

SLIGO COUNTY COUNCIL

Planning & Development Act, 2000

Section 48 – Development Contributions Scheme for the area within the Environs of Sligo Town – Scheme B

Preamble:

Section 48 of the Planning & Development Act 2000, enables Local Authorities when granting a permission under Section 34 of the Act to include conditions for requiring the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority and that is provided by or on behalf of a Local Authority (regardless of other sources of funding for the infrastructure and facilities).

Area to which the scheme shall apply

A planning authority may make one or more than one scheme in respect of different parts of its functional area. Sligo County Council has prepared schemes for two different parts of its functional area, one for the area of the environs of Sligo town and the other for the area outside of this. The scheme to which this document refers is in respect of the area within the environs of Sligo town and the attached map sets out the area to which the scheme applies (Drawing No. F.C.1, indicated in red).

Duration of scheme

This scheme shall apply for a period of 5 years commencing on 1st November 2003.

Basis for determination of Contributions

The classes of public infrastructure and facilities in respect of which contributions shall be paid are as follows;

Classes of Infrastructure	% of Contribution
◆ Roads, footpaths and urban improvements	28
◆ Water and waste water facilities	18
◆ Amenity, open spaces / parks, urban renewal	36
◆ Libraries, museum and community/ cultural development	18

Sligo County Council and Sligo Borough Council continually spend large amounts of money on public infrastructure and facilities which benefit development throughout the borough and the county. In arriving at the levels of contributions in respect of the different classes of infrastructure, any benefit accruing in respect of existing development has not been included in such determination. The total estimated expenditure incurred during the past seven years and over the next five years is as follows;

Classes of Infrastructure	Estimated Expenditure
Roads, footpaths, urban improvements.	€230m
Water and waste water facilities	€205m
Amenity, open spaces / parks, urban renewal	€70m
Libraries, museum and community/cultural development	€80m

Financial contributions have been a source of funding in the past for provisions of water, waste water, public lighting, town and village improvements & car parking. The introduction of a Development Contributions Scheme provides a reasonable level of funding for the provisions of improved infrastructure in an open and transparent fashion and will enable the Planning Authority to provide improved infrastructure which it would otherwise be unable to provide.

The levels of contributions are set out as follows;

Description of Development	Amount of Contribution
Residential development up to 150m ²	€7,000 per unit
Residential development greater than 150m ²	€7,000 per unit + €18 per m ² for each m ² over 150 m ²
Commercial / Industrial Development up to 150m ²	€8,600
Commercial / Industrial Development greater than 150m ²	€8,600 + €18 per m ² for each m ² over 150 m ²
Nursing homes, guest houses, hotels	€1,640 per bedroom
Storage, warehouses, cash & carry up to 500m ²	€8,600
Storage, warehouses, cash & carry greater than 500m ²	€8,600 + €18 per m ² for each m ² over 500 m ²
Change of use from residential to commercial	€7 / m ² in respect of first 150 m ² + €18 / m ² for each m ² in excess of this
Shortfall in car parking provided	€9,300 per space

- ◆ Hotels with swimming pools and/or jacuzzis, and/or saunas etc. to be assessed as above for normal residential purposes, but ***in addition*** water/wastewater element **for leisure purposes only** to be assessed by the Council and applied, based on specific design of leisure elements and estimated water consumption. Water /wastewater usage **for leisure purposes** shall be related to an equivalent dwellinghouse @ 3 ½ people per dwellinghouse @ 175 lt./person/day.*
[Equivalent to a consumption of 50,000 gal/ dwellinghouse/annum].
- ◆ **Schools/Hospitals**
To be assessed by the Council based on water consumption by total complement of staff and patients.
Standard EPA profiles of water consumption for schools/hospitals to be used and converted to equivalent number of dwellinghouses @ €6,900 per dwellinghouse.
See * above

Water & Waste Water facilities

Contributions in respect of water and/or waste water facilities are payable only when the proposed development is connected to the public water mains and/or waste water facilities or where it is proposed to provide such facilities within the following five years.

Conversion to Residential Units

A contribution will be charged in respect of any additional residential units created in accordance with the scheme.

Method of payment of contribution

Contributions shall be payable prior to the commencement of development. However, in cases where a development is being carried out in phases, the contribution may be paid in instalments before the commencement of each phase. The prior agreement of the Council will be required to any such agreement.

Exemptions

The Council may grant exemption from or reduce the amounts of contribution at its discretion. Particular regard shall be had to the following categories of development;

- ◆ Facilities which are provided by a local community and which are not mainly used for profit or gain and are provided for the use of inhabitants of the locality generally and are recreational or otherwise of a social nature.
- ◆ Restoration / refurbishment to a high architectural standard of buildings included in the record of protected structures.
- ◆ Social housing units including those which are provided in accordance with an agreement under Part V of the Planning & Development Act 2000 or which are provided by a voluntary or co-operative housing body whether or not under Part V of the Planning & Development Act, 2000.
- ◆ Community owned local enterprise units.
- ◆ Where neither public water supply nor public waste water facilities are available to service a development, no financial contribution will be payable

Review of contribution amounts

Under Part V, the rates will be adjusted with effect from 1st April each year commencing on 1st April 2005 based on changes to the Wholesale Price Index for Building & Construction published by the Central Statistics Office.

Exceptional Costs:

Where specific exceptional costs not covered by the scheme are incurred by any Local Authority in respect of public infrastructure and facilities which benefit the proposed development, a Planning Authority may require the payment of a special contribution in respect of a particular development. Where payment of such a contribution is required, the condition shall specify the particular works carried out or proposed to be carried out by any Local Authority to which the contribution relates.

Where the works in question;

1. Are not commenced within 5 years of the date of payment to the authority of the contribution,
2. Have commenced, but have not been completed within 7 years of the date of payment to the authority of the contribution, or
3. Where the local authority decides not to proceed with the proposed works or part thereof,

the contribution shall be refunded to the applicant together with any interest that may have accrued over the period while held by the local authority. However, where any local authority has incurred expenditure within the required period in respect of a proportion of the works proposed to be carried out, any refund shall be in proportion to those proposed works which have not been carried out.