

DEVELOPMENT CONTRIBUTION SCHEME 2018

WEXFORD COUNTY COUNCIL PLANNING AUTHORITY AREA

Introduction

Wexford County Council is obliged to periodically consider the Development Contributions Scheme. The previous County Council Scheme was approved in 2013. This Scheme will have regard to the Guidelines for Planning Authorities on Development Contributions issued in January 2013. Any 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 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 2013 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.

Public Water Supply Services

Responsibility for water services (i.e. water supply and waste water) nationally rests with Irish Water (Uisce Eireann). Wexford County Council is carrying out the majority of its previous functions by way of a Service Level Agreement (SLA) with Irish Water (Uisce Eireann).

In accordance with the terms of the Water Services (No. 2) Act 2013, a charge in respect of water services infrastructure provision, in respect of developments granted planning permission after 1st January 2014, is levied and collected by Irish Water (Uisce Eireann).

No development contributions are therefore to be levied locally for water and wastewater infrastructure.

Waste Water Drainage Services

Responsibility for water services (i.e. water supply and waste water) nationally rests with Irish Water (Uisce Eireann). Wexford County Council is carrying out the majority of its previous functions by way of a Service Level Agreement (SLA) with Irish Water (Uisce Eireann).

In accordance with the terms of the Water Services (No. 2) Act 2013, a charge in respect of water services infrastructure provision, in respect of developments granted planning permission after 1st January 2014, is levied and collected by Irish Water (Uisce Eireann).

No development contributions are therefore to be levied locally for water and wastewater infrastructure.

Road Infrastructure (To include Surface Water and Public Lighting)

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

- (a) Surface Water to include extensions to surface water network.
- (b) Surface Water Attenuation
- (c) Flood Defence/Flood Relief Schemes
- (d) Coastal Flooding Protection
- (e) the provision of public boundary treatment, public landscaping works, public planting and flood relief works and/or footpaths;
- (f) the provision of roads and/or footpaths;
- (g) the refurbishment, upgrading, enlargement or replacement of roads and/or footpaths, bus lanes, bus stops, cycle lanes, cycle paths, traffic management, minor improvements to infrastructure such as road/junction improvements.
- (h) the acquisition of land in respect of (a) and/or (b) and/or (c) above; and
- (i) any matters ancillary to (a) and/or (b) and/or (c) and/or (d) above.

Recreation, Community, Heritage and Amenities

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

- (a) the provision and refurbishment of Recreation, 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 including park & walk & park & ride.
- (b) the acquisition of land in respect of (a)
- (c) any matters ancillary to (a) and/or (b) above.

Residential (Including Extensions & Nursing Homes)

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 - € |
|------------------------|---------------------------------|
| | |
| Roads | €7.00 |
| Recreation & Community | €4.00 |
| Total | €11.00 per M² |

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.

| Detached Domestic Garage | Per square metre - € |
|---------------------------------|--------------------------------|
| | |
| Roads | 3.00 |
| Recreation & Community | 2.00 |
| Total | €5.00 per M² |

** 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 permission) shall be exempt from contributions.

It is proposed to amalgamate Warehousing, Manufacturing, Offices & Commercial under the one heading of Commercial

Commercial (Warehousing/Manufacturing/Office/Commercial)

| Commercial | |
|------------------------|---------------------------------|
| | |
| Roads | 6.00 |
| Recreation & Community | 4.00 |
| Total | €10.00 per M² |

Hotels

| Hotels | |
|------------------------|--------------------------------|
| | |
| Roads | 3.00 |
| Recreation & Community | 2.00 |
| Total | €5.00 per M² |

Retail

Activities such as Banks, Cafes Take-Aways, Shops and Bulky Goods Sales etc. will be included at this rate.

| Retail | Per square metre - € |
|------------------------|---------------------------------|
| | |
| Roads | 6.00 |
| Recreation & Community | 4.00 |
| Total | €10.00 per M² |

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

| Golf Courses etc. | € |
|--------------------------|----------------------------|
| | |
| Roads | 110.00 per hectare |
| Recreation & Community | 50.00 per hectare |
| Total | €160.00 per hectare |

External Areas/Retail Storage & Other

| External Areas/Retail Storage & Other | Per square metre - € |
|--|--------------------------------|
| | |
| Roads | 3.00 |
| Recreation & Community | 2.00 |
| Total | €5.00 per M² |

Extractive Industry (Quarries)

Development charges will be due on the 1st of April each year based on the previous 12 months' activity. Hardstanding areas and processing areas will be charged appropriately. No charge will apply to infill/landfill .

Planning contributions for applications for retention of quarries will be payable within 2 months of the date of the final grant of permission. Planning contributions for planning applications for a proposed quarry, or proposed extended quarry, will be calculated based on total abstraction. Phased payments based on annual abstraction levels may be considered.

| Extractive Industry (Quarries) | Per Cubic Metre - € |
|---------------------------------------|------------------------------|
| | |
| Roads | 0.30 |
| Recreation & Community | 0.30 |
| Total | €0.60 per Cubic Metre |

Energy including Renewable

Turbines above 50m. Developments may also be subject to Special Contributions.

| Energy including Renewable | Per Mega Watt - € |
|----------------------------|-------------------------|
| | |
| Roads | 800.00 |
| Recreation & Community | 1,200.00 |
| Total | €2,000.00 per MW |

Solar Farms

| Solar Farms | Per Mega Watt - € |
|------------------------|-------------------------|
| | |
| Roads | 500.00 |
| Recreation & Community | 1500.00 |
| Total | €2,000.00 per MW |

Touring Pitches/Mobile Homes/Caravans

| Touring Pitches/ Mobile Homes/Caravans | Per pitch |
|---|----------------|
| | |
| Roads | 200.00 |
| Recreation & Community | 200.00 |
| Total | €400.00 |

Agriculture

First 500 sq. m. are exempt from contributions.

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

| Agriculture | Per square metre over 500 M ² - € |
|------------------------|--|
| | |
| Roads | 1.00 |
| Recreation & Community | 1.00 |
| Total | €2.00 Per square metre over 500 M² |

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. for vehicle valet, will be calculated as commercial.

| Car wash | Per Bay |
|------------------------|----------------|
| | |
| Roads | €300.00 |
| Recreation & Community | €200.00 |
| Total | €500.00 |

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 and the proposed use requires 7 spaces, payment would be required for 2 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.

| | |
|------------------------|----------------------|
| Amusement Arcades | Per square metre - € |
| | |
| Roads | €6.00 |
| Recreation & Community | € 4.00 |
| Total | €10.00 |

Exemptions

Exemptions - No exemptions shall apply to any applications for retention of development.

The following categories of development will be exempted, or partly exempted, from the requirement to pay development contributions under the 2017 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, Recreation, 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 gain, **or**
 - (d) 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 from the payment of planning contributions.

Units supplied under a Payment and Availability agreement (P&A Agreement) will also qualify for an exemption from development contributions provided the term of the agreement is 30 years or longer.

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.

Development charges will be exempt on any technical telecommunications infrastructure, both mobile and broadband (e.g. masts, substations, power connections and security fencing).

Incentives (Discounting /Credit)

Incentives – No incentives shall apply to any applications for retention of development.

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 of 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 and NZEB (Nearly Zero Energy Buildings)

30 % reduction for A1

20 % reduction for A2

10 % reduction for A3

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. Proof of vacancy must be provided by the applicant, at the time of submitting the planning application, such as written confirmation from an established auctioneer/valuer to determine the period of vacancy.

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

Reduction in levies may be applied to projects/businesses in receipt of grant aid or support from IDA/Enterprise Ireland or Local Enterprise Office or projects that support the Government Jobs initiative or to the provision of Broadband masts or infrastructure. This deduction would be determined in consultation with the Chief Executive or appropriate Director. Reduction in levies may also be applied for any developments associated with the provision of infrastructure /Buildings for the film industry any such reduction would be determined in consultation with the Chief Executive or appropriate Director.

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 within 2 months of the date 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 at the discretion of the Chief Executive, 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.

| Development Type | Roads | Amenity & Community | Total |
|--|--------------|--------------------------------|--|
| Residential (including Extensions ^(Note 1) & Nursing Homes) | €7.00 | €4.00 | €11.00 per m ² |
| Detached Garage First 25 m ² exempt | €3.00 | €2.00 | €5.00 per m ² |
| Commercial (Warehousing/Manufacturing/Offices/ & Commercial) | €6.00 | €4.00 | €10.00 per m ² |
| Hotels | €3.00 | €2.00 | €5.00 per m ² |
| Retail | €6.00 | €4.00 | €10.00 per m ² |
| Golf Courses etc. per hectare | €110.00 | €50.00 | €160.00 per hectare |
| External Areas/Retail Storage & Others | €3.00 | €2.00 | €5.00 per m ² |
| Extractive Industry (Quarries) | €0.30 | €0.30 | €0.60 per cubic metre |
| Energy including Renewables | €800.00 | €1,200.00 | €2000.00 per MW |
| Solar Farms | €500.00 | €1,500.00 | €2000.00 per MW |
| Touring Pitches/Mobile Homes/Caravans | €200.00 | €200.00 | €400.00 per pitch |
| Agriculture per m ² First 500 sq. m. exempt | €1.00 | €1.00 | €2.00 per m ² over 500 m ² |
| Carwashes per Bay | €300.00 | €200.00 | €500.00 per bay |
| Car Parking – All locations | €500.00 | | €500 per space |
| Power Transmission Per pylon above 220kV | €800.00 | €1200.00 | €2,000 per pylon |
| Indoor Amusement Arcades, betting offices, casinos per m ² | €6.00 | €4.00 | €10.00 per m ² |

Note 1

In the case of extensions, where the dwelling has not been extended previously, the first 40 square metres will be exempt.