

DEVELOPMENT CONTRIBUTION SCHEME 2013



WEXFORD COUNTY COUNCIL PLANNING AUTHORITY AREA

Website: www.wexford.ie

Introduction

Wexford County Council is obliged to periodically consider the Development Contributions Scheme. The previous County Council Scheme was approved in 2007. This Scheme will have regard to the Guidelines for Planning Authorities on Development Contributions issued in January 2013. The main purpose of the review was to provide a number of reductions to the contributions charged to developments. The reductions are targeted to encourage economic development and job creation in sectors.

- This Scheme relates to the functional area of Wexford County Council.
- Phasing payments will be considered to promote development.
- The Scheme will be in place from 14th October, 2013, for a minimum of 3 years unless otherwise replaced or modified.
- The Scheme will continue in place until such time as the Scheme is revised or replaced.
- Should a change to any of the determinants underpinning this Scheme be of such magnitude that they materially affect this Scheme, the Council reserves the right to revise this Scheme.
- The Scheme will apply to all decisions from the date of adoption of the scheme by the County Council

Development Contribution Rates

As in the 2007 Scheme, development contributions shall be paid in respect of the following classes of public infrastructure and facilities for development in the Wexford County Council Planning Authority Area including Gorey Town:

Exemptions

The following categories of development will be exempted, or partly exempted, from the requirement to pay development contributions under the 2013 Scheme:

In accordance with Article 157 of the Planning and Development Regulations, 2001 when a planning application consists of or comprises development, which in the opinion of the Planning Authority, is development proposed to be carried out by, or on behalf of, a voluntary organisation, and which in the opinion of the Planning Authority –

- (a) is designed or intended to be used for social, community, sports, childcare, 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 of gain, and or
- (b) is designed or intended to be used as a workshop, training facility, hostel (non tourist) or other accommodation for persons with disabilities and is not to be used mainly for profit or gains, **or**
- (c) is ancillary to development referred to in paragraph (a) or (b); such developments shall be exempt from Planning Contributions.

The provision of Social Housing units, including those which are provided in accordance with an agreement made under Part V of the Planning and Development Act 2000 (as amended), or which are provided by a voluntary or co-operative housing association which is recognised as such by the Planning Authority shall be exempt.

On submission of appropriate documentary evidence from the Department of Agriculture, development levies will not apply in respect of agricultural development that :-

- are deemed necessary to comply with the Nitrates Directive (91/976/EEC) when no intensification is proposed.
- are deemed necessary to comply with the Animal Welfare Directive when no intensification is proposed.
- provide for the development of glasshouses or polytunnels.

The development of Primary and Secondary schools, Post Secondary, Third Level Colleges and/or facilities will not attract development charges.

Development for which a disabled person's grant is being paid will not attract development charges.

Development charges will be exempt on developments restoring buildings which are listed on the Register of Protected Structures. Normal contributions will apply to extensions and new construction within the curtilage of the Protected Structure.

Development charges will be exempt where the development consists of refurbishment works to a site or structure which, in the opinion of the Local Authority, is a Derelict Site or is listed in the Derelict Sites Register.

Clean Filling e.g. topsoils and clays. It is proposed not to charge contributions. The exemption is provided to promote development as such fill applications often relate to clean waste from site development works. It is also noted that many of these types of developments can be exempt from planning control when restoring land or bringing into agricultural use.

Non-commercial graveyards will not attract development charges.

Incentives (Discounting /Credit)

Where a habitable house on site is being demolished, or has been destroyed by fire or flood, credit will be given against contributions due for the area (sq. m.) of the demolished dwelling in the event of the replacement of the former structure. Evidence to be provided of utility bills to confirm the dwelling has been in continuous use and to confirm the floor area of the existing dwelling.

Where commercial development on site is being demolished as part of the development, credit will be given against contributions due for the area (sq. m.) of the demolished building in the event of redevelopment on site/structure. Evidence to be provided.

Where development results in a change of use, credit will be given against contributions due in respect of the development e.g. change of use from industrial to retail only the difference in the per m./sq. floor area would be charged – no negative levies will apply or credit be carried forward.

Incentives will be provided to those who utilise mechanisms to promote the use of green energy in all buildings. Deduction of between 10% to 50% should be applied to developments that encourage renewable energy and energy conservation. Provisional BER Certificates must be submitted as part of the planning application to avail of the discount. It is necessary for energy conservation to be given consideration in the design process in order to maximise energy use. The deductions will be applied in the planning permission as follows;

50% reduction for 0 % energy use

30 % reduction for A1

20 % reduction for A2

10 % reduction for A3

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A reduction of 50% in contributions will be provided for development of properties within town centres that have been vacant for a 12 month period or greater. Evidence to be provided.

Credit will be given against contributions due in respect of car parking spaces in the event of a change of use from a dwelling in Town/ Village Centres. No negative levies will apply or credit will accrue.

Reduced rates for temporary permissions, other than quarries, shall apply to be calculated as follows:

- 33% of normal rate for permission of up to 3 years
- 50% of normal rate for permission of up to 5 years
- 66% of normal rate for permission of up to 10 years
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Dry agriculture developments such as grain storage etc. will be exempt from any Water Contributions.

In accordance with Objective ED38 in the adopted Wexford County Development Plan 2013 – 2019, it is proposed to reduce contributions for retail development within the town centre zoning of the towns of Enniscorthy, Gorey, New Ross and Wexford, but will also include larger zoned village centres such as Bunclody. Retail developments outside of the town/village centre zoning which have a floor area above 500 sq. m. will be applied at the same rate as attended in the 2007 scheme.

Reduction in levies may be applied to projects/businesses in receipt of grant aid or support from IDA/Enterprise Ireland or Local Development Agencies or projects that support the Government Jobs initiative. This deduction would be determined in consultation with the County Manager or the Director of Enterprise.

Residential

Residential	Per square metre - €
Water	7.00 If connected
Waste Water and Drainage	10.00 If connected
Roads	7.00
Recreational & Community	4.00
Total	28.00

Extension to an existing residential unit

The charge to be applied is the residential charge per square metre for every square metre and where the first 40 square metres are not chargeable e.g. an extension of 60 square metres would attract a charge for 20 square metres.

Residential	Per square metre - €
Water	7.00 If connected
Waste Water and Drainage	10.00 If connected
Roads	7.00
Recreational & Community	4.00
Total	28.00

Detached Domestic Garage

The first 25 square metres are not chargeable e.g. a garage of 40 square metres would attract a charge for 15 square metres. It is noted that water and waste water charges will not normally apply

Residential	Per square metre - €
Water	3.50 If connected
Waste Water and Drainage	5.00 If connected
Roads	3.50
Recreational & Community	2.00
Total	14.00

** Note "Attached" Garage is considered within the gross floor space and is not considered incidental to the primary purpose.*

Mobile Homes on Housing Development Sites in Rural Areas

Temporary mobile homes placed on site (normally 2 year temporary condition) shall be exempt from contributions.

Warehousing

Contributions will be charged separately on the warehousing element of any activity.

Warehousing	Per square metre - €
Water	1.00
Waste Water and Drainage	2.00
Roads	6.00
Recreational & Community	4.00
Total	13.00

Manufacturing

Contributions will be charged separately on the manufacturing element of any activity.

Manufacturing etc.	Per square metre - €
Water	4.00
Waste Water and Drainage	6.50
Roads	6.00
Recreational & Community	4.00
Total	20.50

Offices.

Contributions will be charged on the separate office elements of warehousing, retail, commercial and/or manufacturing concerns etc. including outdoor activities.

Offices	Per square metre - €
Water	4.00
Waste Water and Drainage	6.50
Roads	6.00
Recreational & Community	4.00
Total	20.50

Retail

Retail concerns within Town Centres and Village centres, within the Council's functional area, or less than 500 sq. m. floor area in all other areas, reduced contributions apply. Activities such as Banks, Cafes Take-Aways, Shops and Bulky Goods Sales etc. will be included at this rate.

Retail	Per square metre - €
Water	4.00
Waste Water and Drainage	6.50
Roads	6.00
Recreational & Community	4.00
Total	20.50

Retail developments outside Town Centres and Village centres above 500 sq.m, the contribution rate will remain (inline with 2007 contributions for retail).

Retail	Per square metre - €
Water	8.00
Waste Water and Drainage	13.00
Roads	17.00
Recreational & Community	5.00
Total	43.00

Commercial

Includes activities such as Crèches, Leisure Centres, Hotels/Hostels, Doctors Surgeries, Motor Sales (buildings), Nightclubs and Bars and

Commercial	Per square metre - €
Water	4.00
Waste Water and Drainage	6.50
Roads	6.00
Recreational & Community	4.00
Total	20.50

Al fresco dining areas, decks, roof terraces, smoking areas etc. in restaurants, bars, hotels/guesthouses, leisure centres etc.

Due to its seasonal nature and occasional use, the contributions charge will be 50% of the commercial rates as above.

Al fresco dining areas, decks, roof terraces, smoking areas etc.	Per square metre - €
Water	2.00
Waste Water and Drainage	3.25
Roads	3.00
Recreational & Community	3.00
Total	11.25

Golf Courses, Pitch and Putt Courses, Commercial Sports Pitches, Outdoor Leisure, Race Courses, Commercial Graveyards etc.

Golf Courses etc.	€
Water	0.00
Waste Water and Drainage	0.00
Roads	110.00 per hectare
Recreational & Community	50.00 per hectare
Total	160.00 per hectare

Storage Areas, Hardstanding Areas, Builders Yards, Scrapyards, Car Sales, Car Dismantlers at commercial premises

Storage Areas, Scrapyards etc.	€
Water	0.00
Waste Water and Drainage	0.00
Roads	5.00 per sq. metre
Recreational & Community	2.00 per sq. metre
Total	7.00 per sq. metre

External Retail Areas (public access areas) in Garden Centres, DIY/ Builders Yards, Outdoor Markets, Petrol Pumps, Car Boot Sales at commercial

External Retail Areas etc.	€
Water	0.00
Waste Water and Drainage	0.00
Roads	5.00 per sq. metre
Recreational & Community	2.00 per sq. metre
Total	7.00 per sq. metre

Extractive Industry (Quarries)

Development charges will be due on the 1st of April each year based on the previous years' activity. Hardstanding areas and processing areas will be charged appropriately. No charge will apply to infill/landfill.

Extractive Industry (Quarries)	€
Water	0.00
Waste Water and Drainage	0.00
Roads	30c (€0.30) per cubic metre per annum
Recreational & Community	5c (€0.05) per cubic metre per annum
Total	35c (€0.35) per cubic metre per annum

Commercial Wind Turbines

Turbines above 50m the following will apply. Developments may also be subject to Special Contributions.

Commercial Wind / Water Turbines	€
Water	0.00
Waste Water and Drainage	0.00
Roads	8,000 each
Recreational & Community	10,000 each
Total	18,000 each

Telecommunication Masts

As required by the “Development Contributions Guidelines for Planning Authorities” reductions will apply to temporary permissions. Mast sharing and erection of equipment on buildings will be exempted from contributions.

Masts		33%	50%	66%
		3 years	5 years	10 years
Water	0	0	0	0
Waste Water and Drainage	0	0	0	0
Roads	3,000	1,000	1,500	2,000
Recreational & Community	3,000	1,000	1,500	2,000
Total	6,000	2,000	3,000	4,000

Mobile Homes / Caravans / Touring Pitches

The following will apply to tourist caravan sites

Mobile Homes / Chalets /Touring Pitch	Per pitch
Water	500.00 If connected
Waste Water and Drainage	500.00 If connected
Roads	500.00
Recreational & Community	500.00
Total	2000.00

Nursing Homes

Residential	Per square metre - €
Water	7.00
Waste Water and Drainage	10.00
Roads	7.00
Recreational & Community	4.00
Total	28.00

Agriculture

First 500 sq. m. are exempt from contributions.

Example floor area of 800 sq. m. would be charged on 300 sq.m.

“Dry” agriculture developments such as grain storage etc. are exempt from water contributions and sewer connection is not expected in most cases.

Agriculture	Per square metre - €
Water	1.00 If connected over 500 sq.m.
Waste Water and Drainage	1.00 If connected over 500 sq.m.
Roads	1.00 over 500 sq.m.
Recreational & Community	1.00 over 500 sq.m.
Total	4.00 over 500 sq.m.

Car Wash

Charge shall be applied for each proposed car wash bay. Drive-through hand carwash will be considered as a single bay. Ancillary buildings, e.g.

Car wash	Each carwash bay
Water	€1,000
Waste Water and Drainage	€1,000
Roads	€1,000
Recreational & Community	€200
Total	€3,200

Car Parking

Car parking contributions are required when there is a shortfall or no provision of

off-street parking proposed to service the development. The “gross floor space” shall be used for calculations purposes.

Car parking will be charged if a change of use results in an intensification of the use of the property which requires additional parking. Credit will be applied for the authorised use, e.g. if the existing use requires 5 spaces

Car Parking	Per space - €
All areas	€500

Power Transmission

Contribution will apply to each tower which supports overhead power lines above 220kV

Power transmission lines	Per pylon / tower Community/ Amenity
Per pylon above 220kV	€2,000

Indoor Amusement Arcades, Betting Shops and Casinos.

This applies to uses which involve gambling or elements of gambling. A flat rate of €5,000 will be applied for community/amenity in addition to the per sq.m floor rate.

Amusement Arcades	
Water	€8
Waste Water and Drainage	€13
Roads	€17
Recreational & Community	€5,000 plus €4 per sq.m
Total	€5,000 plus €42 per sq.m

Public Water Supply Services

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

- (a) the provision of water treatment 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/or (b) above; and
- (d) any matter ancillary to (a) and/or (b) and/or (c) above.

Surface Water / Waste Water Drainage Services

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

- (a) the provision of sewers, waste water treatment facilities, flood reliefwork and drains;
- (b) the refurbishment, upgrading, enlargement or replacement of sewers, waste water treatment facilities, and drains;
- (c) the acquisition of land in respect of (a) and/or (b) above; and
- (d) any matter ancillary to (a), and/or (b) and/or (c) above.

Road Infrastructure

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

- (a) the provision of boundary treatment, landscaping works, planting and flood reliefworks and/or footpaths;
- (b) the provision of roads and/or footpaths;
- (c) the refurbishment, upgrading, enlargement or replacement of roads and/or footpaths;
- (d) the acquisition of land in respect of (a) and/or (b) and/or (c) above; and
- (e) any matters ancillary to (a) and/or (b) and/or (c) and/or (d) above.

Recreational, Community, Heritage and Amenities

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

- (a) the provision and refurbishment of recreational, community, amenities and public facilities including public heritage projects;
- (b) the acquisition of land in respect of (a) above; and
- (c) any matters ancillary to (a) and/or (b) above.

Car Parking Facilities

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

- (a) the provision of car-parking facilities.
- (b) the acquisition of land in respect of (a)
- (c) any matters ancillary to (a) and/or (b) above.

Clarifications and Definitions

No negative levy (i.e. no credit shall accrue) will be charged as a result of the calculation of development charges due to the issue of a grant of permission e.g. change of use etc.

Gross Floor Space: The area ascertained by the internal measurement of the floor space on each floor of a building (including internal walls and partitions), disregarding any floor space provided for the parking of vehicles by persons occupying or using the building or buildings where such floor space is incidental to the primary purpose of the building. (S.I. 600 of 2001 Planning and Development Regulations 2001).

* Note “Attached” Garage is considered within the gross floor space and is not considered incidental to the primary purpose.

Inclusion of units in the Local Authority Leasing Programme **does not exempt** the owner/developer from the payment of development charges in respect of said units.

Nursing Home Developments: Applications for Nursing Home Developments will be charged at Residential rates as per scheme.

Payments of Contributions, Appeals and Terms and Conditions

Payment of Development Contributions

This Scheme applies to all developments in the functional area of the Planning Authority.

Contributions due with regard to permission for retention will become payable on issue of the final grant of permission. All other contributions will become payable upon commencement of development or as otherwise stated in the final grant of permission or as subsequently agreed.

Where a contribution is not paid in accordance with the terms of the Scheme, the Planning Authority may recover any sums outstanding, together with interest, from the date the contribution becomes payable.

Wexford County Council may facilitate the phased payment of contributions due in accordance with the terms of this scheme, and may require the giving of security to ensure the payment of contributions. The payment of contributions on a phased basis will be assessed on a case-by-case basis. Consideration will be given to defer payments in appropriate circumstances, where the development is of social, cultural or economic importance or where the development is located within the HUB, larger towns, district towns and/or strategic growth areas and local growth areas as determined within the core strategy

Wexford County Council may recover, as a simple contract debt in a Court of Competent Jurisdiction, any contributions and interest due to it under the terms of this scheme or by the enforcement for non compliance of Planning Conditions.

Indexation:

The above rate of contribution may be adjusted annually from the 1st January using the Wholesale Price Indices – Building and Construction (Capital Goods) published by the Central Statistics Office.

Appealing Development Contributions

In accordance with section 48 (10) of the Planning and Development Act 2000 (as amended), a developer can only appeal a general development contribution on the basis that the terms of the scheme were not properly applied.

Special Contributions and Supplementary Development Contribution Scheme.

In addition to the requirements of this scheme, Wexford County Council may require the payment of a special contribution in respect of a particular development where specific costs are not covered by this scheme or incurred in respect of public infrastructure and facilities which benefited the proposed development. Where payment of such a contribution is required, a planning condition shall be attached to specify the particular works carried out or proposed to be carried out by Wexford County Council or any other local authority. If the works in question are not commenced within five years (under the 2010 Act – or final instalment thereof, if paid by phased payment) or completed within seven years (under the 2010 Act – or final instalment thereof, if paid by phased payment), the applicant shall be refunded a special contribution or an appropriate portion thereof plus any interest which may have accrued over the period while the contribution was held by Wexford County Council. However, where some expenditure has been recorded within the required period in respect of a portion of the works proposed to be carried out, any refund shall be in proportion to those works which have not been carried out.

Unlike general development contributions, these levies can be appealed. If the contribution only is being appealed, An Bord Pleanála can only consider this aspect of the planning decision.

The Planning Authority must issue the decision to grant following the appeal period, as long as the developer lodges security with the Planning Authority for the full amount of the contribution until the appeal has been decided.

In addition to this Scheme, the Council may adopt a Supplementary Development Contribution Scheme (Section 49 of the Planning and Development Act 2000 as amended by the Planning and Development (Amendment) Act 2010). The supplementary development contribution will only apply when a particular public infrastructure or facility is being provided which will directly benefit the development(s) on which the contribution is imposed. It may apply to light rail or other public transport infrastructure, or to water/waste water services.