

**WESTPORT TOWN COUNCIL**  
**DRAFT**  
**DEVELOPMENT CONTRIBUTION SCHEME.**

**Planning and Development Section**  
**6 November 2003**

## 1. Introduction.

This Development Contribution Scheme is made pursuant to Section 48 of the Planning and Development Act 2000, and indicates the financial contributions, which Westport Town Council may include as conditions of planning permission in respect of specific infrastructure and facilities benefiting development in the area which Westport Town Council have already provided or that it is intended will be provided by or on behalf of Westport Town Council.

## 2. Nature and extent of the Development Contribution Scheme.

2.1. The Development Contribution Scheme applies to ***"public infrastructure and facilities"*** which are defined as :-

- (a) the acquisition of land,
- (b) the provision of open spaces, recreational and community facilities & amenities and landscaping works,
- (c) the provision of roads, car parks, car parking places, sewers, waste-water and water treatment facilities, drains and watermains,
- (d) the provision of bus corridors, bus lanes, bus interchange facilities (including car parks for those facilities), infra-structure 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, sewers, waste-water and water treatment facilities drains or watermains,
- (f) any matters ancillary to *paragraphs (a) to (e)*.

2.2. The Development Contribution Scheme indicates the amount of contribution to be paid in respect of different classes of specific infrastructure and facilities that are provided or are to be provided by the local authority.

In determining the amount of contribution Westport Town Council has had regard to the actual estimated cost of providing the classes of specific infrastructure and facilities.

2.3. The Development Contribution Scheme includes a statement of the basis for determination of the contributions.

2.4. The Development Contribution Scheme **may** allow for the payment of a reduced contribution or no contribution in certain circumstances in accordance with the provisions of the Scheme.

### **3. Appeal of Development Contributions.**

- 3.1 No appeal shall lie to An Bord Pleanála in relation to a condition requiring a contribution to be paid in accordance with the Scheme.
- 3.2 An appeal may be brought to the Board where an applicant for permission considers that the terms of the Scheme have not been properly applied in respect of any condition laid down by the Planning Authority.

### **4. Reduced Contribution.**

- 4.1. Westport Town Council, at its own and absolute discretion, **may** allow the payment of a reduced contribution the payment of the contribution would not be just and reasonable having regard to any of the following -
- (a) the limited extent of the development,*
  - (b) the limited cost of the development,*
  - (c) other exceptional considerations.*
- 4.2. The amount payable for any reduced contribution under this section shall be not less than one quarter of the amount indicated in column 2 of Schedule 1 opposite the mention of the relevant class of the contribution in column 1.

- 4.3. A decision to allow a reduced contribution under this section of the Development Contribution Scheme shall contain a statement specifying the reasons for the decision.

### **5. Waiver of Contribution.**

- 5.1. Westport Town Council, at its own and absolute discretion **may** waive any contribution payable in respect of any particular planning application where it is satisfied that the development to be carried out by or on behalf of a voluntary organisation, and which in the opinion of Westport Town Council is :-

- (a) designed or intended to be used for social, 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 or gain,*
- (b) is designed or intended to be used as a work-shop, training facility, hostel or other accommodation for persons with disabilities and is not to be used mainly for profit or gain, or*
- (c) is ancillary to the development referred to in paragraph (a) or (b)*
- (d) social housing units, including those which are provided in accordance with an agreement made under Part V of the Act (as amended under*

*the Planning & Development (Amendment) Act, 2002) or which are provided by a voluntary or co-operative housing body, which is recognised as such by the Council.*

- 5.2. A decision to waive a contribution under this section of the Development Contribution Scheme shall contain a statement specifying the reasons for the decision.

## **6. Indexation of Contributions.**

- 6.1. The amount of contribution payable indicated in column 2 of Schedule 1 of this Development Contribution Scheme shall increase in accordance with the Wholesale Price Index for Building and Construction in January of each year from the date of grant of permission up to the date that payment is made to Westport Town Council.

## **7. Review of the Development Contribution Scheme.**

- 7.1. No later than 5 years from the adoption of the Development Contribution Scheme Westport Town Council shall review the said Development Contribution Scheme and shall prepare a new Development Contribution Scheme.
- 7.2. The new Development Contribution Scheme shall be prepared in accordance with Section 48 of the Planning & Development Act 2000.

## **8. Special Development Contributions**

- 8.1. Westport Town Council may, in addition to the terms of a Development Contribution Scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by a Development Contribution Scheme are incurred by the Council in respect of specific infrastructure and facilities which benefit the proposed development. Such specific infrastructure shall include infrastructure provided under the Serviced Land Initiative

The particular works subject of the Special Development Contribution shall be specified in the condition.

- 8.2. A condition requiring the payment of Special Development Contribution may be appealed to An Bord Pleanala. Where an appeal is made concerning the Special Development Contribution and no other aspect of the decision is appealed the Board is required only to consider the matter of the special development contribution. In such cases as soon as the period for the taking of an appeal has expired, Westport Town Council must grant permission, provided that the applicant has provided security to Westport Town Council for the full amount of the contribution pending the Board's decision.
- 8.3. If the works specified in the condition are not commenced within 5 years or completed within 7 years of the receipt of payment, or where Westport Town

Council decided not to proceed with the works or part of the works, the applicant shall be entitled to a refund of the Special Development Contribution. Such refund shall be proportionate to the work not carried out and shall include any interest accrued over the period while held by Westport Town Council.

**9. Format of the Development Contribution Scheme.**

The Development Contribution Scheme is structured as follows:-

1. Lands within Westport Town Boundary
2. Serviced Land Initiative within the Westport Town Council Boundary.

Schedule 1 indicates in Column 1 the category of contribution, in column 2 the amount of contribution payable under each category and in Column 3 the basis for the determination of the amount of contribution.

For the avoidance of doubt the various categories of contribution are applied to a particular planning application **only** where they are relevant.

## SCHEDULE 1

### Development Contributions

#### 1. Lands within Westport Town Boundary.

Column 1	Column 2	Column 3
CATEGORY OF CONTRIBUTION	AMOUNT OF CONTRIBUTION IN € (Euro)	BASIS FOR THE DETERMINATION OF THE AMOUNT OF CONTRIBUTION
<b>RESIDENTIAL</b>		
Water Services	1500	Cost per dwelling
Sewerage Services	4000	Cost per dwelling
Surface water services	500	Cost per dwelling
Amenities	300	Cost per dwelling
Carparking	3500	Cost per space
Road Maintenance/Repair	400	Cost per dwelling
Footpaths & Public Lighting	1500	Cost per linear metre (where land required)
	150	Cost per linear metre (where land not required)
Artistic Feature	2500 3500 5000	6-10 Houses 10-20 Houses 20+ Houses
Community Open Space & Recreational facilities	300	Cost per dwelling
Relocation of utility Services	Varies	Current construction cost of actual work to be undertaken
Road Lining	Varies	Current construction cost of actual work to be undertaken
Road Signage Finger post	350	Cost per finger post sign
Road Signage Other	Varies	Cost per sign

## SCHEDULE 1

### Development Contributions

Column 1	Column 2	Column 3
CATEGORY OF CONTRIBUTION	AMOUNT OF CONTRIBUTION IN € (Euro)	BASIS FOR THE DETERMINATION OF THE AMOUNT OF CONTRIBUTION
Bus Shelters	Varies	Cost per unit
Recycling Facilities	50	Cost per dwelling
Housing estate Take-over	200	Cost per dwelling
<b>COMMERCIAL</b>		
Water Services	6	Cost per m <sup>2</sup> GFA <sup>1</sup> Commercial floor space
Sewerage Services	8	Cost per m <sup>2</sup> GFA Commercial floor space
Surface water services	Varies	GFA Commercial floor space as an equivalent number of dwellings based on 100 m <sup>2</sup> per dwelling
Carparking	3500	Cost per space
Amenities	Varies	GFA Commercial floor space as an equivalent number of dwellings based on 100 m <sup>2</sup> per dwelling
Road Maintenance/Repair	Varies	GFA Commercial floor space as an equivalent number of dwellings based on 100 m <sup>2</sup> per dwelling
Footpaths & Public Lighting	1500	Cost per linear metre
Relocation of utility Services	Varies	Current construction cost of actual work to be undertaken
Road Lining	Varies	Current construction cost of actual work to be undertaken

<sup>1</sup> GFA (Gross Floor Area) is defined as 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;

## SCHEDULE 1

### Development Contributions

Column 1	Column 2	Column 3
CATEGORY OF CONTRIBUTION	AMOUNT OF CONTRIBUTION IN € (Euro)	BASIS FOR THE DETERMINATION OF THE AMOUNT OF CONTRIBUTION
Road Signage Finger post	350	Cost per finger post sign
Road Signage Other	Varies	Cost per sign
Bus Shelters	Varies	Cost per unit
<b>INDUSTRIAL</b>		
Water Services	6	Cost per m <sup>2</sup> GFA Industrial floor space
Sewerage Services	8	Cost per m <sup>2</sup> GFA Industrial floor space
Surface water services	Varies	Roof & Paved area as an equivalent number of dwellings based on 100 m <sup>2</sup> per dwelling
Carparking	3500	Cost per space
Amenities	Varies	No. Employees as an equivalent number of dwellings based on 3 people per dwelling
Road Maintenance/Repair	Varies	Cost per HGV ( annual maintenance & repairs cost ÷ total HGV count on roads)
Footpaths & Public Lighting	1700	Cost per linear metre
Relocation of utility Services	Varies	Current construction cost of actual work to be undertaken
Road Lining	Varies	Current construction cost of actual work to be undertaken
Road Signage Finger post	350	Cost per finger post sign
Road Signage Other	Varies	Cost per sign
Bus Shelters	Varies	Cost per unit

## SCHEDULE 1

### Development Contributions

#### 2. Serviced Land Initiative

<b>Column 1</b> <b>CATEGORY OF CONTRIBUTION</b>	<b>Column 2</b> <b>AMOUNT OF CONTRIBUTION IN € (Euro)</b>	<b>Column 3</b> <b>BASIS FOR THE DETERMINATION OF THE AMOUNT OF CONTRIBUTION</b>
<b>WATER</b>		
West Rd. Louisburgh Water Ext.	1,270	Cost per dwelling