6.2 The projects identified for Class 3 are on the basis of a Community Facilities Hierarchy. The particular needs of each location will be assessed in identifying the appropriateness of a particular project. The contributions raised for Class 3 may be used to provide funding for the provision of facilities developed with local communities and communities of interest.
- 6.3 The cost of providing certain projects identified in Appendix 1 will require a proportion of the costs to be met by a Town Council or a developer.
- 6.4 Where a project listed in Appendix 1 is constructed/provided by a developer as part of a planning permission, a portion of the cost of constructing/providing the project may be offset against the relevant contributions due under the subject permission, depending, inter alia, on Wicklow Town Council's capital investment priorities. In computing any offset, the Planning Authority will have regard to the actual costs incurred by the developer in constructing/providing the project. Furthermore, only the marginal costs (i.e. the costs of those additional works which were required over and above that required for the developer's own development, to which the permission related) will be used to compute any offset.

APPENDIX 1

**Table
Class 1
Public Infrastructure and Facilities
Roads and Transport**

Number	Project	Development Plan Objective
1	Improve safety for vehicles and pedestrians	VP1, VP2, CW2, CW4,
2	Maintain existing and provide new car parking facilities	CP1, CP2
3	Improve appearance at junctions and gateway areas into Main St	PR2
4	Maintain the existing bandstand and support possibilities for development of new urban spaces	PR6
5	Improve footpaths, lighting, seating and street furniture	PR7
6	Improve public transport facilities	PT1, PT2, PT3, CW1,
7	Improve the town's roads network	RP1, RP2, RP3, RP4, RP5
8	Improve parking throughout the Town	P4

**Table
Class 2
Public Infrastructure and Facilities
Water and Drainage**

Number	Project
1	Various Minor Water Supply and drainage items

**Table
Class 3
Public Infrastructure and Facilities
Community and Recreational Amenity**

Number	Project	Development Plan Objective
1	Promote and facilitate the delivery of community facilities	CD2
2	Facilitate and support implementation of the County Play Policy	CP1
3	Ensure neighbourhood parks or active open space include a MUGA	TY2
4	To follow the Sports and Recreation Policy in the provision and expansion of sport and recreation opportunities.	SR2, SR3,
5	To maximise opportunities for the Arts and implementation of the Wicklow County Arts Plan.	CA1, CA2,
6	To support implementation of the Wicklow Library Development Plan.	CA3
7	To facilitate the development of new, improved or expanded places of worship and burial grounds	CA4
8	To encourage the provision of open space.	OS1, OS2, OS4, OS6,
9	To facilitate the development of allotments	OS7