



## **North Tipperary County Council**

### **Draft Development Contributions Scheme 2011**

**EFFECTIVE 1<sup>st</sup> January 2011 - 31st DECEMBER 2012**

**19<sup>th</sup> July, 2010**

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## **PREAMBLE**

In order to comply with the requirements imposed by Section 48 of the Planning and Development Act, 2000 North Tipperary County Council has prepared a Draft Development Contributions Scheme. As the current Scheme runs out on the 31<sup>st</sup> December 2010, the new 'Scheme' will need to come into effect on the 1<sup>st</sup> January 2011 or else North Tipperary County Council will not be in a position to levy development contributions on planning permissions which are granted. This document is set out as follows:

1. Introduction
- 2 Study undertaken to establish the basis and procedure for the Scheme, and
3. The North Tipperary County Council Development Contribution Scheme 2011, including exemptions;
4. Implementation of the Scheme includes appendices on the Capital works programmes proposed under the different classes of infrastructure, and details of the Community, Sports and Cultural Grants Scheme. The projections contained in this Scheme are based on development within North Tipperary Local Authorities and should be read in conjunction with the Nenagh, Thurles and Templemore Development Contribution Schemes.

### **1.0 INTRODUCTION**

Sub-section (1) of Section 48 of the Planning and Development Act, 2000-2006 enables a Planning Authority, when granting a planning permission under Section 34 of the Acts, to include conditions requiring the payment of a contribution. This contribution is in respect of public infrastructure and facilities benefiting development in the area of the Local Authority and that is provided, or that it is intended will be provided, by or on behalf of a local authority (regardless of other sources of funding for the infrastructure and facilities).

The contributions payable under the Scheme will help to fund the capital costs of a wide range of public infrastructure and facilities.

Under the Scheme, the four Classes of public infrastructure and facilities, which are to be provided by the Council are -

- Roads infrastructure and facilities
- Water Supply infrastructure and facilities
- Sewerage and Drainage infrastructure and facilities
- Recreation and Community facilities

The Scheme sets out the basis for the determination of the contributions which are payable.

The Scheme indicates the amount of the contribution per square metre for various Categories (which are subdivided into 16 classes) of development, for example residential, commercial, industrial in respect of the different classes of public infrastructure and facilities, which are provided by the Council, or on its behalf.

In the Study which established the basis for the Scheme, the actual estimated cost of providing the classes of public infrastructure and facilities were taken into account. However, as required by the Act, the cost of any benefit accruing to existing development is excluded from the basis for determining the contributions.

The Planning and Development Act, 2000-2006 (Section 48) states that "public infrastructure and facilities" means -

- (a) the acquisition of land,
- (b) the provision of open spaces, recreational and community facilities and amenities and landscaping works,
- (c) the provision of roads, car parks, car parking places, sewers, waste water and water treatment facilities, drains and watermains,
- (d) the provision of bus corridors and lanes, bus interchange facilities (including car parks for these facilities) infrastructure to facilitate public transport, cycle and pedestrian facilities, and traffic calming measures,

- (e) the refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking spaces, sewers, waste water and water treatment facilities, drains or watermains, and
- (f) any matters ancillary to paragraphs (a) to (e)".

## **1.1 Procedure towards adoption of the scheme**

### **1.1.1 North Tipperary County Council**

A Draft Scheme was presented to the Council on the 19<sup>th</sup> July, 2010 where it was agreed to put on public display for a period of 6 weeks from the 3<sup>rd</sup> August 2010 to 14<sup>th</sup> September, 2010, during which members of the public and other interest groups have an opportunity to make submissions on the Draft Scheme. A Manager's Report setting out the submissions received, will then be presented the Council. This Report will include a summary of the submissions received and set out the proposed amendments to the draft Scheme. The Scheme, as amended, will be presented to Council for adoption on the 15<sup>th</sup> November, 2010 and if adopted the Scheme will come into effect 1<sup>st</sup> January 2011.

### **1.2 Period of Scheme**

The scheme will be in place for the period 1<sup>st</sup> January 2011 to the 31<sup>st</sup> December 2012. A new Scheme will have to be made by the 31<sup>st</sup> December 2012. At this time a new Scheme will be made and the new Scheme will include adjustments to take account of prevailing circumstances, for example updated cost estimates.

### **1.3 Determination that scheme is fair and reasonable**

Particular care was taken in the Study to ensure that the Scheme is reasonable and fair, that there will be no double charging, that it is compatible with the Government's water pricing framework and that it complies with Section 48 of the Planning and Development Act, 2000. Consideration was given in the Study on how the aggregation and other processes in the formulation of the Scheme will impact on a range of

criteria. These criteria include fairness, avoidance of double charging, allocative efficiency etc.

## **2.0 BASIS AND PROCEDURE FOR DETERMINATION OF DEVELOPMENT CONTRIBUTIONS.**

### **2.1 Basis for Determination of Contributions**

The basis for determining the contributions payable under the Scheme was established by a Study undertaken by senior Council staff in various departments. For comparison purposes Table 1 sets out the charges as levied under the North Tipperary County Council, Development Contribution Scheme which are in effect up the 31<sup>st</sup> December 2010.

Development contributions will be calculated on the basis of amounts payable per square metre of new development of residential, commercial/industrial Categories. These amounts will be determined as follows: -

Firstly, by establishing the net costs of proposed works for the period 1<sup>st</sup> January 2011 to the 31<sup>st</sup> December 2012 (allocated to the benefiting Category of development) for inclusion in the scheme.

Secondly, the percentage of the estimated cost attributable to each class of infrastructure was calculated; and

Thirdly, the aggregated floor area in square metres in the Categories residential, industrial, commercial, etc of projected development in the years to December 2012.

Apportionment of contribution required which was estimated for each type of development are set out in Section 3

Table 1 adjusted from 1<sup>st</sup> July 2010.

<b>Level of Contribution by class of Development indexed linked every 1<sup>st</sup> January &amp; 1<sup>st</sup> July (with effect from the 1<sup>st</sup> January 2009) for each year of the operation of the scheme in accordance with the Wholesale Price Index. Decrease from 1<sup>st</sup> January 2010</b>						
<b>Level of Contribution for residential units 1 rural/ 2 urban</b>	<b>Residential up-to 140 sq.m.</b>	<b>Residential up-to 240 sq.m.</b>	<b>Residential up-to 350 Sq. m.</b>			
Water €6.62	€926.55	€1588.65	€2317.83			
Waste Water €13.64	€1909.49	€3273.55	€4774.70			
Roads rural/urban €11.19/€15.11	€1565.32/€2115.60	€2683.40/€3626.47	€3913.29/€5288.05			
Community €9.82	€1374.76	€2356.73	€3436.88			
Total	€5776.12/€6326.40	€9902.33/€10845.40	€14442.70/€15817.46			
Any house over 350 square meters will be assessed on individual floor area as set out for residential extensions						
<b>Class</b>	<b>(€ per sq. m.)</b>				<b>(e) Car parking € per space</b>	<b>Total (Excluding car parking)</b>
	<b>(a) Public water supply</b>	<b>(b) Waste water drainage</b>	<b>(c) Road infrastructure</b>	<b>(d) Recreation Community Facilities</b>		
3 Residential Extension	6.62	13.64	15.11	9.82	Nil	<b>€45.19 as in class 2 &gt; than 60 sq.m.</b>
4. Commercial	11.80	14.98	13.95	11.48	3,000	<b>€52.21</b>
5. Warehousing						<b>€52.21 &lt; 500 m + 50% thereafter</b>
6. Industrial	11.93	15.34	15.34	13.02	3000	<b>€55.63</b>
7. Extraction/ Landfill	1854.83ha	Nil	12.29 cents per M3.	7370.21 ha.	3000	<b>€9225.04 per ha, 12.29 cents per M<sup>3</sup></b>
8. Agricultural Stables/kennels	18.91	Nil	15.34	13.02	Nil	<b>€47.27 on stables &gt; 200sq,m, and kennels &gt; 100sq.m.</b>
9. Agricultural	9.45	Nil	6.00	6.50	Nil	<b>€21.95 &gt;600 sq.m.</b>
10. Golf/pitch & putt	30%	Nil	70%	Nil	3,000	<b>€245.69 per ha</b>
11. Overhead Lines	Nil	Nil	Nil	100%	Nil	<b>€1.24 per 1.0 metre</b>
12. Masts and turbines	Nil	nil	12963.28	6481.65	Nil	<b>€19,444.93 per apparatus</b>
13. development other than 1-12	To be allocated as `Special Contribution` and/or based on the above classes and the nature and extent of the development					<b>€61.43 m2</b>

### **2.1.1 Adjustment of gross capital costs**

The full gross capital costs (analysed by year of expenditure) could not be included in the Scheme and considerable adjustments were required. These adjustments took account of factors including existing development discount and water pricing. Appropriate consideration was given also to section 48 contributions (under the 2000 Act) in the following headings:

- contributions already paid;
- contributions due to be paid; and
- contributions potentially due.

### **2.1.2 Existing development discount**

The law requires that the benefit of public infrastructure and facilities to existing development must be excluded from the Scheme. Considerable effort was expended in estimating the appropriate discount levels for each of the four types of public infrastructure and facilities. For the purposes of the Scheme, percentage benefit is assumed to equal percentage cost.

The existing development discount means that where the percentage benefit to existing development is high, then the level of cost collectable from the Scheme is proportionately low.

### **2.1.3 Water Pricing**

Considerable work by Council staff has ensured that the Scheme is compatible with the introduction of the non-domestic user's water-pricing scheme. The marginal capital cost of projects/schemes in the water and drainage class was estimated at 30% of the total capital cost. This amount is allocated in the Study to water pricing for non-domestic users from 2010. A phased collection of the relevant portion of the projected water pricing receipts is included in the calculations in the Study. The Scheme is devised in a way that precludes any possibility of double charging.

## **2.2 Types of infrastructure and facilities benefiting new development**

One of the first major tasks in the Study was to identify all the projects, i.e. the public infrastructure and facilities which comprise each of the following types of public infrastructure and facilities.

Development contributions shall be paid in respect of the following types of public infrastructure and facilities benefiting development in the functional area of North Tipperary and that is provided, or that it is intended will be provided, by or on behalf of North Tipperary County Council or other local authority:

### **2.2.1 Water Services**

The sum levied is a contribution towards the cost of:-

- (a) the provision of water treatment facilities and disposal facilities, and watermains;
- (b) the refurbishment, upgrading, enlargement or replacement of water treatment facilities or watermains;
- (c) the acquisition of land in respect of (a) and (b) above; and
- (d) any matters ancillary to (a) to (c) above.
- (e) the provision of surface and foul sewers, waste water treatment facilities and disposal facilities, and drains;
- (f) the refurbishment, upgrading, enlargement or replacement of foul and surface water sewers, treatment facilities, and drains;.

### **2.2.2 Road Infrastructure**

The sum levied is a contribution towards the cost of:-

- (a) the provision of open spaces and landscaping works;
- (b) the provision of roads and footpaths;
- (c) the provision of infrastructure to facilitate public transport, cycle and pedestrian facilities, and traffic calming and control measures;
- (d) the refurbishment, upgrading, enlargement or replacement of roads;
- (e) the provision of storm water pipes and drains, and facilities as part of road infrastructure projects;

- (f) the refurbishment, upgrading, enlargement or replacement of pipe network and drains; as part of road infrastructure projects
- (g) public lighting;
- (h) the acquisition of land in respect of (a) to (d) above; and
- (i) any matters ancillary to (a) to (g) above.

### 2.2.3 Recreational and Community Facilities and Amenities

The sum levied is a contribution towards the cost of:-

- (a) the provision of recreational and community facilities and amenities;
- (b) the acquisition of land in respect of (a) above; and
- (c) any matters ancillary to (a) to (b) above.

The sum levied under this heading (commonly called the “community development” contribution) will be expended on implementation of objectives contained in the County Development Plan, County Heritage Plan, County Play and Recreation Strategy and the County Economic, Social and Cultural Strategy. Where the provision of recreational and community facilities and Amenities are being provided on behalf of the local authority, this shall be carried in accordance with the Scheme of Capital Grants as set out in Appendix 3. This Scheme, currently operating as the Community, Sports and Cultural Grants Scheme, has successfully distributed funding received as part of the current Development Contribution Scheme over the period 2009 to 2010. It is anticipated that any monies distributed this will continue during the life of the current Scheme. The details of the Scheme are contained in Appendix 3.

### 2.2.4 Car Parking Facilities

North Tipperary County Council requirements in relation to car parking standards are set out in Table 8.3 of the County Development Plan 2004 and Section 9.10 of the Draft County Development Plan 2010.

In addition to the general car parking standards required, service bays may also be required. The number of service parking bays will depend on the nature and extent of the proposed development and will be determined by North Tipperary County Council in each case.

Where the developer is unable to meet the requirements relating to car parking, a development contribution, commensurate with the shortfall in spaces, shall be paid to the Local Authority to facilitate the provision of car parking spaces elsewhere. This contribution will be adjusted in accordance with the rates set out in Paragraph 3.2.2 (viii).

The sum levied is a contribution towards the cost of:-

- (a) the provision of car parks and car parking places;
- (b) the refurbishment, upgrading, enlargement or replacement of car parks and car parking places;
- (c) the acquisition of land in respect of (a) and (b) above; and
- (d) any matters ancillary to (a) to (c) above.

### 2.3 Proposed schemes

Staff in the various Council’s departments identified the projects that will require funding under the Scheme. These are set out under appendices 1 to 3.

### 2.4 Classes of development

Development contributions shall be levied in respect of the following different classes or descriptions of development:

<b>Table 2: Classes of Development</b>		
<b>Class</b>	<b>Description</b>	<b>Category</b>
Class 1	The provision of a house in an urban area where public water services infrastructure is available in accordance with the policies contained in County Development Plan.	Residential
Class 2	The provision of a house in a rural area where public water services infrastructure is available in accordance with the policies contained in County Development Plan.	Residential

Class 3	The provision of a house in a rural area where public water services infrastructure is not available in accordance with the policies contained in County Development Plan.	Residential
Class 4	Provision of an extension or the conversion for use as part of the house of any garage, store, shed or other structure where the works will result in the provision of an extension or increase in the original floor area of greater than 60 square metres <sup>2</sup> and where no contribution has previously been paid in respect of the house to be extended.	
Class 5	The provision of a business premises including: any structure or other land which is normally used for the carrying on of any professional or commercial undertaking (including office) or a hotel, restaurant or public house;-any structure or other land used for the purpose of, or in connection with, the functions of a state authority; facilities for childminding, a day care centre; guest house or other premises providing overnight guest accommodation, club, boarding house or hostel; shop or supermarket; school, college, nursing home, hospital or health centre.	Commercial
Class 6	The provision of a wholesale warehouse, storage unit/area or repository	Commercial
Class 7	The provision of an industrial building or light industrial building. - Industrial Buildings associated with quarries such as concrete batching, block manufacture workshops, etc;	Industrial

Class 8	The use of land for the winning and working of minerals, including the extraction of sand, gravel and stone. Quarry areas excluding external access roads.	Industrial/ Commercial/ Extractive
Class 9	The provision of buildings or other structures for the purposes of the keeping of horses and greyhounds.	Agricultural
Class 10	The provision of buildings for the purpose of agriculture or horticulture	Agricultural
Class 11	Golf and Pitch and Putt Courses	Amenity
Class 12	Overhead lines	Industrial/ Commercial
Class 13	Telecommunications antennae	Commercial
Class 14	Telecommunications Masts and Wind Turbines	Commercial/ Agricultural
Class 15	Smoking areas	Commercial
Class 16	Development not coming within any of the foregoing classes.	Other Classes of Development

***1 Proposals for new development in towns and villages may have an agreed portion of development contributions offset against infrastructure provided by the developer in excess of that required to service the proposed development.***

### **2.5 Extent of projected development**

The initial step in this phase of the Study was the assessment of the potential of undeveloped lands zoned for development in the current Development Plan and Draft Development Plan, Local Area Plans and Proposed Local Area Plans, as well as the likely intensification and redevelopment of infill and underused sites. Available survey information was analysed and planning lists and commencement notices were systematically examined to establish up-to-date information on

development potential. Developments for which planning permission has already been granted were deemed to be "not available" for the Scheme. Cognisance was taken of the Sustainable Residential Development in Urban Areas (Guidelines for Planning Authorities, DoEHLG), the County Housing Strategy 2009, the County Retail Strategy and other relevant policy sources.

The second step entailed an assessment of the likely uptake of development in each year (up to 2012 on the lands with development potential.) The projections of both residential and non-residential development took account of relevant Government Guidelines. In addition, cognisance was taken of data on availability of supply of commercial space, particularly that space contained in the County Retail Strategy, and the likely demand for that space. The quantum of residential development taken for the purposes of the Scheme excludes the projected number of social housing units including those units likely to be provided under Part V of the Act and those provided by voluntary and co-operative housing bodies.

During the period of the last scheme the number of houses granted was running at approximately 367 per year down from a peak of 1,100 between 2004 and 2008. Under the 2009 to 2010 Development Contribution Scheme the breakdown of units between urban and rural was 46% urban and 54% rural. It is proposed to continue this breakdown in this Scheme as it is likely that this trend will continue over the lifetime of the Contribution Scheme. Within the three Town Councils of Nenagh, Thurles and Templemore, the figures are 13, 12 and 7 dwellings respectively.

It is acknowledged that these figures are below the projections in the Housing Strategy, however, economic forecasts are projecting that there will continue to be a stagnation in house building over the coming years and therefore it is reasonable that this low rate of construction should continue to be factored into the house building estimates.

Taking these assumptions into consideration up to 2012, the following figures for housing requirements can be projected for the period 2011 – 2012:

Total housing requirements = 735 or 367 per year (inc. town councils)  
Urban Housing = 335 or 167 units per year  
Rural housing = 400 or 200 units per year

This gives the following county requirement in floor area (taking an average rural house as 240 sq.m. and average size of urban and village house as 140 sq.m.):

Urban: 335 units x 140 sq.m. = 46,900 sq.m. – 20% (Part V requirement) = 37,520 sq.m.

Rural: 400 units x 240 sq.m. = 96,000

Total Residential Floor Area =  
37,520 + 96,000 = 133,520 sq.m.

## **2.6 Commercial / Industrial Development**

There has been limited commercial and industrial development over the period of the last Contribution Scheme after the substantial growth under the 2004-2008 Scheme. All of the main urban centres have seen only small amounts of floorspace being permitted. The new County Development Plan is however, very focused towards the promotion and facilitation of commercial and industrial development within the County and it is hoped that the coming period will see greater activity in this area.

### **Commercial:**

The County Retail Strategy 2003 provided floorspace projections for both Comparison and Convenience retail development in the County in the period 2002-2006 and 2006-2011. The Strategy shows that the total requirement in the County to 2011 is 9,600 sq.m. However, this figure only take account of large retail floorspace and do not take account of the

requirements for small to medium size retail units in small towns or villages. There is currently a draft retail strategy being prepared and any figures coming out of this will be factored into the new Scheme.

Secondly, there is a common view held both nationally and internationally that Ireland will see an economic recovery beginning in 2011 and this will continue into 2012 with a growing requirement for office and other commercial classes of development in the County Area. Taking account of the commercial development experienced in the period 2009 – 2010 in the county, and the projections contained in the County Retail Strategy the total estimated requirement for commercial development up to 2012 is 7,330 sq.m.

#### **Industrial:**

Having examined the amount of industrial floorspace granted, together with the level of pre-planning activity and the amount of land zoned for industrial purposes, the total estimated requirement for industrial development up to 2012 is 6,660 sq.m.

#### **2.7 Agricultural Development**

There has been steady activity in agriculture applications over the period of the last Scheme. Based on figures for the last Scheme, it is considered that a reasonable projection for agricultural development up to 2013 is 10,000 sq.m. However, it should be noted that the majority of agricultural developments attract little if any development contributions due to exemptions within the Scheme.

#### **3.0 DETERMINING DEVELOPMENT CONTRIBUTIONS**

Many of the infrastructural services in North Tipperary are integrated networks and are inter-linked. Consequently it is considered inappropriate to demarcate notional boundaries in a county of the size and scale of North Tipperary, with consequential impacts on market conditions. While the Act does empower a Local Authority to make one or more development contribution schemes in respect of different parts of its functional area, it is

deemed that clarity in respect of the scheme is a fundamental consideration. This clarity will ensure the implementation of the scheme in a fair and equitable manner. The imposition of multiple schemes for different electoral areas, district electoral divisions or other parts of the county would run counter to this aim. Accordingly a county wide standard contribution scheme is appropriate.

Due to the current economic circumstances it was considered prudent that the current level of charges remain subject to the Wholesale Price Index.

The contributions are calculated on the basis of both the projected construction rates within the County, together with the financial requirements of the County to meet the infrastructural improvements which are necessary in coming years. This calculation results in the unit cost per square metre. These are set out in Table 3 below.

#### **3.1 PRIORITISATION OF CONTRIBUTIONS**

Given the increasing demands being placed on water services to provide funding towards the capital costs of new infrastructure, the Scheme is designed so as to maximise the amount of monies going towards infrastructure. Where a development is to connect to water services infrastructure i.e. public water or sewage treatment facilities, the majority of the development contributions are to be allocated to water services, with the remainder going to Community and Recreation. Where no connection to water services infrastructure is proposed then the contribution is to be allocated to Roads and Community and Recreation. In both instances the level of contribution should be the same.

Where public water services infrastructure is available, an applicant must connect into it as part of their development if required to do so by the Planning Authority and pay the appropriate development contribution.

**Level of Contribution by class of Development indexed linked every at 1<sup>st</sup> January & 1<sup>st</sup> July (with effect from the 1<sup>st</sup> January 2011) for each year of the operation of the scheme in accordance with the Wholesale Price Index.**

<b>Class 1 Urban: Level of Contribution for residential units</b>	<b>Residential up-to 140 sq.m.</b>	<b>Residential up-to 240 sq.m.</b>	<b>Residential up-to 350 Sq. m.</b>
Water Services €35.67	€4994	€8561	€12484
Roads urban €0	€0	€0	€0
Community €10.10	€1414	€2424	€3535
Total €45.77 (Excluding car parking at €3,000 per Space)	€6408	€10985	€16019
<b>Class 2 Rural 1: Level of Contribution for residential units (where public water is available)</b>	<b>Residential up-to 140 sq.m.</b>	<b>Residential up-to 240 sq.m.</b>	<b>Residential up-to 350 Sq. m.</b>
Water Services €18.97	€2656	€4553	€6639
Roads rural €0	€0	€0	€0
Community €10.10	€1414	€2424	€3535
Total €29.07	€4070	€6977	€10174
<b>Class 3 Rural 2: Level of Contribution for residential units (where no public water is available)</b>	<b>Residential up-to 140 sq.m.</b>	<b>Residential up-to 240 sq.m.</b>	<b>Residential up-to 350 Sq. m.</b>
Roads rural €11.50	€1610	€2760	€4025
Community €10.10	€1414	€2424	€3535
Total €21.60	€3024	€5184	€7560
<b>Any house over 350 square meters will be assessed on individual floor area as set out for residential extensions</b>			

<b>Class</b>	<b>(€ per sq. m.)</b>			<b>(e) Car parking € per</b>	<b>Total (Excluding car parking)</b>
	<b>Water Services Urban / Rural</b>	<b>(c) Road infrastructure</b>	<b>(d) Recreation Community Facilities</b>		
4 Residential Extension (will be charged on same criteria as Urban, Rural 1 and Rural 2 above)	€35.67 / €18.97	15.54	10.10	Nil	<b>As in class 2 &gt; than 60 sq.m.</b>
	<b>(€ per sq. m.)</b>			<b>(e) Car</b>	

<b>Class</b>	<b>(a) Public water supply</b>	<b>(b) Waste water drainage</b>	<b>(c) Road infrastructure</b>	<b>(d) Recreation Community Facilities</b>		
5. Commercial	11.80	14.98	13.95	11.48	3,000	<b>€52.21</b>
6. Warehousing						<b>€53.68 &lt; 500 m + 50% thereafter</b>
7. Industrial	11.93	15.34	15.34	13.02	3000	<b>€55.63</b>
8. Extraction/ Landfill	1854.83 per ha		12.29 cents per M3.	7370.21 per ha.	3000	<b>€9225.04 per ha, 12.29 cents per M<sup>3</sup></b>
9. Agricultural Stables/kennels	18.91	Nil	15.34	13.02	Nil	<i>€47.27 on stables &gt; 200sq.m, and kennels &gt; 100sq.m.</i>
10. Agricultural	9.45	Nil	6.00	6.50	Nil	<b>€2195 &gt;600 sq.m.</b>
11. Golf/pitch & putt	30%		70%	Nil	3,000	<b>€245.69 per ha</b>
12. Overhead Lines	Nil		Nil	100%	Nil	<b>€1.24 per 1.0 metre</b>
13. Telecommunication antennae	Nil		6667	3333	Nil	<b>€10,000 per apparatus</b>
14. Telecommunication Masts and turbines	Nil		12,963.28	6,481.65	Nil	<b>€19,444.93 per apparatus</b>
15. Smoking Areas						<b>€35 per sq. metre</b>
16. development other than 1-15	To be allocated as `Special Contribution` and/or based on the above classes and the nature and extent of the development					<b>€61.43m<sup>2</sup></b>

**Table 3 Rate of Contributions**

### Notes to Table 3

**Note 1:** The floor area of the proposed development shall be calculated as the gross floor area, meaning the internal dimensions of the proposed building and including each floor, stairwell and common areas;

**Note 2.** Where a proposal is made to restore a protected structure, derelict or vacant building to residential use the Council will consider an exemption or reduction in development contributions of 50%;

**Note 3:** Contributions in respect of car parking will only apply where the developer is unable to meet the requirements of the County Development Plan in force at the date of decision on an application for permission for a development for which a contribution is required under this scheme;

**Note 4:** In areas of zoned land and locations suitable for cluster housing a developer may, subject to the agreement of the Planning Authority, provide public infrastructure as part or full payment in lieu of the relevant contribution;

**Note 5:** A house of less than 125 sq.m. that is being constructed by first-time house owners for their own use and full time occupation will receive a 50% discount on the charges payable. The onus of proof of entitlement to this discount will rest with the claimant who will be required to satisfy the Planning Authority in whatever manner is specified.

**Note 6:** Residential extensions of less than 60 sq.m. will be exempt, as will extensions where a previous development contribution has been paid in respect of the house to be extended except where any category has not previously been paid.

**Note 7:** Commercial warehousing will be assessed at the full commercial rate up to 500 sq.m. and at 50% for the remaining floor area;

**Note 8:** Industrial or commercial buildings or plant associated with extractive or landfill processes will be assessed under class 5;

**Note 9:** Class 9 contributions will only apply to kennels above 100 sq.m. and stables above 200 sq.m. in floor area;

**Note 10** Class 10 contributions will only apply to buildings in excess of 600 sq.m. Replacement buildings for Animal Welfare to meet Regulatory Standards will be exempt from Contributions. The onus of proof of entitlement to this discount will rest with the claimant who will be required to satisfy the Planning Authority in whatever manner is specified.

Horticultural buildings and mushroom tunnels will be exempt from contributions;

**Note 11:** The following types of development will be exempted from charges under this scheme but may, in some circumstances, be liable for special contributions under the Act :-

- Development by or on behalf of a voluntary organisation which is designed or intended to be used for economic, business, social, recreational, educational or religious purposes by the inhabitants of a locality, or by people of a particular group or religious denomination, and is not to be used mainly for profit or gain.
- Development that is designed, or intended to be used, as a workshop, training facility, hostel or other accommodation for persons with disabilities and is not to be used mainly for profit or gain,
- Social housing units, including those which are provided in accordance with an agreement made under Part V of the Act (as amended under the Planning & Development (Amendment) Act, 2002) or which are provided by a voluntary or co-operative housing body, which is recognised as such by the Council.

**Note 12:** Multi-storey car parking will attract a contribution of 30% of Class 5

**Note 13:** Open yard areas as attached to commercial or industrial developments will attract a contribution of 30% of Class 5, 6 or 7.

**Note 14:** All retentions should be subject to a levy of double normal rate.

**Note 15:** All retention applications for extractive/infilling industries shall be subject to contributions on same basis as green field sites.

**Note 16:** On-going community levy for 20 years for all wind farms exceeding 3 turbines

**Note 17:** Where car parking requirements for residential properties have not been met a contribution of €3,000 will be required for each space in lieu.

#### **4. IMPLEMENTATION OF SCHEME**

This Scheme will be implemented as follows:

1. The Scheme will come into operation on and after the 1<sup>st</sup> January 2011 and will be applied to any decision to grant permission which is made on or after that date, irrespective of when the planning application was submitted.

2. Subject to 3 below, the basis for the determination of a development contribution shall be as set out in this Development Contribution Scheme.

3. North Tipperary County Council may, in addition to the terms of this Scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by this Scheme are incurred by any local authority in respect of public infrastructure and facilities which benefit the proposed development.

4. Where payment of a special contribution is required in accordance with 3 above, the following provisions shall apply:

(a) the condition shall specify the particular works carried out, or proposed to be carried out, by any local authority to which the contribution relates,

(b) where the works in question-

(i) are not commenced within 5 years of the date of payment to the authority of the contribution,

(ii) have commenced, but have not been completed within 7 years of the date of payment to the authority of the contribution, or

(iii) where the local authority decides not to proceed with the proposed works or part thereof, the contribution shall, subject to paragraph (c) below, be refunded to the applicant together with any interest that may have accrued over the period while held by the local authority,

(c) where under subparagraph (ii) or (iii) of paragraph (b), any local authority has incurred expenditure within the required period in respect of

a proportion of the works proposed to be carried out, any refund shall be in proportion to those proposed works which have not been carried out.

5. Where a contribution is not paid in accordance with the terms of the condition laid down by the planning authority, any outstanding amounts due to the planning authority shall be paid together with interest that may have accrued over the period while withheld by the person required to pay the contribution.

6. This Scheme will operate for the period 1<sup>st</sup> January 2011 to the 31<sup>st</sup> December 2012, inclusive, unless the Scheme is revoked, varied or modified in the intervening period.

##### **4.1 Funding costs (interest)**

The Wholesale Price Index – Building and Construction Materials as published by the Central Statistics Office will be used to increase/decrease the contribution rates bi-annually, commencing on 1<sup>st</sup> January 2011. For any decision to grant permission made on or after the effective date (irrespective of when the planning application was submitted) – the amounts shall be as set out in the scheme and revised in accordance with any increase in the above index.

##### **4.2 Items of Priority**

Items of priority are listed below. However, should a requirement arise for funding to be allocated for a scheme not listed but which has due to circumstances become a priority, this will be permitted under this Scheme.

## Appendix 1: Improvements Works Programme– Water & Wastewater

**Table 7: WATER SERVICES CAPITAL SCHEMES**

Contract	Status	Value	Local Contribution		Annual Cost of 20 Years Loan Repayments
			€M	%	
Water Conservation Stages 1 &2	Under Construction	4.458	0	0	0
Water Conservation Stage 3	To Start 2010-2013	3.5	10	.35	0.026
Templemore Contract 1	Complete	2.7	28.4	0.767	0.056
Templemore Contract 2 – WWTP DBO	Under Construction	4.487	28.4	1.274	0.093
Newport Treatment Plant And Network Upgrade	To Start 2010-2013	6.06	29.8	1.806	0.132
Thurles RWSS Contract 1 (Network)	To Start 2010-2013	12	25-30%	3.3	0.241
Thurles RWSS Contract 2 – WWPT DBO	To Start 2010-2013	16	25-30%	4.4	0.321
Thurles Sewerage Treatment Plant Improvements	Complete	2.5	25%-30%	0.69	0.051

	<b>TOTAL</b>	<b>51.405</b>		<b>12.5</b>	<b>.920</b>
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**In Addition**

Small Schemes (Annual Scheme)	Ongoing	0.667 Per Annum	25%	0.167 Per Annum	0.167 (Annual Contribution)
<b>TOTAL</b>					<b>1.087</b>

## **Appendix 2: Proposed Road Infrastructure Improvement Works Programme 2011 – 2013**

### **Final Schemes to be decided on adoption of Scheme**

#### **Borrisokane Area:**

##### **High Priority:**

- Upgrade pavement & footpaths in Borrisokane and Cloughjordan, urban areas
- Upgrade and extend public lighting in Cloughjordan, Borrisokane and smaller villages (Carrig, Ballingarry, Ardcroney, Riverstown, Terryglass, Ballinderry etc)
- Surface water drainage in Borrisokane
- Drainage works at various locations

#### **Total**

**Nenagh Area  
High Priority**

**Nenagh Town  
& Environs**

- Encourage the provision of linkage between Dublin Road & Thurles Road  
By means of the design process, construction and joint venture with  
Developers
- Upgrade 1 km pavement, footpaths, public lighting on  
approach roads and all non urban roads
- Traffic Management, Calming Studies

**Newport**

- Southern Bypass Contribution
- Upgrade 0.25 km pavement, footpaths, public lighting  
and surface water drainage
- Traffic Management Plan and Measures (roundabouts, calming etc)

**Ballina**

- Inner Relief Road (Grange – Boher Link) Contribution
- Upgrade 0.25 km pavements, footpaths, public lighting and  
surface water
- Traffic Management Plans and Measures (roundabouts, buildouts  
traffic calming etc)

**Other**

- Upgrade 1 km of pavement, footpaths, public lighting in key settlements -  
Silvermines, Dolla, Puckane, Dromineer, Garrykennedy, Portroe and  
Ballycommon
- Improve Tourist Signage to Lough Derg
- Accelerate improvement works to 5 km of key Regional Roads

**Total**

**Roscrea Area:  
High Priority:**

**Roscrea Town &  
Environs:**

- Provide and upgrade off street car parking
- Traffic management, traffic calming, traffic studies
- Upgrade 1 km of footpaths, lighting on N62/Old Dublin Road, Birr Road in conjunction with NRA pavement upgrade
- Upgrade 0.5 km of pavement, footpaths; drainage, public lighting, signage on approach roads to Roscrea Town

**Templemore:**

- Upgrade pavement, footpath, drainage, public lighting, signage, traffic management on all non urban roads

**Borrisoleigh:**

- Provide for improvements to the link between R498 (Nenagh – Thurles Road) and R501 Templemore Road by means of a bypass or realignment of junction

**Other:**

- Accelerate pavement improvements to 5 km of key Regional Roads
- Upgrade public lighting, footpaths, traffic management in key Settlements – Moyne, Templetuohy, Clonakenny, Loughmore, Drom, Killea, Clonmore
- Improve sightlines at junctions with restricted sightlines and accident history

**Total:**

#### **4. Thurles Area High Priority**

##### **Thurles Town & Environs**

- Encourage the provision of 1km of linkages between Regional roads radiating out from Thurles Town Centre by means of the design process, construction and joint ventures with developers.
- Upgrade 1 km of pavement, footpaths, public lighting, signage on approach roads to Thurles.

##### **Other**

- Upgrade 1 km of pavement, footpaths, public lighting, signage to other villages and settlements.
- Traffic management, traffic calming, traffic studies as required in any area.
- Accelerate improvements to 5 km of key Regional Routes R460, R498, R503

##### **Total**

## **APPENDIX 3: Provision of Recreational and Community Facilities and Amenities**

### **SCHEME OF CAPITAL GRANTS**

#### **Purpose of Scheme**

It is the intention of North Tipperary Local Authorities to assist, in general, the provision of recreational and community facilities and amenities and so improve the quality of life for the people of North Tipperary and their visitors. This Scheme is primarily intended to assist with community development in the county, specifically those needs arising in the provision of open spaces, recreational and community facilities and amenities and landscaping works, the acquisition of land for that purpose and any matters ancillary to same.

#### **Basis for Determination**

The Scheme is being determined on a county-wide basis so as to ensure that locations with less development and hence less development contributions, will have an equal opportunity for eligibility for funding in respect of facilities which the promoters consider are needed. The intention is to provide the county with a range of recreational and community facilities and amenities, but based on expressed needs (initially articulated through applications), sustainability and social inclusion, the process being guided by such research, needs analysis and plans as are or will be available.

Where those living as a result of development in one area (district electoral division or electoral area) require or use facilities in another area, it is envisaged that funding may be transferred on an inter-area or intra-area basis to assist in the provision of those facilities.

Furthermore, where those living as a result of development in a particular location require or use facilities in an adjoining town, which is a separate local authority (i.e. Thurles Town Council, Nenagh Town Council and Templemore Town Council), it is envisaged that funding may be transferred between the County Council and the Town Councils to assist in the provision of these facilities.

#### **Strategy and Aims**

A number of strategies have identified needs in the county related to the provision of open spaces, recreational and community facilities and amenities and landscaping works. The County Development Plan includes policies to: –

- ensure that adequate amenity and recreational open space and facilities, including community facilities and centres, are available for all groups of the population at a convenient distance from their homes and places of work;
- encourage developers to pool land in order to satisfy open-space requirements to allow the provision of large multi-purpose (e.g. parkland and playing pitches) amenity areas as well as small incidental open spaces within housing areas;
- promote the provision of public playgrounds and parks in all settlement centres;
- seek the provision and suitable management of Local Areas for Play and Local Equipped Areas for Play in new housing estates and to implement measures to find suitable sites for their provision in existing residential areas;
- seek to retain and incorporate key landscape features such as trees, stone walls, streams, etc. into open space and landscape plans for new developments in order to create distinctiveness of landscape and a sense of identity;
- protect mature trees and provide new woodland areas, particularly on the edge of towns and villages; and
- seek the provision of arts, cultural and entertainment facilities, new works of art or performing spaces in association with new development proposals, where appropriate.

While much research work and planning remains to be done, it is clear that the present provision for community facilities in the county is inadequate. Investment is required to assist community-based projects, which aim for the social, recreational, amenity and cultural betterment of their community and which are:

- well founded;
- well supported by their community, financially and otherwise;
- preferably based on a co-operative proposal from several groups so as to create a better and more sustainable use of resources by sharing facilities;
- based on an acknowledgement of, and/or provision for, social inclusion;
- are recognised by the Council as being the main provider of a particular service to all members of the public in a particular community area;
- formulated within the context of the existing and future plans and strategies of North Tipperary Local Authorities and other agencies; and
- ensuring that the facilities or parts of the project directly assisted by the Scheme are available to all members of the community.

Types of facilities and works proposed for eligibility under this Scheme of Capital Grants could include: sporting facilities; children's playgrounds; facilities for youth and senior citizens; multi-functional community halls; community resource centres; arts and library facilities; parks and walks; and heritage sites.

The process will firstly be based on expressed needs (initially articulated through applications) and then by such research, needs analysis, strategies and plans as are or will be available. It is estimated that in the period 2011-2012 a sum of €1,348,916 will be required to begin the task of providing community facilities within the principles listed above. It is hoped to assist the development, in each electoral area, of:-

- an adequate number of sporting pitches;

- access to a sustainable number of larger indoor/outdoor sporting centres and cultural facilities;
- access to basic community facilities (hall, meeting rooms, day care centre, childcare, etc.);
- access to amenity and heritage areas;
- other facilities

all at an appropriate level.

The finance will be distributed over the four electoral areas of the county as received with provision for fund transfer between electoral areas, and into town council areas, where projects similarly draw their audiences or clients across electoral boundaries.

### **The Scheme**

1. Funds will be provided on the basis of expressed need, where there is a genuine lack of such facility proposed and where there is provision for public access, community support, social inclusion and sustainability.
2. North Tipperary Local Authorities reserves the right to conduct, commission or review research on the social, economic and cultural needs of the county and, in particular, on the need for recreational and community facilities and amenities and to modify the Scheme and its administration, or not, accordingly.

### **Administration of the Scheme**

2. Applications must be from a legally constituted, not for profit, club or association which: –
  - (a) is registered and in good standing with its national representative body, if any;
  - (b) has a constitution or rules approved by North Tipperary Local Authorities;
  - (c) holds annual general meetings;
  - (d) is open to new members, without discrimination, from the area which the club or association serves; and
  - (e) has made audited financial, investment and other records (including all bank and other account details) available to North Tipperary Local Authorities.

Applications for funding must be submitted on the appropriate application form and all relevant and necessary supporting information must be included. Incomplete applications may be returned or delayed.

Applications for funding shall be twice yearly. The beneficiary must produce appropriate satisfactory evidence of clear and valid title, or an agreement to acquire title, to the lands or buildings to be funded under the Scheme. Where title is leasehold the interest must be for a minimum of 10 years and such matters shall be taken into consideration by the local authority in deciding the amount of grant to be paid. Projects can be sited on Council owned land provided that this is with the prior approval of the Council.

Grant-aided facilities shall not be alienated, assigned, sold or otherwise disposed of without the consent of the relevant local authority.

Applications for funding will normally only be accepted for capital works which have not yet taken place. Works can start after the application has been lodged with the Director of Community and Enterprise's office but it is to be clearly understood that acceptance of an application does not mean that a project will be funded. Grants will only be paid out retrospectively.

Applications for funding for capital works already undertaken may be accepted, at the assessment committee's discretion but only for works undertaken since 1 January, 2011 the date of introduction of the Development Contribution Scheme.

Successful applicants must enter into a legal agreement conferring the right on the local authority at its absolute discretion to seek a refund of the grant paid, in whole or in part, where the facility is disposed of at any time or if the applicant ceases its activities.

Where an application for funds is rejected, the applicant may return it asking for the decision to be reviewed and giving the reasons and/or information why the application should be reviewed.

Administrative and other requirements may be revised or altered by the assessment committee.