



**Leitrim County Council  
Comhairle Chontae Liatroma**

**DEVELOPMENT CONTRIBUTION SCHEME 2016 - 2019**



**7<sup>th</sup> NOVEMBER 2016**



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## 1. Introduction

Section 48 of the Planning & Development Act 2000 - 2015 (hereafter referred to as “the Act”) enables a Planning Authority when granting planning permission under Section 34 of the Act, to include conditions requiring the payment of a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided, or that is intended to be provided, by or on behalf of the Local Authority.

The Act stipulates that the basis for the determination of a contribution shall be set out in a Development Contribution Scheme. When new development takes place, it relies and impacts upon the capacity of existing infrastructure and places a greater demand on the services which are provided for by Leitrim County Council. It is considered equitable that developers or home owners contribute to the financial burden associated with the provision of enhanced infrastructure networks facilitating new development. However, the Development Contribution Scheme ensures that the cost of infrastructural improvements does not fall disproportionately on new development and takes account of benefit to existing development.

The making of the Development Contribution Scheme is a reserved function of the Elected Members of Leitrim County Council. This Development Contribution Scheme sets out the contributions which shall apply for a 3 year period from their approval at the bi monthly meeting of Leitrim County Council which took place on Monday November 7<sup>th</sup> 2016.

### 1.1. General Development Contribution Scheme

Subsection (2) & (3) of Section 48 of the Act specifies that a Development Contribution Scheme shall:

- set out the basis for determining the contributions to be paid in respect of public infrastructure and facilities, in accordance with the terms of the scheme;
- make provision for payment of different contributions in respect of different classes or descriptions of development;
- allow for the payment of a reduced contribution or no contribution in certain circumstances, in accordance with the provisions of the scheme;
- indicate the contribution to be paid in respect of different classes of public infrastructure and facilities which are provided, or to be provided by the local authority having regard to the actual estimated cost of providing the classes of public infrastructure and facilities, except that any benefit which accrues in respect of existing development may not be included in any such determination, and;
- facilitate the phased payment of contributions and may require the giving of security to ensure payment of contributions.

The types of ‘*public infrastructure and facilities*’ that can be funded by this mechanism are defined in Section 48 (17) of the Act as;

- 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, surface water drainage infrastructure and flood relief work,
- d) the provision of bus corridors and lanes, bus interchange facilities (including car parks for those 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 places,
- f) the provision of high-capacity telecommunications infrastructure, such as broadband,
- g) the provision of school sites, and
- h) any matters ancillary to paragraphs (a) to (g).

Whilst the Act provides for the inclusion of sewers, waste water and water treatment facilities, service connections and watermains along with their refurbishment, upgrade, enlargement or replacement, it is considered following the establishment of Irish Water inappropriate to include such *'infrastructure'* as being publicly provided by Leitrim County Council. This adheres to the provisions of Circular PS 21/2013 following the establishment of Irish Water whereby after January 1<sup>st</sup> 2014, Planning Authorities were no longer to seek development contributions with respect to water and waste water infrastructure. The provision of surface drainage infrastructure remains the responsibility of Local Authorities as such infrastructure tends to be associated with roads and car parking infrastructure.

The making of the Development Contribution Scheme is a reserved function of the Elected Members of the Local Authority and is a transparent process involving a wide consultation programme.

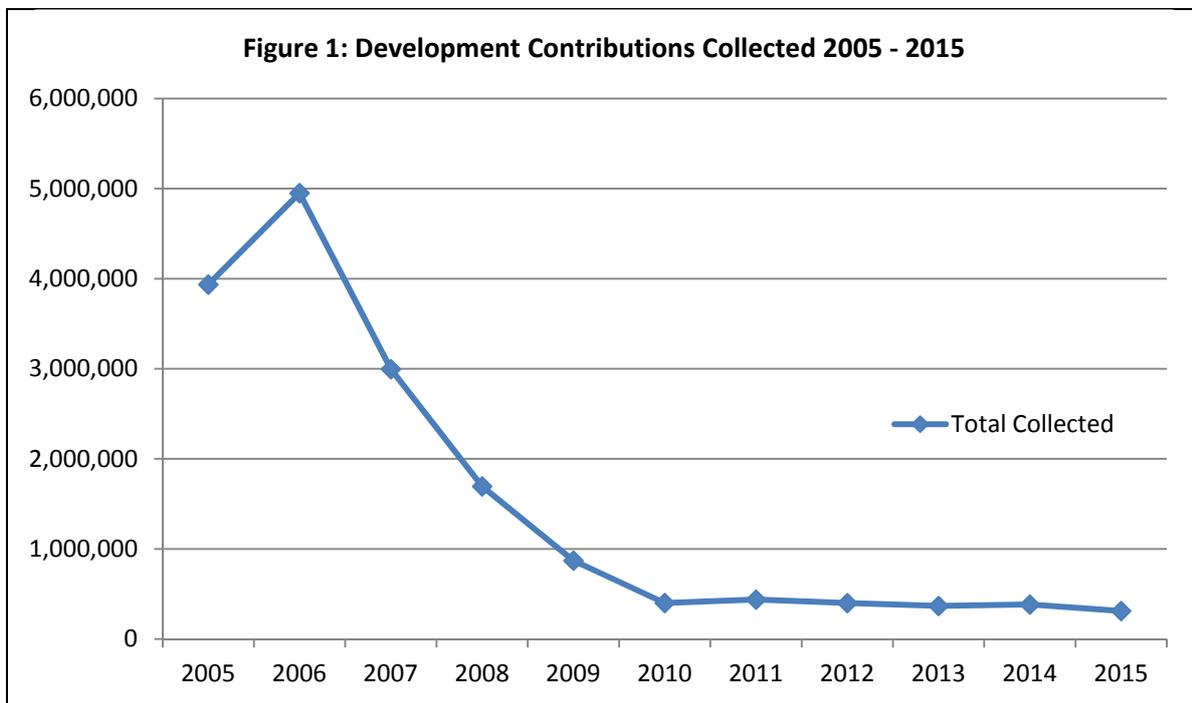
## 1.2. Special Development Contributions

In addition to the terms of a General Development Contribution Scheme, Leitrim County Council may require the payment of a Special Development Contribution in respect of a particular development where specific exceptional costs not covered by a scheme are incurred by Leitrim County Council in respect of public infrastructure and facilities which benefit the proposed development. Leitrim County Council will specify in a planning condition attached to the grant of planning permission the particular works carried out or proposed to be carried out to which the contribution relates. Example of developments which may require Special Development Contributions would be in the case of an intensive employment activity requiring an upgrade of a junction or of refurbishment or road widening works required to facilitate the transportation of abnormal loads associated with a wind farm development. The Act makes provision for the reimbursement of Special Development Contributions if the specified works are not carried out.

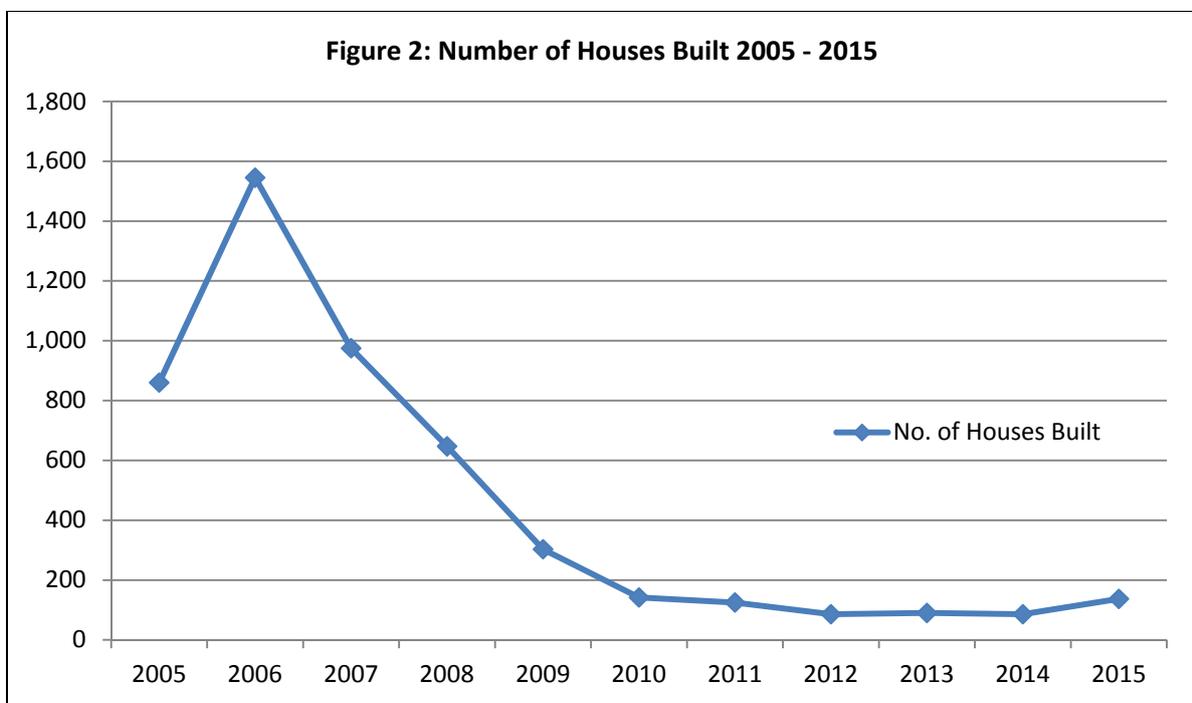
## 2. Review of Development Contribution Scheme 2005 - 2015

The Planning Department undertook a comprehensive review of the existing Development Contribution Scheme which has been in operation for the past 12 years. The existing Scheme was adopted on 1<sup>st</sup> March 2004 at a time of significant expansion in Ireland generally but particularly in County Leitrim due to the operation of the Upper Shannon Rural Renewal Scheme across the entire administrative area of the county. The existing Scheme applied to all applications received after 10<sup>th</sup> March 2004. The Scheme was updated by reference to the Consumer Price Index on an annual basis until 2008 but has not been altered since other than the removal of the component of the contributions which related to the provision of piped water services infrastructure following the establishment of Irish Water in 2014.

The Development Contribution Scheme was a very important revenue stream (capital side) in the initial years as evident in the graphic below.



The correlation of the development contributions collected over this period and the level of residential development is immediately evident from comparison to the graphic below.



In the analysis undertaken for the purposes of informing the preparation of the Development Contribution Scheme for 2016-2019, it was decided to omit the contributions collected which relate to water and waste water infrastructure. As outlined previously, Local Authorities are no longer

collecting contributions for this type of infrastructure since the establishment of Irish Water. The inclusion of this element of the contributions collected would misrepresent previous years in comparison to 2014 and 2015. The average yearly amount collected over the period 2012 - 2015 was €226,668. This compares to the peak of just under €5 million collected in 2005. This information is presented below in Table 1.

**Table 1 : Development Contributions Collected 2012 - 2015**

Year / Category	Roads	Health & Education	Recycling	Community Facilities	Car Parking	Yearly Total
<b>2012</b>	€76,159	€38,673	€23,147	€46,287	€6,257	€190,503
<b>2013</b>	€86,899	€71,822	€32,918	€52,897	€8,430	€252,966
<b>2014</b>	€83,330	€45,117	€23,435	€47,823	€12,849	€212,554
<b>2015</b>	€135,865	€46,534	€25,148	€42,871	€235	€250,653

The Planning Authority also examined, for comparison purposes, the extent of Development Contributions which have been included as conditions of planning permissions granted over the past 5 years. This information is presented below in Table 2. This revealed that the average annual amount of Development Contributions which could be collected and are included as conditions of planning permissions was €260,453. There is the obvious qualification on this amount only being forthcoming in the event of the planning permissions being implemented. This is unfortunately not the experience witnessed over the past 4 – 5 years particularly for some of the larger economic development projects. Equally, the analysis indicated the dependence on large individual development proposals commencing and also the inclusion of a significant amount being attributable to change of use applications for commercial developments which will be outside the provisions of the revised scheme.

**Table 2 : Contributions Included in Planning Permissions Granted 2011 - 2015**

Development Category	2011	2012	2013	2014	2015
<b>One off Houses</b>	€134,107	€75,270	€55,521	€32,762	€44,862
<b>Multiple Houses</b>	€22,600	€16,950	€3,450	€16,534	€27,100
<b>Extensions</b>	€10,726	€13,827	€19,618	€4,590	€4,929
<b>Quarry</b>	€9,250	€0	€0	€0	€29,250
<b>Commercial</b>	€95,732	€49,549	€43,926	€33,607	€17,554
<b>Enterprise &amp; Employment</b>	€0	€181,566	€7,420	€23,919	€56,404
<b>Education</b>	€0	€7,847	€3,325	€0	€5,598
<b>Wind farm</b>	€0	€37,500	€75,360	€0	€25,999
<b>Nursing Home</b>	€0	€0	€74,045	€41,568	€0
<b>Total</b>	<b>€272,415</b>	<b>€382,509</b>	<b>€282,665</b>	<b>€152,980</b>	<b>€211,696</b>

It is also worth noting that only 34% of all permissions granted by Leitrim County Council were subject to the provisions of the existing Development Contribution Scheme. Table 2 and 3 again demonstrate the importance of residential development to the amount of the Development Contributions collected and to the number of relevant planning permissions granted but not yet commenced. There is nothing to suggest from the above analysis that the amount of Development Contributions which have been collected over the past 4 -5 years will increase significantly on the basis of extant planning permissions.

**Table 3 : Number of Relevant Planning Permissions which include Development Contributions 2011 - 2015**

Development Category	2011	2012	2013	2014	2015
<b>One off Houses</b>	44	23	20	18	25
<b>Multiple Houses</b>	1	1	1	2	3
<b>Extensions</b>	13	20	17	6	11
<b>Quarry</b>	1	0	0	0	1
<b>Commercial</b>	10	12	15	13	5
<b>Enterprise &amp; Employment</b>	0	3	1	3	1
<b>Education</b>	0	1	1	0	1
<b>Wind farm</b>	0	1	1	0	1
<b>Nursing Home</b>	0	0	1	1	1
<b>Total</b>	<b>69</b>	<b>61</b>	<b>57</b>	<b>43</b>	<b>49</b>

Table 4 below provides details of the monies collected which have been spent on various public infrastructure projects which have been provided over the past number of years.

**Table 4 : Amount of Development Contributions Spent 2010 - 2015**

Year	2010	2011	2012	2013	2014	2015
Amount Spent	€1,270,594	€30,000	€1,480,997	€279,471	€759,316	€618,645

The average yearly amount expended over this period was **€739,837**. The total amount expended was **€4,439,023**.

Examples of Projects funded by the Development Contribution Scheme include

- Lough Rinn Rowing Centre
- Sliabh an Iarainn Visitor Centre
- Drumsna Playground and Footpath
- Kinlough Astoturf Pitch
- Roundabout N4 Attifinlay Carrick on Shannon
- Quay Improvements and Car Parking, Carrick on Shannon

### 3. Estimate the Nature and Scope of Future Development Envisaged

The Planning Authority compiled the following data sets to inform the preparation of the new Development Contribution Scheme:

- The number of residential units permitted and completed in the county over the period 2011 – 2015;
- The amount of non residential development permitted and completed in the county over the period 2011 – 2015;
- The population projections contained in the Core Strategy of the Leitrim County Development Plan 2015-2021, and;
- The County Retail Strategy contained in the Leitrim County Development Plan 2015-2021.

#### 0.1. Residential Development

The Core Strategy of the County Development Plan 2015-2021 projected that 1,043 number units would be built over the period of the plan of which 262 number units would be in Carrick-on-Shannon. This would equate to an annual projection of 174 number units per annum for Co. Leitrim of which 44 number units per annum would be in Carrick-on-Shannon.

**Table 5 : County Leitrim House Completions 2005-2015**

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
No. of Houses Built	860	1,545	975	647	303	142	125	86	90	86	137

**Source:** Department of Housing, Planning & Local Government database which is based on ESB connections.

The Planning Authority has permitted 21 number houses in 2013, 18 number houses in 2014 and 32 number houses in 2015. There are no extant planning permissions for multiple house developments of any note awaiting commencement. There are were also a number of former incomplete or unfinished estates such as Shannon Quays in Roosky, Priors Point and Glas na hAbhainn in Carrick-on-Shannon and Gleann Dara and Millhill Lawns in Manorhamilton which have been finished out and are being brought to the market. Some of these developments are included in the 2014 and 2015 figures (Table 5 refers).

It is considered highly unlikely that the projected housing completions contained in the County Development Plan will materialise during the first half of the plan period (2015-2018). It is considered more realistic that 35 – 50 number housing units will be constructed per annum during the 3 year life of the Development Contribution Scheme. For the purposes of this scheme and having regard to the uncertainty which still pertains, the lower figure will be used.

### 3.2 Retail Development

The following table presents the findings of analyzing relevant planning permissions granted over the period 2011-2015 with regard to retail development.

**Table 6 : Permitted Retail Development in Co. Leitrim 2011 – 2015**

Year	2011	2012	2013	2014	2015	Total
Floor Area (m <sup>2</sup> )	2,497	325	0	193	438	3,473

The County Retail Strategy contained in the County Development Plan 2015 – 2021 provides an estimate of capacity for additional retail floor space. It is estimated that additional floor space consisting of convenience 1,158 m<sup>2</sup>, comparison 1,331 m<sup>2</sup> and bulky goods 1,250 m<sup>2</sup> will be required over the lifetime of the plan. This equates to a total retail floorspace expansion of 3,738 m<sup>2</sup> or an annual increase of 623 m<sup>2</sup>.

Table 6 indicates that over the period 2011-2015, a total of 3,473 m<sup>2</sup> of additional retail floorspace was permitted. This equates to an average permitted retail floor space of 695 m<sup>2</sup>. It is considered that the projection contained in the County Retail Strategy remains robust.

### 3.3 Other Commercial Development

**Table 7 : Permitted Other Commercial Development in Co. Leitrim 2011 – 2015**

Year	2011	2012	2013	2014	2015	Total
Floor Area (m <sup>2</sup> )	773	333	1,243	607	273	3,229

The figures presented in Table 7 above include a large number of planning permissions for developments consisting of a change of use which may not necessarily have involved an increase in the demands of public infrastructure.

The average extent of commercial floor space (non retail) permitted per annum was 646 m<sup>2</sup> of which 47% (304 m<sup>2</sup>) related to change of use applications. It would therefore be unrealistic to extrapolate the existing figures forward without excluding the change of use element.

For other commercial development, if one excludes the change of use applications, on the basis of observed trends, an estimate of 1,000 m<sup>2</sup> is considered reasonable.

### 3.4 Enterprise & Employment Development

**Table 8 : Permitted Enterprise & Employment Development in Co. Leitrim 2011 – 2015**

Year	2011	2012	2013	2014	2015	Total
Floor Area (m <sup>2</sup> )	0	7,636	150	936	4,290	13,012

The figures presented in Table 8 indicate an average floor space of enterprise and employment development permitted per annum of 2,602 m<sup>2</sup>. The Planning Authority has considered the potential for further expansion of existing enterprise and employment providers. It is considered that on the basis of the larger existing employers appearing to have already planned for their future expansion

that the previous rate of permitted development may not continue. It is more likely that in the region of 5,000 m<sup>2</sup> of enterprise and employment floorspace will be permitted during the 3 year life of the Development Contribution Scheme.

**Table 9** : Estimate of Future Development Envisaged 2016 - 2019

Development Category	Sub Category	Projected Quantum of Development	Total
<b>Residential</b>	Multiple Houses	45 houses	105 houses
	One Off Houses	60 houses	
<b>Commercial</b>	Retail	1,800 m <sup>2</sup>	9,300 m <sup>2</sup>
	Enterprise and Employment	5,000 m <sup>2</sup>	
	Hotels, Guest Houses, B&Bs, Nursing Homes	1,000 m <sup>2</sup>	
	Hospitals, Schools, Social and Education	500 m <sup>2</sup>	
	Other	1,000 m <sup>2</sup>	
<b>Wind farm Developments</b>		4 turbines	9.2 MW
<b>Extractive Industries</b>		2 hectares	2 hectares

#### 4. Determine Future Infrastructure Cost

In March 2016, Leitrim County Council adopted a 3 Year Capital Programme which is summarised below.

**Table 10** : Summary of 2016-2018 Year Capital Programme

Development Category	Investment
Housing & Building	€8,814,000
Roads & Transportation	€11,935,000
Water Services (Rural)	€1,200,000
Environmental Services	€2,797,000
Recreation & Amenity	€6,022,000
<b>Total</b>	<b>€30,768,000</b>

This investment will be funded from the following sources:

**Table 11** Summary of Funding Sources for 2016-2018 Year Capital Programme

Funded by	Amount
<b>Grants</b>	€25,277,690
<b>Part V</b>	€911,060
<b>Development Contributions</b>	<b>€1,079,250</b>
<b>Loans</b>	€3,500,000
<b>Total</b>	<b>€30,768,000</b>

It was projected when adopting the 3 Year Capital Programme that income from Development Contributions would provide €1,079,250 of the overall ambitious investment schedule of €30,768,000. This equates to 3.5% of the overall investment requirements. This translates to a discount of 96.5% being applied to reflect the benefit to existing development that will accrue from such facilities and infrastructure. If the level of development contributions which are collected over the 3 year period is lower, for example €750,000, this would reduce the discount further to 97.55%. Details of the infrastructure projects included in the 3 Year Capital Programme is provided in Section 18.

## 5. Allocation of Costs to Anticipated Development

**Table 12** : Approved Development Contributions Rates 2016-2019

Development Category	Contribution
<b>Houses (Urban)</b>	€18.50 per m <sup>2</sup> - minimum payment of €4,000
<b>Houses (Rural)</b>	Houses less than or equal to 250 m <sup>2</sup> - €2,000
	Houses greater than or equal to 251 m <sup>2</sup> - €4,000 + €18.50 per m <sup>2</sup> in excess of 251 m <sup>2</sup>
<b>Extensions</b>	€18.50 per m <sup>2</sup> >40 m <sup>2</sup>
<b>Commercial Development</b>	€25.50 per m <sup>2</sup>
	Retail / Commercial < 200 m <sup>2</sup> - €20 per m <sup>2</sup>
<b>Hotels, Guest Houses, B&amp;Bs, Nursing Homes, etc.</b>	€25.50 per m <sup>2</sup>
<b>Hospitals, Schools, Social and Education</b>	€25.50 per m <sup>2</sup>
<b>Wind Farm Developments</b>	€6,000 per MW subject to minimum of €15,000 per turbine
<b>Renewable Energy Developments<sup>1</sup></b>	€600 per 0.1 MW
<b>Extractive Industries</b>	€1.30 per m <sup>2</sup> of site area for extraction (per bench)
<b>Car Parking Shortfall</b>	€3,000 per space

<sup>1</sup> Renewable Energy Developments (other than wind farms and which export to the National Grid) at a rate of €600 per 0.1 MW or €6,000 per MW.

**Table 13** : Projected Income from Approved Development Contribution Scheme 2016-2019

Development Category	Contribution	Projected Quantum of Development	Total
Houses (Urban)	€18.50 per m <sup>2</sup> - minimum payment of €4,000	Multiple Houses 45 no. <sup>2</sup>	€180,000
Houses (Rural)	Houses less than 250 m <sup>2</sup> - €2,000	One Off Houses 40 no. <sup>3</sup>	€80,000
	Houses greater than 251 m <sup>2</sup> - €4,000 + €18.50 per m <sup>2</sup> in excess of 251 m <sup>2</sup>	20 no. @ 296 m <sup>2</sup> average	€97,020
Extensions	€18.50 per m <sup>2</sup> >40 m <sup>2</sup>	500 m <sup>2</sup> of eligible floor space	€9,250
Commercial Development	Retail / Commercial < 200 m <sup>2</sup> €20 per m <sup>2</sup>	360 m <sup>24</sup>	€7,200
	Retail / Commercial > 200 m <sup>2</sup> €25.50 per m <sup>2</sup>	1,440 m <sup>2</sup>	€36,720
Enterprise & Employment	20% Reduction - €20.40 per m <sup>2</sup>	2,500 m <sup>2</sup>	€51,000
		2,500 m <sup>2</sup>	€63,750
Hotels, Guest Houses, B&Bs, Nursing Homes, etc.	€25.50 per m <sup>2</sup>	1,000 m <sup>2</sup>	€25,500
Hospitals, Schools, Social and Education	€25.50 per m <sup>2</sup>	500 m <sup>2</sup>	€12,750
Other Commercial	€25.50 per m <sup>2</sup>	1,000 m <sup>2</sup>	€25,500
Wind farm Developments	€6,000 per MW subject to minimum of €15,000 per turbine	9.2 MW	€55,200
Extractive Industries	€1.30 per m <sup>2</sup> of site area for extraction (per bench)	2 hectares	€26,000
Car Parking Shortfall	€3,000 per space	15 no. spaces	€45,000
		<b>Total</b>	<b>€714,890</b>

<sup>2</sup> It is assumed that all houses provided within multiple house developments will be less than 216 m<sup>2</sup> and that the minimum contribution of €4,000 per unit will apply.

<sup>3</sup> The average floor area of individual dwellings permitted by Leitrim County Council in 2015 was 245 m<sup>2</sup>. Of the 24 no. individual dwellings permitted, 16 had a floor area of less than 250 m<sup>2</sup> whilst 8 had a floor area of greater than 251 m<sup>2</sup>. Of the houses with a floor area greater than 251 m<sup>2</sup>, the average floor area was 296 m<sup>2</sup>. These floor areas are used to estimate future revenue through the Scheme. The figures are arrived at 40 (66%) x €2,000 = €80,000 and 20 (33%) x (€4,000 + 46 \* €18.50) = €4,851. Please note that the figures for 'Rural Houses' advertised in the draft Development Contribution Scheme were amended by the Elected Members when they approved the Scheme.

<sup>4</sup> This is based on observed trends in planning permissions granted over the period 2011 – 2015.

## 6. Exemptions and Reduced Contributions

Section 48(3)(c) of the Act allows for a reduction in development contributions or no contribution in certain circumstances under the terms of the Scheme.

The Department of the Environment, Community and Local Government stated in the '*Development Contributions: Guidelines for Planning Authorities*' (2013), that the following are required to be included in a Development Contribution Scheme

- reduced rates or waivers for development in town centres to support town centre development;
- reduced rates for temporary permissions on a sliding scale;
- waivers in the case of change-of-use permissions, where it does not lead to the need for new or upgraded infrastructure / services or significant intensification of demand placed on existing infrastructure (including, for example, transport infrastructure);
- waivers or reduced rates for businesses grant-aided or supported by IDA / Enterprise Ireland / Shannon Development / Údarás na Gaeltachta, as well as reduced rates for developments that would progress the Government's Jobs Initiative;
- provision to charge only net additional development in cases of redevelopment projects;
- waivers for broadband infrastructure (masts and antennae);
- waivers in respect of works on protected structures where such works substantially contribute to the restoration or protection of the protected structure; and,
- options for reduced charges in respect of renewable energy development to promote uptake of renewable energy technologies.

These reductions or waivers have been incorporated into this Development Contribution Scheme and are set out in the following section.

In addition, for the purposes of this Scheme, where the Planning Authority requires a developer, at their own expense, to provide significant infrastructure within their development in excess of the needs of the development, the Planning Authority may provide for the payment of a reduced contribution or no contribution as the particular circumstances may dictate. The Chief Executive shall approve reductions or waivers in such circumstances.

### 6.1 Exemptions / Waivers

The following categories of development will be exempted to pay development contributions under this scheme:

- a) Development by or on behalf of a '**voluntary organisation or body**' (*an organisation or body which derives in excess of 50% of funding through local contributions or government subvention*) which is designed or intended to be used for social, recreational, educational, medical, cultural 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
- b) Development which 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
- c) Restoration/refurbishment to a high architectural standard of **buildings included in the Record of Protected Structures** – where such works substantially contribute to the

restoration or protection of the protected structure (i.e. waiver would not apply, for example, to works for purposes of adding an extension to a protected structure)

- d) **Social housing units** which are provided in accordance with an agreement made under Part V of the Planning & Development Acts 2000 - 2015 or which are provided by a voluntary or co-operative housing body, which is recognised as such by the Council.
- e) Development consisting of **childcare provision** to be operated by voluntary or not-for-profit providers **or** by private childcare providers with a floor area of up to 200m<sup>2</sup>.
- f) Development consisting of **drug treatment and rehabilitation services and drug education/prevention services** for which permission was applied for by and is to be operated by not-for-profit community-based providers.
- g) Development consisting of works for which a person or body has received a **Housing Adaptation Scheme Grant for People with a Disability** and / or **Mobility Aids Housing Grant** or is deemed eligible for such.
- h) Development consisting of **sheltered or supported accommodation for homeless persons, sheltered housing schemes for vulnerable groups provided by voluntary or not-for-profit non-statutory groups** that are recognised by the Council as such.
- i) For **change of use permissions**, a waiver in the case of change-of-use permissions, where the change of use does not lead to the need for new or upgraded infrastructure / services or significant intensification of demand placed on existing infrastructure (including, for example, transport infrastructure)
- j) For **broadband infrastructure (masts and antennae)**, a waiver for these types of development
- k) In order to promote the uptake of renewable energy development, a **100% exemption from development contributions** will apply in respect of renewable energy development which is not supplying electricity to the national grid including small scale renewable energy developments generating energy for on site usage e.g. for domestic, agricultural, small industry and educational purposes.
- l) Development of **sports facilities provided by 'voluntary organisations or bodies'** shall be exempt from payment of development contributions.
- m) Development **by or on behalf of a 'voluntary organisation or body'** (*an organisation which derives in excess of 50% of funding through local contributions or government subvention and does not operate mainly for profit or gain*) which is designed or intended to be used as an enterprise centre.
- n) Permissions on applications for a **Change of House Plan**, where a condition only is being altered and the permission does not seek a term of full duration, the existing contribution, if any, on the original permission shall continue to apply and no new development charge shall be imposed. **(100% exemption from the development charge)**
- o) The first 40 sq. m. of **extensions** to a residential development where the house has not been extended previously including by exempted developments. The floor area of all extensions in

excess of 40 sq. m. shall be subject to the application of the Scheme. This shall only apply in a rural area where the cumulative floor area of the house and extension exceeds 251 sq. m. or in an urban area where the cumulative floor area of the house and extension exceeds 216 sq. m.

- p) Development consisting of **Art Galleries and Artists Studios**.
- q) Permission granted for individual dwelling houses after 6<sup>th</sup> November 2017 to approved participants in the scheme to facilitate testing of **Zero Discharge Wastewater Treatment & Disposal Systems** in Co. Leitrim shall be exempted from development contributions under this Development Contribution Scheme.

In the case of developments in the categories (a), (d), (e), (f), (h), (l) and (m) above, in order to qualify for any exemption, the Planning Authority must first be satisfied that the assets of the organisation or body proposing the development will remain in voluntary use even if the organisation or body is to cease its activities.

## 6.2 Reductions

The Planning Authority may allow for reduced payments at its discretion. The following categories of development will qualify to pay reduced development contributions under this scheme:

- a) In the case of development in town and village centres which would support town and village development, development contributions shall be calculated on the basis of a **20% reduction** being applied to all redevelopment or brownfield developments. An eligible development which supports town or village centre development must be located in a Town or Village Centre and have a land use zoning of Mixed Use (applicable to the Carrick on Shannon Local Area Plan all other centres whose Land Use Zoning Strategies are contained in the County Development Plan 2015-2021). Greenfield development proposals within areas to which Mixed Use land use zoning applies shall not be eligible for this exemption.
- b) All developments on sites which are on the Register of Derelict Sites under the Derelict Sites Act 1990 and are identified with a land use zoning objective in the relevant statutory land use plan will receive a **50% reduction on the full development contribution**.
- c) For **businesses grant aided** by the IDA and Enterprise Ireland or other initiatives that would progress the Government's Jobs Initiative, a **20% reduction in the development contributions**.
- d) A 10% reduction will be applied to **development contributions levied on multiple residential development** in the following instances :
  - (i) where the development contributions have been paid in full prior to any works commencing on the development in question or any associated development on the same site, the payment is made within twelve months of the grant of permission, **and** where there is no outstanding amount due in respect of a special contribution (please note no reduction will apply to special contributions).

**Or**

  - (ii) where the development contributions have been paid in full within 12 months of the date of submission of a valid Commencement Notice, and where there is no

outstanding amount due in respect of a special contribution (please note no reduction will apply to a special contribution).

This reduction shall only apply to multiple residential developments where the total amount of development contributions to be paid is less than €100,000.

- e) For **temporary permissions** the following reduced rates will apply;
- **33% of normal rate** levied for permissions of up to 3 years;
  - **50% of normal rate** levied for permissions of up to 5 years, and;
  - **66% of normal rate** levied for permissions of up to 10 years.
- f) Applications for **upgrading (including extensions) of disused dwellings** i.e. uninhabited and where there are no vital service connections, for example electricity, will be treated as new residential units and will receive a **50% reduction in the development contribution**.
- g) For **redevelopment projects**, a charge only of the net additional development (e.g. a redevelopment totalling 200m<sup>2</sup> of which 150m<sup>2</sup> is replacing existing development, contribution is only required for the additional 50m<sup>2</sup>). In relation to replacement dwelling houses in rural areas, a development contribution will only be applicable to the floor area in excess of 251 sq. m. where the original dwelling house was less than or equal to 250 sq. m. whilst in urban areas, a development contribution shall only be applicable to the floor area in excess of 216 sq. m.
- h) For **start up light / general industrial unit for own occupancy** to a maximum floor area of 180m<sup>2</sup>, the applicable rate shall be €13.11 per m<sup>2</sup>.

## 7. Payment of Contributions

Conditions requiring the payment of Development Contributions in accordance with this Scheme will be included in all decisions to grant planning permission which are made following the making of this Scheme by the Planning Authority.

The Planning Authority may at its discretion facilitate the phased payment of contributions, and may require the giving of security to ensure payment of contributions.

Contributions under this Scheme shall be payable in accordance with the conditions of the planning permission. Contributions shall be payable at the index adjusted rate (Wholesale Price Indices – Building and Construction (Capital Goods)) pertaining to the year in which implementation of the planning permission is commenced.

Contributions unpaid prior to the commencement of development shall remain payable together with interest that may have accrued thereon at a rate equivalent to 2% above the European Central Bank rate applicable on the 1<sup>st</sup> January each year including the year of commencement of development.

The Chief Executive shall by written order within the 1<sup>st</sup> quarter of each year, direct whether indexation and /or interest shall be applied for the previous calendar year.

The provisions of the Urban Regeneration & Housing Act 2015 as it relates to the payment of Development Contributions shall be available under this Scheme.

## **8. Non Payment of a Contribution due to Planning Authority**

Where a development contribution is not paid in accordance with the terms of a condition laid down by the Planning Authority or An Bord Pleanála following an appeal, Leitrim County Council may recover any contribution due as a simple contract debt in a court of competent jurisdiction. The Planning Authority reserves the right to initiate further enforcement action in respect of unpaid development contributions.

## **9. Floor Area**

The floor area of proposed development shall be calculated as the internal floor area. This means the floor area determined from the internal dimensions of the proposed buildings, including the floor area of each floor including mezzanine floors.

## **10. Water and Wastewater Facilities**

Effective from 1<sup>st</sup> January 2014, responsibility for water services nationally rests with Irish Water. Leitrim County Council will be carrying out the majority of its previous functions by way of a service level agreement with Irish Water. No development contributions are therefore to be levied locally for water and wastewater projects which are provided by or on behalf of Irish Water.

## **11. Double Charging**

Any development contribution already levied and paid in respect of a given development will be deducted from the subsequent charge so as to reflect that this development had already made a contribution.

## **12. Commencement of Scheme**

The Development Contribution Scheme shall commence on the date of adoption of the Scheme by Leitrim County Council, namely 7<sup>th</sup> November 2016.

## **13. Chief Executive Discretion**

This Scheme grants discretion to the Chief Executive to vary the amount of Development Contributions in respect of developments that may lead to significant job creation.

## **14. Ring Fencing of Income**

Money accruing to the Council under the Scheme must be accounted for in a separate account and can only be applied as capital for public infrastructure, facilities and their enabling costs on a county wide basis. The Annual Report must contain details of monies paid or owing to it under the scheme and indicate how such monies paid to it have been spent.

## **15. Mixed Use Development**

In the case of a mixed use development, the development contribution payable will be based on the sum of charges applicable to each development type within the overall development. The basis for the development contribution payable shall be clearly set out in the case planner's report.

For clarity, in relation to a Bed & Breakfast development which includes a principle private residential element, the planning application shall distinguish between the commercial elements of the structure – bedrooms, dining room and lounge to which guests have access to and the remaining principle private residential component of the structure. The commercial element of the development will be charged at the €25.50 per sq. m. rate with the residential aspect charged at the relevant residential rate depending on whether it is located in an urban or rural area.

## 16. Appeal to An Bord Pleanála

An appeal may be brought to the Board where the applicant for planning permission considers that the terms of the Scheme have not been properly applied in respect of any conditions laid down by the Council.

## 17. Forward Planning

Leitrim County Council is statutorily required to prepare a County Development Plan and may prepare a Local Area Plan for Carrick on Shannon. These statutory plans may include objectives to facilitate the provision of infrastructure in the areas concerned, including infrastructure to be funded by development contributions.

Given the role of such statutory land use plans in identifying the associated infrastructural requirements of the county and its towns, expenditure associated with Forward Planning, including the preparation of land use plans and studies, Development Plans and Local Area Plans, is to be part funded by development contributions in accordance with Section 48 (17)(h) of the Act.

## 18. Indicative List of Projects Funded by Development Contribution Scheme

### Roads & Transportation

Active Towns Programme - Carrick on Shannon  
Active Towns Programme – Drumshanbo  
Active Towns Programme- Manorhamilton  
Town Centre Enhancements - Carrick on Shannon  
SMARTER Travel Initiatives – County wide

### Recreational & Amenity Total

Village and Town Renewal Scheme - County wide  
Greenway Projects  
Carrick on Shannon to Leitrim Village – Blueway / Greenway  
Lough Rynn Recreation Centre - New launch pontoon, starting structure & finishing towers and aligning huts  
Lough Rynn Recreation Centre - Entrance, car park and viewing area  
Tourism Product Development - Pursue projects identified in the Tourism Strategy  
Dromahaire - Adaptation new branch library