

**Limerick County Council**

**Development Contribution Scheme**

**This Development Contribution Scheme was adopted by Limerick County Council on 19<sup>th</sup> December 2003, in accordance with the provisions of the Planning and Development Act, 2000.**

**Contribution Rates which apply from  
1<sup>st</sup> January, 2005 to 31<sup>st</sup> December, 2008**

# DEVELOPMENT CONTRIBUTION SCHEME

Limerick County Council

22<sup>nd</sup> December 2003

The Planning and Development Act, 2000 provides for the adoption of a development contribution scheme, which must be the basis for charging all future development contributions. The making of a development contribution scheme is a reserved function. Section 48 of the Act commenced on 11<sup>th</sup> March 2002.

Section 48 (1) of the Planning and Development Act 2000 outlines that a planning authority, when making a grant of permission may include a condition requiring the payment of a contribution in respect of public infrastructure and facilities. This section also indicates that such contributions may be related to works benefiting development in the "area of the planning authority" rather than facilitating the proposed development as in Section 26 (2) (h) of the Planning and Development Act 1963.

Section 48 (1) states that such contributions may be charged "regardless of other sources of funding for the infrastructure and facilities". This means that funding from the State and the EU is also reckonable. It is considered that since the Act no longer attributes contributions to specific developments, and treats the county as a single system, the contributions levied may fund public infrastructure and facilities throughout the county.

Three types of contributions are provided for under the 2000 Act:

1. **General Contribution** (Section 48 – principal contribution scheme).
2. **Supplementary Contribution Scheme** (Section 49). This Scheme will facilitate the provision of particular infrastructure, service or project, which will benefit the development on which the levy is imposed. This scheme will only be used where the project will bring a direct benefit to the development which it serves. Limerick County Council does not propose to make a Supplementary Contribution Scheme at this time but may do so, if necessary, at a future time.
3. **Special Contribution Scheme** (Section 48.2 c) The Planning Authority may require payment of a special contribution in addition to a contribution under the general scheme, where specific exceptional costs are incurred by the Local Authority in providing public infrastructure and facilities which benefit the proposed development and are not covered by the scheme.

## General Contribution Scheme (Section 48)

In accordance with the Act, infrastructural development carried out by Limerick County Council during the last seven years and infrastructural development, which is agreed to be carried out in the next seven years, can be included in the Contribution Scheme. Figures relating to spending from 7 years back to date and the projected figures for spending from the present to 7 years forward have been received from the relevant sections (Transport & Infrastructure, Roads (not including National Roads) and Water Services, Environment, Emergency Services & Consumer Protection, Community, Enterprise & Culture, and Planning & Development).

It is considered that while all properties in the County will benefit from infrastructural developments, which will occur in the future, they will not all benefit equally and this should be acknowledged. In regard to development existing pre 1995, it is considered that these properties have generally been provided with infrastructural services. Therefore, the benefit in relation to water services and roads infrastructure to these properties is approximated to

be only 50% of that to the new properties. Open space and community facilities are generally provided in conjunction with new residential development and therefore the benefit to older properties is considered to be 25% of that of the new properties. This was recognised in the preparation of the Scheme. It should be noted that contributions cannot be levied in regard to existing properties. Therefore, although the provision of infrastructural services facilitates all existing development, only a small portion of the cost of these infrastructural facilities can be recouped by levies on development over the next 7 years. It should also be noted that development contributions will not be charged in respect of social residential units which are provided in accordance with an agreement made under Part V of the Act or social units provided by approved housing bodies, and this has been taken into account in the preparation of the Scheme.

This draft scheme reflects the rural nature of County Limerick, the very large number of small settlements throughout the county and the many objectives, included in the County Development Plan and Local Area Plans, which address these factors. The development Contribution fund will be used to fund the provision of infrastructure to address the rural and dispersed settlement pattern of the county and for projects which are not likely to attract E.U or Government funding because of their relatively low rating in terms of national funding priorities. An example would be the funding of the Council's recent policy on "Water & Sewerage Services in Small Towns and Villages". This funding will allow Limerick County Council to enhance the provision of services and facilities to the community and this will be in addition to the normal funding provided by Government for these facilities.

The Act does not specify the lifetime of the Development Contribution Scheme though the Scheme shall be adopted for a specific period. The Development Contribution Scheme for Limerick County Council shall be for a period of five years in line with the time scale taken in the calculation of the scheme and with the first three years of the County Development Plan (due to be adopted April 2005). The Scheme will be reviewed every two years.

The Annual Report of Limerick County Council shall indicate the monies paid to and owed to the Council under Section 48 and how this money was spent.

The rates of contribution shall be adjusted annually from the date of adoption of the Scheme, using the Wholesale Price Index – Building and Construction, published by the Central Statistics Office. The revised contribution charges will be published as soon as possible after the relevant adjustments have been made.

### **Sections forming part of this Scheme**

The Scheme will be implemented on a phased basis, as set out in the following sections:

Section A (Page 6-8)	Contribution rates applicable from the date of adoption of this Scheme up to and including 4 <sup>th</sup> April 2004
Section B (page 10-14)	Contribution rates applicable from 5 <sup>th</sup> April 2004 up to and including 5 <sup>th</sup> September 2004
Section C (page 16-21)	Contribution rates applicable from 6 <sup>th</sup> September 2004 for the remaining period of the Scheme.
Note:	These rates apply to <b>DECISIONS</b> made on planning applications on or after these dates
Appendix A (page 22)	Basis for determining contribution in lieu of Open Space requirement.

## **Outline Permissions**

- 1) In the case of an Outline Permission decided after the adoption of the Scheme, the contribution rate will be that applicable when the decision to grant is made on the Permission Consequent on this Outline Permission.
  
- 2) In the case of an Outline Permission decided prior to the adoption of the Scheme but on or after 11 March 2002, the contribution rate will be as stated in the Outline Permission or if not stated, the rate applicable when the decision to grant is made on the Permission Consequent on this Outline Permission.
  
- 3) In the case of an Outline Permission granted before 11 March 2002, the contribution rate applicable to the Approval, is that stated in the Outline or if not stated, the contribution rate current at the time of decision on the Outline Permission.

**Section C**

**DEVELOPMENT CONTRIBUTION SCHEME**  
**Limerick County Council      December 2003**  
Section C-Applicable from 6<sup>th</sup> September 2004 for the remaining period of the Scheme

**A Environs (The zoned area in the District Development Plans for Castletroy, Southern Environs and Caherdavin)**

**Residential Development                      up to 200 square metres**

Water	<b>€1094</b>
Sewerage	<b>€2188</b>
Open Space/ Community and other public infrastructure and facilities as defined in Section 48 of the Planning and Development Act, 2000	<b>€2188</b>
Roads	<b>€6016</b>
<b>Total</b>	<b>€11486 per unit</b>

For development over 200 square metres the additional square metres will be charged at a rate of €57 per square metre.

**Note:**

Where a housing development is adjacent to an existing or proposed neighbourhood park, the developer, will only be required to provide 25% (i.e. 3.75% of the total site area) of the required open space within the residential development. Therefore, the remaining 75% (11.25% of total site area) becomes available for additional residential development and a contribution is payable to the Planning Authority in lieu of this land. See Appendix B.

Any other housing development in the Environs will be required to provide 50% of normal open space and to pay a contribution in lieu of the remaining 50%. See Appendix B.

**Apartments** are charged at 75% of a residential unit.

**Non- Residential Development – per 100 square metres**

Manufacturing	<b>€11486</b>
Offices	<b>€17000</b>
Retail/ Retail Warehouses	<b>€15161</b>
Warehouses	<b>€5743</b>

**Note:**

Development contributions in regard to non- residential development will be adjusted in line with the Water Pricing Framework.

**DEVELOPMENT CONTRIBUTION SCHEME**  
**Limerick County Council      December 2003**  
Section C-Applicable from 6<sup>th</sup> September 2004 for the remaining period of the Scheme

**B      Towns with Sewerage Schemes in place**

**Residential Development      up to 200 square metres**

Water	<b>€1094</b>
Sewerage	<b>€1094</b>
OS/ Community and other public infrastructure and facilities as defined in Section 48 of the Planning and Development Act, 2000	<b>€1094</b>
Roads	<b>€1860</b>
<b>Total</b>	<b>€5141 per unit</b>

For development over 200 square metres the additional square metres will be charged at a rate of €26 per square metre.

**Note:**

Where a housing development is adjacent to an existing or proposed neighbourhood park, the developer, will only be required to provide 25% (i.e. 3.75% of the total site area) of the required open space within the residential development. Therefore, the remaining 75% (11.25% total site area) becomes available for additional residential development and a contribution is payable to the Planning Authority in lieu of this land. See Appendix B

Any other housing development will be required to provide 50% of normal open space and to pay a contribution in lieu of the remaining 50%. See Appendix B.

**Apartments** are charged at 75% of a residential unit.

**Non- Residential Development – per 100 square metres**

Manufacturing	<b>€5141</b>
Offices	<b>€7603</b>
Retail/ Retail Warehouses	<b>€6782</b>
Warehouses	<b>€2571</b>

**Note:**

Development contributions in regard to non- residential development will be adjusted in line with the Water Pricing Framework.

**DEVELOPMENT CONTRIBUTION SCHEME**  
**Limerick County Council      December 2003**  
Section C-Applicable from 6<sup>th</sup> September 2004 for the remaining period of the Scheme

**C.      Other Towns & Villages (Key Settlements) without sewerage schemes      up to 200 square metres**

***Residential Development***

Water	<b>€1094</b>
Sewerage	
OS/Community and other public infrastructure and facilities as defined in Section 48 of the Planning and Development Act, 2000	<b>€1094</b>
Roads	<b>€1860</b>
<b>Total</b>	<b>€4047 per unit</b>

For development over 200square metres the additional square metres will be charged at a rate of € 18.5 per square metre.

**Non –Residential Development – per 100 square metres**

Manufacturing	<b>€4047</b>
Offices	<b>€6016</b>
Retail/ Retail Warehouses	<b>€5360</b>
Warehouses	<b>€1969</b>
Other non agricultural uses	<b>€4047</b>

**Note:**

- The charges set out above will apply to non-residential development in any location other than those listed in listed in A (Environs) or B (Towns with Sewerage Schemes in place).
- Development contributions in regard to non- residential development will be adjusted in line with the Water Pricing Framework.

**Apartments** are charged at 75% of a residential unit.

**DRAFT DEVELOPMENT CONTRIBUTION SCHEME**  
**Limerick County Council      December 2003**  
Section C-Applicable from 6<sup>th</sup> September 2004 for the remaining period of the Scheme

**D.      Individual houses outside settlements\_      up to 200 square metres**

Water	<b>€1094#</b>
Sewerage	
OS/Community_and other public infrastructure and facilities as defined in Section 48 of the Planning and Development Act, 2000	<b>€1094</b>
Roads	<b>€1860</b>
<b>Total</b>	<b>€2954/4047</b>

For development over 200 square metres the additional square metres will be charged at a rate of €17.50 per square metre.

# Will only apply if receiving a water supply from a public main (including Group Water Schemes receiving a water supply from a public main)

**Apartments** are charged at 75% of a residential unit.

The charges set out in C Non –Residential Development will apply to non-residential development in any location other than those listed in A (Environs) and B (Towns with Sewerage Schemes in place)

**DEVELOPMENT CONTRIBUTION SCHEME**  
**Limerick County Council      December 2003**  
**Section C-Applicable from 6<sup>th</sup> September 2004 for the remaining period of the Scheme**

Other Uses

Class of Development	Contribution
Agricultural development where the development exceeds the Environmental Impact Assessment threshold as specified in the Planning and Development Regulations, 2001-2002	€2871 per 100 square metres
The use of land for – a) the winning and working of minerals, including quarrying b) the deposit of refuse or waste	€1094 per hectare. In addition, a Special Contribution Scheme will be applied to these developments on an individual basis.
The use of land as a Golf Course or a Pitch and Putt Course	€219 per hectare. In addition, Club houses and other related buildings will be charged at €5743 per 100 square metres
The use of land for – a) the keeping or placing of any tents, campervans, caravans or other structures, for the purpose of caravanning or camping or the sale of goods b) the parking of motor vehicles c) the open storage of motor vehicles or other objects or substances	€5470 per hectare
The provision on, in over or under land of plant or machinery, or of tanks or other structures (other than buildings) for storage purposes	€219 per square metre
The provision of an advertising structure or the use of an existing structure or other land for the exhibition of advertisements	€15 per square metre of advertising
Wind Farm Development	€2188 per turbine
Telecommunication Masts/ Antennae	€2188 per mast/antenna
Development not previously mentioned in the Scheme	€5743 per 100 square metre.

**Note:**

Every development contribution shall be stated in the planning condition as being linked to the Wholesale Price Index – Building and Construction, which is released by the Central Statistics Office. The condition shall also state that the contribution figure will be adjusted annually from the date of adoption of the Scheme. The revised contribution charges will be published as soon as possible after the relevant adjustments are made.

**Reduced contributions where additional infrastructure is provided:**

Where a developer is required to provide infrastructure or facilities over and above that which is required to serve the proposed development, the Scheme allows for the payment of a reduced contribution or no contribution, in certain cases.

**Exemptions**

Exemptions from contributions may be granted in respect of the following categories:

- Social housing.
- Developments in towns and villages which represent residential infill. (1999 County Development Plan 2:11:1).
- Where an old or derelict dwelling is being reconstructed in sympathy with its existing character, or where an old building of character is being reused as a dwelling (1999 County Development Plan. Page 17, Pressure Areas) including protected structures.
- Where residential development is taking place on a site designated for tax incentives under the Urban or Town Renewal Schemes.
- Development by voluntary organisations/voluntary or co-operative housing bodies as outlined in Part 12, Article 157 (2) of the Planning & Development Regulations 2001.
- Community developments provided by non-profit making organisations.
- Provision of facilities by organisations which are considered to be exempt from planning fees as outlined in Part 12, Article 157(1a-c) of the Planning & Development Regulations 2001.
- Burial grounds
- The provision of overhead transmission or distribution lines for conducting electricity, or overhead telecommunication lines.

**APPENDIX A**  
**DRAFT DEVELOPMENT CONTRIBUTION SCHEME**  
**Limerick County Council      December 2003**

**Basis for determining contributions in lieu of reduction of Open Space requirement**

**Environs**

Cost of one acre of residential land ⇒ €273,475

**1. Development adjacent to existing or proposed neighbourhood park:**

Developer provides 25% (3.75% of total site) of required 15% open space  
Developer therefore gains remaining 75% (11.25% of total site) of 15% for development

11.25% of €273,475 = €30,766

@ 10: acre €30,766/10 = €3076

**Total charge €11486 + €3076 = €14562**

---

**2. Development not adjacent to existing or proposed neighbourhood park:**

Developer provides 50% (7.5% of total site) of required open space  
Developer therefore gains remaining 50% (7.5% of total site) of 15% for development

7.5% of €273,475 = €20511

@ 10:acre €20511/10 = €2051

**Total charge €11486 + €2051 = €13537**

---

**Towns and Villages with Sewerage Schemes in place**

Cost of one acre of residential land ⇒ €136737

**1. Development adjacent to existing or proposed neighbourhood park:**

Developer provides 25% (3.75% of total site) of required 15% open space  
Developer therefore gains remaining 75% (11.25% of total site) of 15% for development

11.25% of €136737 = €15383

@ 10:acre €15383/10 = €1538

**Total charge €5141 + €1531 = €6672**

---

**2. Development not adjacent to existing or proposed neighbourhood park:**

Developer provides 50% (7.5% of total site) of required open space  
Developer therefore gains remaining 50% (7.5% of total site) of 15% for development

7.5% of €136737 = €10255

@10:acre €10255/10= €1025

**Total charge €5141 + €1025 = €6166**

---