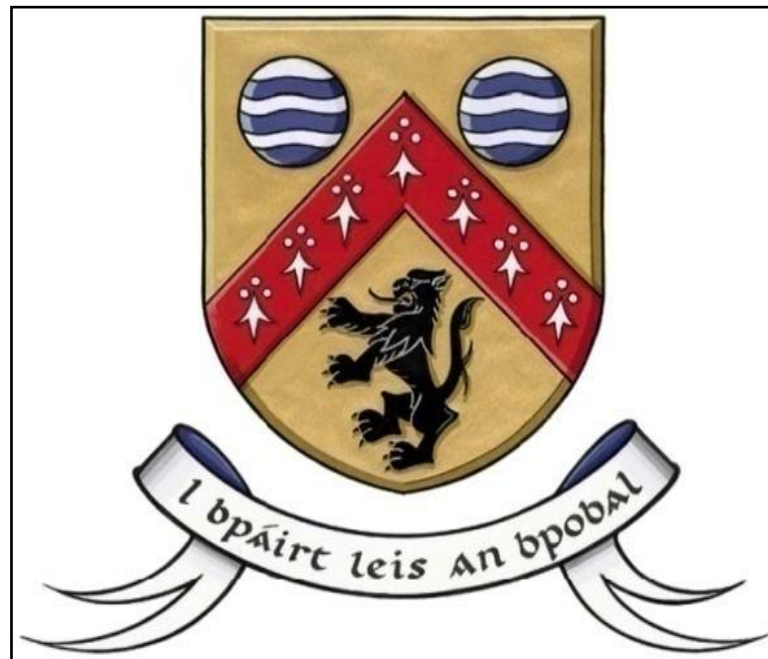


Laois County Council



DEVELOPMENT CONTRIBUTION SCHEME

2017-2023

*Planning Section
21st September 2017*

Contents

1. Introduction	Page 3
2. Duration of Scheme	Page 3
3. Legislation	Page 3
4. Rationale	Page 4
5. Types of Development Contribution Schemes	Page 4
6. Classes of Public Infrastructure and Facilities	Page 5
7. Payment of Contributions	Page 6
8. Appeals to An Bord Pleanala	Page 6
9. General Provisions of Scheme	Page 6
10. Methodology	Page 8
11. Shortfall in Parking	Page 11
12. Exemptions	Page 11
13. Reductions	Page 13
14. Housing Delivery Incentivisation Scheme	Page 14
15. Estimating the Nature and Scope of future growth in County Laois	Page 14
16. Development Contributions	Page 16

Appendices

Appendix A: Range of Capital & Other Projects to be funded from the Scheme	Page 18
Appendix B: Examples of Projects funded from Development Contributions	Page 21

1. INTRODUCTION

This Development Contribution Scheme applies to the administrative area of Laois County Council for the period 2017-2023 inclusive and has been prepared in accordance with the advice and guidance of the Dept of Environment 2013 benchmark document “*Development Contributions, Guidelines for Planning Authorities*”. It will replace the current 2013-2017 Scheme which in turn superceded the 2008-2012 Scheme.

Subsequent to the date of its adoption, all planning permissions granted by Laois Council shall be subject to this Development Contribution Scheme and development charges shall be levied as appropriate as a condition of any permission issued under Section 34 of the Planning and Development Act 2000 as amended.

In addition, the provisions of Section 29 of the Urban Regeneration and Housing Act shall apply.

2. DURATION OF SCHEME

This scheme is effective for a period of **six [6] years** from date of adoption or until such time as a subsequent scheme is adopted.

Nonetheless, the Scheme may be reviewed from time to time by Laois County Council, having regard to the circumstances prevailing at any particular time.

3. LEGISLATION

Sections 48 and 49 of the Planning and Development Act 2000 as amended [hereinafter referred to as the Act] enable 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 it is intended will be provided, by or on behalf of the Local Authority, regardless of other sources of funding for the infrastructure and facilities.

Under subsections [2] and (3) of Section 48, a scheme:

- *shall* state the basis for the determination of a contribution to be paid in respect of public infrastructure and facilities;
- *shall* indicate the contribution to be paid in respect of the 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;
- *may* make provision for payment of different contributions in respect of different classes or descriptions of development;
- *may* require the payment of a Special Contribution in respect of a particular development where specific exceptional costs not covered by a scheme are incurred by a local authority in respect of public infrastructure and facilities which benefit the proposed development.
- *may* allow for the payment of a **reduced contribution or no contribution** in certain circumstances, in accordance with the provisions of the scheme.

The making of a Development Contribution Scheme is a reserved function of the Elected Members of Laois County Council.

4. RATIONALE

A Development Contribution Scheme is a vitally important mechanism for the local authority. Its primary objective is to ensure that developments benefiting from infrastructural investment pay a contribution towards the provision of infrastructure that is essential to enabling that development in the first place. This will promote sustainable development patterns and encourage wider economic activity, investment and job creation.

Development contributions provide the only statutory mechanism for capturing planning gain as part of the development management process.

In addition to funding from the central exchequer, development contributions have enabled much essential public infrastructure to be funded across County Laois since their inception in 2000.

Under the current 2013-2017 Scheme, the Council has allocated over **€9.1 million** in funding to various infrastructural projects throughout the county.

See Appendix B for examples.

5. TYPES OF DEVELOPMENT CONTRIBUTION SCHEMES

There are three types of Development Contribution Scheme, namely:

5.1. General Development Contribution Scheme

Under Section 48 of the Act, planning authorities must draw up a development contribution scheme in respect of certain public infrastructure and facilities provided by, or on behalf of, the local authority that generally benefit development in the area. All planning permissions granted are subject to the conditions of the development contribution scheme in operation in the area of the planning authority.

5.2. Special Development Contribution Scheme

A special development contribution may be imposed under Section 48(2)(c) where specific exceptional costs, which are not covered by the general contribution scheme, are incurred by a local authority in the provision of public infrastructure or facilities which benefit very specific requirements for the proposed development, such as a new road junction or the relocation of piped services.

5.3. Supplementary Development Contribution Scheme

Section 49 of the Act provides for the drawing up of a supplementary development contribution scheme to facilitate a particular public infrastructure service or project which is provided by a local authority or a private developer on behalf of and pursuant to an agreement with a local authority (for example through Public Private Partnership), and which will directly benefit the development on which the development contribution is imposed.

A good example of such schemes include those prepared to support the delivery of public transport projects like the LUAS network in Greater Dublin.

6. CLASSES OF PUBLIC INFRASTRUCTURE AND FACILITIES

Section 48 [17] of the Act gives the following meaning to "public infrastructure and facilities":

- the acquisition of land;
- the provision of open spaces, recreational and community facilities and amenities and landscaping works;
- the provision of roads, car parks, car parking places, surface water mains, sewers, waste water and water treatment facilities, service connections, watermains* and flood relief work;
- the provision of bus corridors and lanes, bus interchange facilities (including car parks for these facilities) infrastructure to facilitate public transport, cycle and pedestrian facilities, and traffic calming measures;
- the refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking places, sewers, waste water and water treatment facilities, service connections or watermains*;
- the provision of high-capacity telecommunications infrastructure, such as broadband;
- the provision of school sites and
- any matters ancillary to the above.

To simplify matters, all of the above items of development types have been amalgamated into **two** overall categories of public infrastructure and facilities.

These are:

- [a] Transport and Drainage Infrastructure including the provision, refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking places, bus corridors, bus lanes, other infrastructure to facilitate public transport, cycle and pedestrian facilities, traffic calming measures and smarter travel projects not covered by National Transport Authority grants; refurbishment, upgrading, enlargement or replacement of surface water drainage infrastructure and facilities, flood relief schemes, broadband.
- [b] Social and Community Infrastructure and Amenities including the provision of open spaces, amenities, leisure centres, playgrounds, walkways, cycle-ways, blue-ways and other supporting infrastructure, urban and village renewal, landscaping, schools, bring-banks, fire service drill towers.

**In previous schemes there would have been a third category, but following on from the enactment of Irish Water Statutory Body, after the 1st of January 2014 Planning Authorities can no longer include conditions on permissions granted that require contributions towards potable water and foul drainage infrastructure and facilities.*

7. PAYMENT OF CONTRIBUTIONS

The requirement for the payment of the contributions provided for in the Scheme will be included in all relevant decisions to grant planning permissions following the making of the Scheme by the Council.

The contributions levied under the Scheme shall be payable prior to commencement of development. The contributions payable shall be subject to annual revision with reference to the Wholesale Price Index (Building and Construction).

Where **Section 29 of the Urban Regeneration and Housing Act 2015** applies, the contributions payable will be based on the contribution rate in existence at the actual payment date. Section 29 of the Urban Regeneration and Housing Act 2015 which amends Section 48 of the Planning and Development Act 2000 provides that where a new development contribution scheme is adopted by a planning authority to provide for reduced development contributions compared to those which were provided for under the previous schemes, the reduced development contributions applicable under the new scheme shall have retrospective effect in respect of planning permissions granted prior to the date of the adoption of the revised scheme, subject to the development, or part of that development, not having commenced prior to the date of the adoption of the new scheme.

The Council may, *at its absolute discretion*, facilitate the phased payment of contributions payable under the Scheme.

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

Under Section 48 [14] of the Act, there is a requirement on the part of the Council to prepare an annual report setting out details of monies received by way of development contributions and how such monies have been expended.

8. APPEALS TO AN BORD PLEANALA

In accordance with Section 48 [10] of the Act, no appeal shall lie to the Board in relation to a condition requiring a contribution to be paid in accordance with the Development Contribution Scheme.

However, an appeal may be brought to the Board where an applicant for permission under Section 34 of the Act considers that the terms of the scheme have not been *properly* applied in respect of any condition laid down by the Planning Authority.

9. GENERAL PROVISIONS OF THE SCHEME

This scheme is in accordance with the provisions of Sections 48 and 49 of the Planning and Development Act 2000 as amended.

9.1 Area of Calculation

The floor area of proposed development where buildings are involved shall be calculated as the **gross floor area**. Where applicable, mezzanine floor areas will be included.

9.2 Mixed Development

In the case of a mixed development, the fee payable will be based on the sum of charges applicable to *each* development type within the overall development.

9.3. Ring Fencing of Income

Monies collected by the local authority under this Scheme must be accounted for separately and can only be applied as capital funding for public infrastructure and facilities. The Annual Report shall contain details of monies paid or owing to it under the Scheme and indicate how such monies paid to it have been spent.

9.4. Certificate of Compliance

Where a Certificate of Compliance with Planning Conditions is requested, reference will be made to the matter of payment of contributions attached to the permission. If the contributions have not been paid in full prior to commencement of the development, or, in the case where a schedule of payments has been agreed and the applicant has not honoured that schedule, a report on the compliance of the development will make specific reference to this fact.

9.5. Public Information

In the interests of transparency, any major infrastructure project part funded by development contributions collected under the County Laois Development Contribution Scheme *may* include project signage placed on the public thoroughfare to this effect.

9.6. Temporary Permission

Where a temporary permission is granted the following reduced rates shall apply:

- 33% of normal rate for permissions of up to 3 years,
- 50% of normal rate for permissions of up to 5 years,
- 66% of normal rate for permissions of up to 10 years.

9.7. Retention Permission

No exemptions or waivers shall apply to any permissions for retention of development. Indeed, according to the Guidelines, Planning Authorities are encouraged to impose higher rates in respect of such applications. However where charges have been imposed and paid in respect of previously approved developments on the subject site, the Planning Authority will make appropriate allowances accordingly.

9.8. Infrastructure in lieu

In the case of a large scale residential, commercial or industrial development, the Council recognizes that a developer *may*, subject to the agreement of the Planning Authority, carry out some works as a result of or pursuant to a planning permission which may in some circumstances benefit others outside the development site (e.g. an increase in the diameter of surface water drainage pipes, increased road width or pavement depth). These works will be formally agreed in advance of development commencing and will be subject to the submission of certified invoices by the developer. Value Added Tax at the appropriate rate will be payable to the Revenue Commissioners. Any set-off against development contributions will be the cost of the works, excluding VAT.

9.9. Double-Charging/ Allowance for previous Use

The practice of double-charging is inconsistent with both the primary objective of levying development contributions and with the spirit of capturing planning gain in an equitable manner.

Therefore a development contribution already levied and paid in respect of a given development should be deducted from the subsequent charge so as to reflect that this development has already made a contribution to the enabling infrastructure and facilities.

In the case of an application to demolish an existing habitable and authorised residential unit and replace it with a similar type build, a contribution shall *only* be payable in relation to an increase in floor space if applicable.

A similar situation will apply in the case of a usable and authorised commercial or industrial unit.

9.10. Revisions/Modification to a permitted development

An application for permission for modification or revision to a permitted development, including a change of house type or amendment to a site layout will, *where material*, be treated as an independent/separate permission for development, and will be assessed on the full proposal for the floor area permitted in such a permission, at the rate of development contributions in operation on the date of issue of the decision to grant permission.

9.11. Car parking in cases of change of use development

Where a change of use is proposed, the Planning Authority shall take due account of the inherent car parking associated with the existing use when calculating car parking development contributions.

9.12. Car parking in a structure

Development contributions shall not be levied on car parking areas provided within a structure and where the relevant development plan standards are achieved accordingly.

9.13. Mixed use complementary parking

Where a proposed development will consist of a mixture of uses, and the use of the units, due to varying hours of business, will allow for the sharing of the proposed parking spaces, the Planning Authority will calculate the number of spaces to be provided based on the *maximum* number of spaces that will be required at any time throughout the day.

9.14. Outline Planning Permission

The amount of the contribution to be levied is the contribution rate applicable at the time of the decision on the permission granted consequent to the outline stage and not at the date of the grant of outline permission.

10. METHODOLOGY FOR DETERMINATION OF DEVELOPMENT CONTRIBUTION SCHEME 2017-2023

In determining the outline, content and pricing of the new scheme, a number of different tasks were carried out.

10.1. Comparison with adjoining Local Authorities

Firstly, for reasons of comparison and contrast, there was an examination of the development contribution schemes applicable in the five adjacent local authorities of Carlow County Council, Kildare County Council, Kilkenny County Council, Offaly County Council and Tipperary County Council.

Simultaneously, the current Laois County Council scheme was reviewed and areas highlighted for possible revision including the introduction of charges to cover newly emerging development categories such as solar energy, equestrian and land filling projects, an increase in charges for some development categories, including residential, agricultural and extractive, and a decrease in charges for the commercial and industrial development categories.

The Guidelines make it clear that schemes should not be regarded as a mechanism to secure competitive advantage over other local authorities through artificial lowering of contributions. Such an approach would impact the capability to improve the overall business environment to the detriment of overall competitiveness.

10.2. Local Context

The key infrastructural objectives of the following statutory and non-statutory documents were taken into account as part of the exercise:

- Laois County Development Plan 2011-2017,
- Laois County Development Plan 2017-2023,
- Portlaoise Local Area Plan 2012-2018,
- Mountmellick Local Area Plan 2012-2018,
- Portarlington Joint Local Area Plan 2012-2018,
- Graiguecullen Joint Local Area Plan 2012-2018,
- Laois County Council Service Delivery Plan 2017,
- Laois County Council Capital Indicative Programme 2017-2019,
- County Laois Local Economic and Community Plan 2016-2021.
- Census 2016 Returns

Census 2016

The exceptional population growth that occurred in County Laois in inter-censal periods 2002-2006 and 2006-2011 has continued through to 2016. According to census data for 2016, County Laois now has a population of 84,732 which is 5.2% higher than in 2011 [80,559] which itself was 20% higher than in 2006 [67,059].

The trends for the county town of Portlaoise are similar with its population having increased from 18,270 in 2011 to 22,050 in 2016, an increase of nearly 21%. Portlaoise continues to be one of the fastest growing urban centres not just regionally but nationally as well.

10.3. Overall Economic Climate

In addition, the prevailing economic climate in terms of key indicators such as Gross Domestic Product [GDP], Gross National Product [GNP] and the labour market has been researched.

Notwithstanding the potential implications of Brexit, the Irish economy and by extension the Laois economy is in a far better place than when the current Scheme was adopted in 2013. Back then Ireland was still in the throes of the worst recessionary period since the foundation of the state.

Ireland's economy grew by 5.2% last year, outstripping all other euro zone countries and most official forecasts for the third successive year. While the rate of growth is a fraction of the 26% recorded for 2015 that was largely seen as an aberration.

The latest quarterly national accounts from the Central Statistics Office suggest output increased in all sectors of the economy. According to the figures, gross domestic product (GDP) accelerated by 5.2% in 2016 while gross national product (GNP) rose by 9%.

On a quarterly basis, GDP advanced by 2.4% in the final quarter of 2016, down from the 4% recorded for the three months to September.

Investment, meanwhile, jumped by 45.5% to €76 billion driven by the import of intellectual property assets to Ireland. This was linked to once-off tax planning by multinationals amid a global clampdown on corporate tax avoidance.

Personal consumption, which accounts for almost half of domestic demand and ranks as **the best indicator of local economic activity**, rose by 3%. This tallies with the rise in employment and tax revenue evidenced in other indicators.

The latest figures also show industrial output last year increased by 2.4% in volume terms. Within the industry sector, building and construction grew by 11.4% reflecting the recovery in property. The distribution, transport, software and communications sector grew by 7.8%, while the other services and agricultural sectors grew by 6 per cent and 6.2% respectively.

Separate CSO figures on the State's balance of payments pointed to a current account surplus of €12.5 billion in 2016.

The situation pertaining to the labour market is positive as well. Unemployment is now on course to dip below 6% by the middle of this year following another monthly slide in the official jobless rate. The number of workers classified as unemployed fell by 2,900 to 145,100 during February, which equates to an annual decrease of 36,200. The State's youth unemployment rate was 14.5% in February, down from 15.1% the previous month while the number of long term Live Register claimants is now 117,048, over 40% fewer than the peak crisis number of 201,513 in August 2012.

Employment growth in the Irish economy is continuing to accelerate with official figures indicating that nearly 20,000 jobs were created in the first three months of the year.

According to the latest Quarterly National Household Survey (QNHS), the positive trend is being driven by a rapid pick-up in employment in the technology and construction sectors.

The survey, which is considered the most accurate barometer of conditions in the labour market, shows there was an annual increase in employment of 3.5 per cent or 68,600 in the first quarter of 2017, bringing total employment in Ireland to 2.04 million.

The Economic and Social Research Institute (ESRI) predicts the economy will return to full employment, or an unemployment rate of 5 per cent, by 2020. However, at the current rate of job creation this may be achieved sooner, possibly by Q4 2018.

11. SHORTFALL IN PARKING PROVISION

The current scheme is weighted in favour of town centre locations.

It is suggested this weighting be retained coupled with a reduction in the charge for a town centre space from €1,000 currently to €500 and an increase in the charge for a suburban space from €5,000 currently to €6,000.

In conjunction with other recommendations outlined in this document, this will be a positive factor in the Council's efforts to rejuvenate the town centre areas throughout County Laois.

12. EXEMPTIONS

The following categories of development will be exempted from the requirement to pay development contributions under the Scheme.

12.1. Voluntary and Health

Development, which in the opinion of the Planning Authority, is development proposed to be carried out by or on behalf of a voluntary organization or the HSE /TUSLA, and which in the opinion of the Planning Authority:

- is designed or intended to be used for social, recreational, education, health 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,
- is designed or intended to be used as a workshop, training facility, hostel or other accommodation to include day services for health related uses and any ancillary or associated offices for persons with a disability for persons with disabilities and is not to be used mainly for profit or gain,
- is ancillary to development referred to above.

12.2. Housing

Development or part thereof consisting of sheltered or supported accommodation for homeless persons, sheltered housing schemes for vulnerable groups such as the elderly, disabled and persons with mental health issues, those moving from congregated settings, childcare (under 18) provided by voluntary or not-for-profit non-statutory groups that are recognised by the Council as such.

Development consisting of social housing units which are purchased in accordance with an agreement made under **Part V** of the Planning & Development Act 2000, (as amended) or which are provided by a voluntary, HSE / TUSLA or co-operative housing body, which is recognised by the Council as such.

12.3. Local Authority Development

Development carried out by the Local Authority pursuant to Section 179 of the Act.

12.4. Education

Development consisting of non-fee paying primary and secondary schools and extensions thereto. Fee-paying schools are not exempt.

12.5. Community Enterprise Centres

Development consisting of community based enterprise centres with support from Enterprise Ireland.

12.6. Derelict Sites

Development consisting of the satisfactory refurbishment of derelict sites, as entered in the Derelict Sites Register. The exemption will not apply where a substantial change of use and/or intensification of development has been permitted.

12.7. Protected Structures

Development consisting of approved [by way of a grant of planning permission or a Section 57 Declaration] works to a protected structure where the works substantially contribute to the restoration or protection of the protected structure. **Exemptions are sought in relation to any development within the curtilage of a listed building together with an exemption in relation to the upgrade of a protected**

structure to allow for the change of use where it contributes to the restoration and protection of a protected structure.

However this will not apply in the case of new builds (stand alone developments or extensions to existing protected structures)within the curtilage of a protected structure.

12.8. Renewable Energy

Development consisting of renewable energy projects not exceeding 0.5 MW output.

12.9. Telecommunications

Development consisting of masts and antennae, dish and other apparatus/equipment for communication purposes which form part of the National Broadband Scheme (NBS) or a subsequent Government endorsed initiative as defined by the Department of Communication, Energy and Natural Resources (DCENR).

Where a general development contribution has been paid for telecommunications apparatus on foot of a 5 year permission (as recommended by the DoEHLG Guidelines on Telecommunications 1996), contributions will not be payable on any subsequent applications for the same structure, unless the existing structure is to be materially altered.

12.10. Change of Use

Changes of use between the uses described in Class 1, 2 and 3 of the Planning and Development Regulations 2001 (as amended) (Schedule 2, Part 4, Article 10) shall be exempted from the development contribution scheme when the use being changed to, is also within these classes. Ordinarily, changes of use from one use to another use contained within the one class is considered Exempted Development in accordance with Part 4 of the Regulations and therefore no Development Contributions apply as no application needs to be made. Where an application is made however, an exemption shall be given in respect of the development contribution scheme.

12.11 Uncovered Storage

Development consisting of uncovered storage space which is within the overall site curtilage and which is deemed by the Planning Authority to be ancillary to the primary development on the site.

13. REDUCTIONS

13.1. Employment Creation

A **33%** reduction shall apply to new business developments by IDA, Enterprise Ireland or entrepreneurs where 5 or more new jobs are being created. **Documentary evidence** to the satisfaction of the Council must be submitted in this regard.

13.2 Town Centre Rejuvenation

A **33%** reduction shall apply in the town centre primary/town centre zoned areas of Portlaoise, Portarlington, Graiguecullen, and Mountmellick as defined in the Laois County Development Plan 2017–2023 and Local Area Plans respectively and in the village and town centre zoned areas for each town and village as defined in Volume 2 of the County Development Plan 2017-2023.

A **50%** reduction [none in the current scheme] shall apply in the case of **provision of residential development over ground floor commercial space** in the town centre primary and town centre zoned areas of Portlaoise, Portarlington, Graiguecullen and Mountmellick as defined in the Laois County Development Plan 2017–2023 and Local Area Plans respectively and in the town and village centre zoned areas for each town and village as defined in Volume 2 of the County Development Plan 2017-2023.

13.3 Clarification

Double credits shall not apply. Where on the surface it appears a proposed development may qualify for one or more exemptions under this section, only one [as determined by the Council] shall actually apply.

14. HOUSING DELIVERY INCENTIVISATION SCHEME

In 2016 the Government launched *Rebuilding Ireland–Action Plan for Housing & Homelessness*.

The overarching aim of this Action Plan is to ramp up delivery of housing from its current under-supply across all tenures to help individuals and families meet their housing needs, and to help those who are currently housed to remain in their homes or be provided with appropriate options of alternative accommodation, especially those families in emergency accommodation.

The Action Plan sets ambitious national targets to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing in the period to 2021, while at the same time making the best use of the existing housing stock and laying the foundations for a more vibrant and responsive private rented sector.

In order to meet its objectives the Action Plan sets out a broad range of well-resourced actions designed to increase housing output, particularly at more affordable prices, encourage the delivery of more and better rental options, keep people in their homes and bring vacant and under-utilised properties back into full use.

To give effect to the Action Plan at a local level and to stimulate the private housing market in urban area [see below for definition] Laois County Council is discounting the Development Contribution Scheme and is instead offering the following temporary house building incentive:

- a **contribution in total sum of €2,000* only** shall be charged in respect of each approved dwelling unit [comprising dwelling or apartment] commenced, fully constructed and occupied by 31st December 2019 in the urban areas of County Laois.

Urban areas are defined as those areas within the development boundaries of Portlaoise, Portarlington, Graiguecullen, and Mountmellick as indicated in their respective Local Area Plans as well as the towns and villages as indicated in Volume 2 of the County Development Plan.

**water services charges are not included*

15. ESTIMATING THE NATURE AND SCOPE OF FUTURE DEVELOPMENT IN COUNTY LAOIS

The provisions of the relevant development plan and any local area plans are the primary source of information on the nature and scope of future development, taking account of additional data in relation to development trends and statistics.

The key types of development for which estimates should be obtained fall into two main categories:

- Residential and
- Non-Residential

15.1. Residential

In the case of residential, the population and housing targets set out in the relevant development plan core strategy should provide the most appropriate basis from which to commence the estimation process.

The core strategy of the Draft Laois County Development Plan 2017-2023 predicts that **2,136 residential units** will come on stream by target year 2023.

15.2. Non-Residential

In relation to non-residential forms of development principally comprising industrial and commercial floor space, the target figure in the current scheme is 300,000 square metres.

Having regard to the general pick-up in the economy post 2013, the increase in planning applications and pre-planning enquiries for this type of development, an increase in the order of 10% for the new scheme is suggested. This gives a figure of **310,000 square metres** of which 20,000 square metres is devoted to the retail sector in accordance with the Retail Strategy of the Draft Laois County Development Plan 2017-2023.

16. DEVELOPMENT CONTRIBUTIONS SCHEME 2017-2023**Residential**

Category of Development	Rate of Charge
<p>Urban Residential</p> <p>Where located within urban areas as defined on page 14</p> <p>Where the provisions of the Housing Delivery Incentivisation Scheme apply</p>	<p>€4,000 (regardless of size of dwelling) comprising €2,400 for Roads and €1,600 for Amenities</p> <p>€2,000 per unit [regardless of size of dwelling] comprising €1,200 for Roads and €800 for Amenities</p>
<p>Rural Residential</p> <p>located outside LAPs and designated settlement boundaries</p>	<p>€2,000 base charge for dwellings up to 200 sq. ms. in size comprising €1,200 for Roads and €800 for Amenities</p> <p>Additional Charges on an floor area basis as follows:</p> <ul style="list-style-type: none"> • 201-249 sq.ms. band, €12 per sq. m. over 200 sq. ms., • 250-299 sq.ms. band, €16 per sq. m. over 200 sq. ms., • 300>sq.ms. band, €20 per sq. m. over 200 sq. ms.,
<p>Ancillary Residential</p> <p>Extension in excess of exempted development floor area threshold of 40 sq. ms.</p> <p>Sheds, garages and similar type buildings within the site curtilage in excess of the exempted development floor area threshold of 25 sq. ms.</p>	<p>€10 per sq. m. comprising €6 for Roads and €4 for Amenities</p> <p>€10 per sq. m. comprising €6 for Roads and €4 for Amenities</p>

Non-Residential

Category of Development	Rate of Charge
Commercial and Industrial Buildings	€34* per sq. m.
Agricultural Buildings in excess of a 500 sq. ms. size threshold (This includes equestrian centres , liverys, riding school buildings, etc and horticulture operations)	€3* per sq. m.
Extractive Industry	€0.25* per cubic metre of material based on extraction volumes subject to a minimum charge of €15,000 per hectare
Landfilling with inert material other than for agricultural purposes	€0.25* per cubic metre of material based on importation volumes subject to a

	minimum charge of €15,000 per hectare
Waste Facility approved either by EPA permit or by Laois County Council permit	€0.25 * per cubic metre of material based on importation volumes subject to a minimum charge of €15,000 per hectare
Solar Energy	€10,000* per 1 MW output
Wind Energy	€10,000 per 1 MW output with the following add-ons: <ul style="list-style-type: none"> • €25,000 for each turbine in the height range of 75-100 metres • €50,000 for each turbine in the height range of >100 metres
Advertisement Structure	€1,000 per structure over 1 sq. m. in size
Uncovered Storage [not ancillary]	€15 per sq. m
Golf Course	€400 per hectare subject to a minimum charge of €10,000
Deficit in Provision of Car Parking Spaces	€6,000* per space in Greenfield Areas €500* per space in Town Centre Zoned Areas subject to the following: <ul style="list-style-type: none"> • where the deficit is between 0-5 spaces, no charge will apply, • where the deficit is between 5-10 spaces, 50% of the charge will apply, • where the deficit is >10 spaces, the full charge will apply
Development not in any of the above classes	€40 per sq. m.

*No change from charges in current scheme.

*Proportionality of charge is 66.6 % Transport and Drainage Infrastructure and 33.3% Social and Community Infrastructure and Amenities

Note: Where a proposed development does not correlate exactly with a specific Category of Development, the Planning Authority will regard it in the context of the closest specific category thereto.

17.0 Implementation of Scheme

This Development Contribution Scheme comes into operation on the **20th October 2017** for the entire administrative area of Laois County Council and the terms of the scheme will be applied to all decisions to grant planning permission made on or after that date, irrespective of when the planning application was submitted, on land in the administrative area of Laois County Council .

It shall also apply to any order by An Bord Pleanála on or after that date where it is a condition of the order that the amount of a development contribution is to be determined by the Planning Authority. Laois County Council may, in addition to the terms of this scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by this scheme are incurred in respect of public infrastructure and facilities which benefit the proposed development.

Laois County Council may, in addition to the terms of this scheme require the payment of a supplementary contribution in accordance with a Supplementary DCS if made by the Planning Authority. Contributions shall be payable immediately upon the commencement of development.

In cases where a development is being carried out in phases and such phases have been identified as part of the planning permission, or where the applicant has reached agreement with the Council regarding the payment of the contribution in phases, the contribution may be paid in associated instalments at the commencement of each phase or at agreed times where construction phases were not identified during the planning process. The phased payment of the contribution payable will require the prior written agreement of the Council and may require the giving of security/bond to ensure payment.

This DCS shall apply until **19th October 2023** inclusive unless it is otherwise modified, extended or replaced by the Local Authority.

Appendix A: Range of Capital & Other Projects to be funded from the Scheme

1. Transport and Drainage Infrastructure

Principal Town

- *Portlaoise Southern Orbital Route*
- *M7 Junction 17 Off Ramp at Togher National Enterprise Park, Portlaoise*
- *Togher, Portlaoise Link Road*
- *Togher Business Park*
- *N80 Mountmellick Road, Portlaoise Improvements*
- *R445 Mountrath Road, Portlaoise Improvements*
- *Portlaoise Junction Upgrades*
- *Borris Road Realignment*
- *N80 Clonreher Tie-in*
- *Portlaoise Western Circular-Clonrooske*
- *Portlaoise Northern Orbital Route*
- *Portlaoise LURD*
- *Portlaoise Laneways*
- *Lyster Square, Portlaoise Re-surface*
- *Lower Main Street Portlaoise Upgrade*
- *Miscellaneous Upgrades Portlaoise*
- *Public Realm Improvements*
- *Mountrath Road, Portlaoise Roundabout,*
- *Car Parking*

Key Service Town

- *Portarlington Relief Road*
- *Portarlington Parking*
- *Portarlington Junction Upgrades*
- *Footpaths Housing Development Portarlington*
- *Portarlington Market Square/Main Street Upgrades*
- *Footpaths Portarlington*

Service Towns

- *Carlow Northern Relief Road Extension*
- *Mountmellick Parking*
- *Mountrath Town Upgrade*
- *Durrow Square Upgrade*

Local Service Towns

- *Rathdowney Traffic Improvements Phase 2*

County Wide

- *Interurban Cycle facilities on former National Routes*
- *Ongoing Bridge Maintenance*

- *Flood Relief Works*
- *Capital Works including gasification project at Kyletalesha*
- *Landfill Infrastructural Works at Kyletalesha*
- *Leachate Management Design and Construct at Kyletalesha*
- *Village and Urban Renewal*
- *Footpaths-Other Towns*

2. Social and Community Infrastructure and Amenities

Leisure and Tourism Facilities

- *Acquisition and Development of Lands at Rock of Dunamaise*
- *Portlaoise Athletics Track*
- *Portlaoise Blueway*
- *Portlaoise Leisure Centre Floodlighting, Fencing, Extension to Sports Hall, Skate Park*
- *Outdoor Adventure Centre at Portarlinton Leisure Centre*
- *Portarlinton Leisure Centre Improvement Works*
- *Portarlinton Swimming Pool*
- *Derryounce Lake Point Project*
- *National Cycling Trail in Sliabh Blooms*
- *Natural Playground in Emo*
- *Walking Trails in Sliabh Blooms*
- *River Barrow Blueway*
- *Woodenbridge to Castedurrow Blueway*
- *Castletown to Durrow Blueway*
- *Village Playgrounds as appropriate*
- *Local Authority Housing Recreational Areas as appropriate*
- *Sli na Slainte Walking Routes as appropriate*
- *Youth Cafes in main population centres*
- *Upgrade of existing parks infrastructure as appropriate*

Education and Related Facilities

- *County Library in Portlaoise*
- *Portlaoise Co-Working Centre*
- *Portarlinton Land Acquisition [School]*
- *Portarlinton Library*
- *Rathdowney Library Refurbishment*
- *Abbeyleix Library*
- *Stradbally Arthouse and Library*

Fire Services and Related Facilities

- *Drill Towers*
- *Civil Defence Building*

Miscellaneous

- *Burial Grounds*

Appendix B: Examples of Projects in County Laois funded from Development Contributions

Examples include:



Portarlinton: leisure centre [left] and astro-turf pitch [right]



Portlaoise: section of SOR with new schools campus [left] section of WOR at Clonrooske [right]



Carlow: extended section of Northern Relief Road [left] and Durrow Square refurbishment [right]



Stradbally Courthouse and Arts Centre [left] and Ridge Road, Portlaoise Treatment Plant [right]



Mountmellick Civic Centre [left] and play-area at Irishtown, Mountmellick [right]