



Comhairle Contae Thiobraid Árann
Tipperary County Council

Planning Section

Draft Development Contribution Scheme 2020

Tipperary County Council

September, 2019

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1.0 Introduction

Section 48 of the Planning and Development Act 2000 (as amended) (hereafter referred to as “the Act”) enables the 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. Subsection (3) of Section 48 specifies that a scheme shall;

- set out the basis for the determination of a contribution
- make provision for payment of different contributions in respect of different classes or descriptions of development
- 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 allow for the payment of a reduced contribution or no contribution in certain circumstances, in accordance with the provision of the scheme.

2.0 Preparation of the Scheme

Following pre-draft consultation with the Elected Members and other relevant stakeholders, a Draft Development Contribution Scheme (DDCS) has been prepared. The contents of the DDCS were discussed with the Elected Members of Tipperary County Council at a Workshop on the 9th September, 2019. The DDCS is being placed on public display for a period of 6 weeks from the 28th September, 2019. Written submissions are invited until 11th November, 2019. During the public consultation period the Council intend to take a number of pro-active measures to raise awareness of the DDCS 2014 and to encourage participation in the preparation process, namely,

- Notice of the DDCS to be published in the following papers in advance of 28th September 2019;
 - The Nationalist,
 - The Tipperary Star,
 - The Nenagh Guardian and
 - The Midland Tribune
- All relevant stakeholders will be notified in writing
- Notice will also be published on www.tipperarycoco.ie and www.gov.ie

A Chief Executive’s Report addressing each of the submissions received between the 28th September and the 11th November will be presented to the Elected Members of Tipperary County Council for their consideration. This report will include a summary of the submissions received and will set out

any proposed amendments to the DDCS, if required. The proposed final Scheme will be presented to the Council for adoption.

The making of a Development Contribution Scheme (DCS) is a reserved function of the Elected Members of the Council under Section 48(8) of the Act. This DDCS is intended to replace the current scheme that expires on the 31st December 2019.

3.0 Rationale for Development Contributions

When new development occurs it impacts on the capacity of existing infrastructure networks. Such development places a greater demand on the services provided by Tipperary County Council. It is considered equitable that developers contribute to the financial burden associated with the provision of enhanced infrastructure networks facilitating new development. However, the DDCS ensures that the cost of infrastructural improvements does not fall disproportionately on new development and takes account of benefit to existing development.

4.0 Function of the Development Contribution Scheme

Development proposals granted under Part 3 of the Act may include conditions relating to the proper planning and sustainable development of the area. They may also include conditions requiring the payment of financial contributions towards the provision or upgrade of infrastructural services facilitating the development. The DDCS provides the statutory basis enabling a Planning Authority to impose such conditions.

5.0 Types of Development Contributions

The Act provides for three types of Development Contributions that may be attached as conditions to grants of planning permission:

- (i) General Development Contributions
- (ii) Special Development Contributions
- (iii) Supplementary Development Contributions

5.1 General Development Contributions

These contribution schemes apply in respect of public infrastructure and facilities provided by or on behalf of the Local Authority that benefit development in the Local Authority's functional area. Under a general development contribution scheme, the Planning Authority does not need to show a direct connection between the development contribution paid and works done which facilitate the development. However it is important that the Planning Authority is satisfied that the basis for determining the contribution levels can be adequately justified and supported.

The types of public infrastructure and facilities that can be funded by the Development Contribution Scheme are¹:

- (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 sewers and flood relief work and ancillary infrastructure.
- (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, surface water sewers, flood relief work and ancillary infrastructure.
- (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)

Development contributions can only be levied as capital funding for public infrastructure and facilities and as such cannot be used to pay current costs.

This General DDCS shall come into operation on 1st January 2020 and will be applied to all grants of planning permission made on or after that date, irrespective of when the planning application was submitted, within the administrative area of Tipperary County Council.

No appeal shall lie to the Board in relation to a condition requiring a contribution to be paid in accordance with this Scheme. However, an appeal may be brought to the Board where an applicant for permission under Section 34 of the Planning and Development Act 2000 (as amended), considers that the terms of the Scheme have not been properly applied in respect of any condition laid down by the Planning Authority.

5.2 Special Development Contributions

A Planning Authority may, in addition to the terms of a General DCS, 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 the Local Authority in respect of public infrastructure and facilities which directly benefit the proposed development. The Planning Authority must specify in a planning condition attached to the grant of permission, the particular works carried out, or proposed to be carried out, to which the contribution relates. Under Section 48(12) of the Act, where the works in question are not commenced within 5 years of the date of payment to the authority of the contribution (or final instalment thereof, if paid by phased payment), have commenced but have not been completed within 7 years of the date of payment or final instalment, or where the Local

¹Under previous Schemes contributions were also levied for the refurbishment, upgrading, enlargement or replacement of sewers, waste water and water treatment facilities, service connections and water mains. In accordance with the Water Services (No. 2) Act 2013 a range of statutory water services functions have transferred from Local Authorities to Irish Water from 1st January 2014.

Authority decides not to proceed with the proposed works, the contribution shall be refunded together with any interest that may have been accrued. In accordance with the provisions of the Act, each Planning Authority decides if a Special Development Contribution is required and the level of the contribution, having regard to the actual costs incurred in relation to the particular works carried out, or the estimated cost in the case of works proposed to be carried out.

5.3 Supplementary Development Contributions

Under Section 49 of the Act, a Planning Authority may, when granting planning permission under Section 34 of the Act may in addition to applying the general DCS, include conditions requiring the payment of a contribution in respect of any public infrastructure service or project;

(a) Specified in a scheme made by the Planning Authority i.e. a Supplementary Development Contribution Scheme

(b) Provided or carried out or proposed to be provided or carried out

- By a Planning Authority
 - Where the provision of the infrastructure concerned is an objective in the Development Plan of a Planning Authority, or of a planning scheme of the Dublin Docklands Development Authority under Section 25 of the Dublin Docklands Development Act 1997, by a public authority, or, pursuant to an agreement entered into by a public authority with any other person, by that person, or
 - Pursuant to an agreement entered into by a Local Authority with any other person, by that person,
- and
- That will benefit the development to which the planning permission relates when carried out.

Projects that may be included in a Supplementary DCS include rail, light rail or other public transport infrastructure, including car parks and other ancillary development, the provision of particular new roads and ancillary infrastructure, new schools and ancillary infrastructure.

The amount and manner of payment of a Supplementary Development Contribution is determined in accordance with the Supplementary DCS. The Scheme must specify the area to which it applies and also must specify the public infrastructure project or service on which the supplementary contributions are to be expended.

Notwithstanding section (3) and 48(10) of the Act the Board shall consider an appeal brought to it by an applicant for permission under Section 34 in relation to a condition requiring the payment of a contribution in respect of a public infrastructure service or project specified in a Supplementary DCS, where the applicant considers that the service or project will not benefit the development to which the permission relates and section 48(13) shall apply to such an appeal.



6.0 Classes of Development

Development Contributions shall be paid in respect of the following different classes or descriptions of development. The basis for determination will be the rate for developments which are listed in the scheme, and where not specifically listed, are deemed closest in nature to the proposed development.

<i>CLASS</i>	<i>DESCRIPTION</i>	<i>CATEGORY</i>
Class 1	The provision of a house in the open countryside in accordance with the policies of the relevant Development/ Local Area Plan.	Residential
Class 2	The provision of a house on appropriately zoned lands and/or within the settlement boundary of a town or village identified in the relevant Development / Local Area Plan or as part of a cluster housing development in compliance with the cluster housing policies of the relevant Development/ Local Area Plan	Residential
Class 3	The provision of an extension to an existing house or the conversion for use as part of the house of any garage, store, shed, or other structure used for ancillary domestic purposes ² and/or the provision or extension to a shed/garage or other storage structure for domestic purposes ³	Residential

²The 1st 40sqm of any such development shall be excluded from the calculation of charges.

³ Where the combined domestic storage structures exceed 70sqm. Roof space storage above residential space is not included in calculation.

CLASS	DESCRIPTION	CATEGORY
Class 4	(a) The provision of a business premises including: <ul style="list-style-type: none"> • any structure or other land which is normally used for the carrying on of any professional or commercial undertaking or any structure which is normally used for the provision therein of services to persons: • a hotel, restaurant or public house; • any structure or other land used for the purpose of, or in connection with, the functions of a state authority (b) The provision of facilities for childminding (c) The provision of a day centre (d) The provision of any guest house or other premises providing overnight guest accommodation, club, boarding house or hostel (e) The provision of a shop or supermarket (f) The provision of a wholesale warehouse or repository (g) The provision of a school or college (h) The provision of a nursing home, hospital or health centre.	Commercial
Class 5	The use of land for: <ul style="list-style-type: none"> (a) The parking of motor vehicles (b) The open storage of plant, machinery, equipment, motor vehicles or other objects or substances for sale. 	Commercial
Class 6	The provision of an advertisement structure or the use of an existing structure or other land for the exhibition of advertisements.	Commercial
Class 7	The provision of buildings or other structures for the confinement of animals at high stocking densities ⁴ for the production of dairy and/or beef.	Commercial
Class 8	The provision of an industrial building or light industrial building (including for non-retail warehousing ⁵ , processing & manufacturing).	Industrial

⁴ High stocking densities are those in excess of 3 units per hectare.

⁵The 1st 750 sqm of non-retail warehousing shall be charged at 50% of the applicable charge.

<i>CLASS</i>	<i>DESCRIPTION</i>	<i>CATEGORY</i>
Class 9	The use of land for the deposit of infill ⁶ , refuse or waste, winning and working of materials, including the extraction of sand, gravel and stone and/or the use of land as a mine for the purposes of mineral extraction:	Industrial
Class 10	The provision on, in, over or under land of plant or machinery or of tanks or other structures (other than buildings) for storage purposes.	Industrial
Class 11	The provision of buildings or other structures for the purpose of the keeping of horses ⁷ , dogs or cats ⁸ .	Agriculture
Class 12	The provision of buildings or other structures for the purpose of traditional agriculture ⁹ .	Agriculture
Class 13	Horticulture Developments ¹⁰ .	Agriculture
Class 14	(a) The use of uncultivated land or semi-natural areas for intensive planting purposes (b) Initial afforestation (c) The replacement of broad-leaf high forest by conifer species (d) Peat Extraction.	Agriculture*

⁶ Excluding infill carried out as permitted restoration works to a quarry.

⁷ In the case of stables, the contribution will be applied where the gross floor area, when measured internally, exceeds 200 square metres.

⁸ In the case of kennels, housing dogs or cats, the contribution will be applied where the gross floor area, when measured internally, exceeds 100 square metres.

⁹ For the purposes of traditional agricultural development (excluding stables and kennels) this contribution will be applied where the gross floor area, when measured internally, exceeds 500 square metres. Structures with a roof but no walls or walls but no roof are not subject to contributions.

¹⁰ In the case of horticultural developments, the contribution will be applied where the gross floor area, when measured internally, exceeds 500 square metres.

CLASS	DESCRIPTION	CATEGORY
Class 15	The use of land for: a) a golf course or a pitch and putt course. b) The keeping or placing of any tents, campervans, caravans or other structures (whether or not movable or collapsible) for the purpose of caravanning or camping. c) a commercial sports track/field/pitch	Amenity
Class 16	The provision of pipes and/or ducts for the distribution of gas and/or wastewater.	Infrastructure
Class 17	The provision in, on, over and/or under land of buildings/ plant/ housings and or reservoirs associated with the provision of water and or wastewater.	Infrastructure
Class 18	The laying of pipes for the movement of water through the County and the ongoing abstraction of water ¹¹ from any point within the County.	Infrastructure
Class 19	The provision of overhead and/or underground distribution lines for the distribution of electricity and/or telecommunications inclusive of transmission lines to grid connection.	Infrastructure
Class 20	The use of land as a burial ground.	Infrastructure
Class 21	The provision of energy development ¹² .	Infrastructure

¹¹ Save where the abstraction of water is solely associated with the manufacturing process and does not form part of the product.

¹² Note Section 10.0 Exemptions and Reductions regarding energy development

7.0 Classes of Public Infrastructure & Facilities

Development Contribution Schemes provide funding for the following classes of public infrastructure or facilities, and their enabling costs¹³.

Roads and Public Infrastructure

Roads infrastructure expenditure provides for the provision, refurbishment, upgrading, enlargement or replacement of roads, drainage, the provision of open spaces, landscaping works, bus corridors and lanes, bus interchange facilities, infrastructure to facilitate public transport, cycle and pedestrian facilities and traffic calming measures, the associated acquisition of land and ancillary matters including investment in infrastructure that would provide an economic, social and/or community benefit to a locality.

General Recreational and Community Facilities and Amenities

Expenditure on general recreational and community facilities and amenities includes for the development of communities (including investment in infrastructure that would provide an economic, social and/or community benefit to the area) and the provision / improvement of recreational and community facilities and amenities, the associated acquisition of land and ancillary matters and making provision to meet net annual loan charges on facilities and amenities provided under the development contribution scheme.

8.0 Basis for determination of development contributions

In determining contribution levels, regard has been had to the objectives, strategies and work programmes of Tipperary County Council. In particular, regard has been had to, among other sources, current Development and Local Area Plans in operation in the administrative area of the County Council, the existing Development Contribution Schemes in operation in the County and those of adjoining counties, population projections for the County, Central Statistics Office data arising from the 2016 Census and the Capital Projects Programme for each of the five Municipal Areas.

The basis for the determination of a contribution in this DCS has taken into consideration;

- The amount of the actual estimated costs which are attributable to new residential development and other new development from 2020 -2025 for the provision of infrastructure¹⁴,
- The aggregated floor areas in square metres of probable residential development¹⁵ (2020 -2025) and
- The benefit of new infrastructure and facilities attributable to existing development.

¹³Including design, feasibility & planning costs.

¹⁴ Estimated at €21million

¹⁵ 485,000sqm

Residential Development

The maximum need for additional residential units in the TCC administrative area for the period of the DDCS is 1,840 units in urban areas and 1,335 units in the open countryside¹⁶ with an average floor area of 125sqm and 192sqm respectively¹⁷.

The distribution of these units will be determined having regard to existing infrastructure capacity and availability of services in the County's settlements. It is desirable to encourage new residential development on lands zoned for that purpose in the towns and villages in County Tipperary and to set out an increased cost for new residential development in the open countryside as this is reflective of the increased cost to the Council of providing services to this later type of development. Furthermore, where existing residential units seek to expand their existing accommodation, a reduced levy is appropriate for this category of development noting that the demand on Council services in this case is much reduced when compared to a new residential unit¹⁸. This Scheme introduces the same reduced levy for storage space on a residential site above 70sqm in line with the Development Plan policy.

Non-residential Development

The ability to project, in quantitative terms, the extent of non-residential development across County Tipperary is difficult. However, having evaluated the 2015-2019 Scheme, it is noted that 39% of contributions paid arose from non-residential development and it is anticipated that a similar result will arise from this Scheme¹⁹.

9.0 Calculation of Contribution

In determining the contributions in accordance with this scheme, regard has been given to the actual estimated cost of providing the classes of public infrastructure and facilities benefitting new development.

9.1 Infrastructure and Facilities

The detailed capital works programme for the period of the Scheme is set out in the Appendix. Delivery of these works will be dependent on funding being achieved as projected in this Scheme and through the sourcing and leveraging of additional funding.

The Capital Work Programme for 2020-2025 benefitting new development is valued at €21,000,000 with 60% attributable to new residential development and 40% attributable to new non-residential development.

¹⁶ Projected population increase during the period of the scheme equates to 8,571 persons with an average occupancy of 2.7 persons per dwelling unit.

¹⁷ Average dwelling sizes sourced from the Central Statistics Office

¹⁸ Note that the 1st 40sqm of most residential extensions do not enter the planning system and where residential extensions require planning permission this scheme provides for the 1st 40 sqm of each permission without charge.

¹⁹ Contributions by source reveal 12% Commercial, 18% Industrial, 6% Agricultural and 3% Infrastructure.

It is the intention of the Council to continue to offer a Community Grant Scheme whereby community led projects can be assisted from the income arising from the Development Contribution Scheme. The number, type and location of community facilities to be assisted will depend on the amount of development contributions and on the priorities set by the Council, directly or by sub-committee as well as the number and type of applications received. It is the intention of the Council to also use contributions from development levies to represent the Council's social contribution towards certain community projects, where deemed in the best interests of the community and a locality.

9.2 Car Parking Facilities

Where the developer is unable to meet the requirements relating to car parking, a development contribution, commensurate with the shortfall in spaces, shall be paid to the Planning Authority to facilitate the provision of car parking spaces elsewhere.

The contribution in lieu of car parking spaces is charged at a rate of €3,000 per space. The charge is the estimated net expenditure for the provision, refurbishment, upgrading, enlargement or replacement of car parks and car parking places, the associated acquisition of land and ancillary matters. The 2015-2019 Scheme resulted in invoices valued over €1.9m for car parking in lieu and in excess of €2m has been spent in the same time on the provision of car parking facilities throughout the county from contributions received.

In order to promote desirable town/village centre development the following will apply to commercial/office/retail development within the town/village centre land use zoning;

- Where a requirement for car parking spaces is generated but car parking spaces cannot be provided on site the car parking contribution will be reduced by 50% for the first 2 spaces and 25% for the next 3 spaces.
- Where a development generates a requirement for more than 5 car parking spaces the full development contribution will be applied for all subsequent spaces.

10.0 Exemptions and Reductions

Voluntary Organisations

The required development contributions shall be reduced by 100% in the following cases where a fee has not been payable when making such an application, in accordance with Article 157 of the Planning and Development Regulations, 2001 (as amended):

- (1) When a planning application consists of or comprises development, by a voluntary organisation, and which in the opinion of the Planning Authority –
 - a) is 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 workshop, 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 development referred to in paragraph (a) or (b);

- (2) Where a planning application consists of or comprises the provision of houses, or development ancillary to such provision, which is proposed to be carried out by a body approved for the purposes of section 6 of the Housing (Miscellaneous Provisions) Act, 1992 and is not to be used mainly for profit or gain.

Local Authority Own Development

No development contributions shall be payable in respect of developments carried out by the Local Authority pursuant to Section 179 of the Act.

Part V

Development Contributions payable in respect of that part of a residential development that is subject to the requirements of Part V of the Act in relation to the provision of social and affordable housing, shall be taken cognisance of in the formulation of an agreement between the developer and the Housing Authority pertaining to the said requirements.

Speculative Residential Development

The contributions payable for a multi-unit residential development as part of a cluster, village or urban brownfield development will be subject to a reduction of 50%.

The contributions payable for the change of use of upper floors for residential purposes in town or village centres will be subject to a reduction of 100%.

The contributions payable for a multi-unit residential development as part of a greenfield development on residentially zoned lands will be subject to a reduction of 30% for the 1st 30 units of a single or cumulate development from a single access point from a public road. All subsequent units will be subject to the full contribution.

Community Enterprise Centres

When a planning application consists of, or comprises development, that in the opinion of the Planning Authority, is development proposed to be carried out by or on behalf of a community group / organisation to provide startup / incubator units for commercial purposes no development contributions shall be payable in respect of these not-for-profit Community Enterprise Centres.

Economic Development

In order to promote employment and enterprise development in the County, a 50% reduction on Development Contributions will be applied where it is considered by the Planning Authority that the development constitutes economic development on lands zoned for commerce/ industry/ enterprise and/or economic development²⁰ save for the following types of development;

- Retail shops (stand alone and/or cumulative) in excess of 1,000 sqm selling convenience and/or comparison goods
- Retail warehousing (stand alone and/or cumulative) in excess of 2,000 sqm.
- Large multiple use developments on a greenfield site of a scale in excess of 1,000sqm and/or on a site of 20 hectares
- Amusement arcades
- Betting offices
- Off licences
- Take-aways
- Extraction/infilling/mining developments

Energy Development

Energy Developments have differing demands on public infrastructure and as such the base levy will be applied as follows;

- Natural gas/fossil fuels – 100%
- Wind – 70%
- Hydro – 70%
- Solar – 25%
- Biomass CHP – 0%
- Anaerobic Digestion – 0%

Any levy chargeable will be waived in the following circumstances;

- Where the Maximum Export Capacity is less than 1,000kw electrical
- Where the Maximum Export Capacity is less than 2,000kw thermal
- Where the cumulative development is classified as an Autoproducer²¹

²⁰The applicable zonings include any form of commercial, retailing, manufacturing, industrial, office, research and development, warehousing and tourism zones identified in the applicable Development or Local Area Plan.

²¹ As per the Commission for Energy Regulation, an autoproducer is a person or entity who has entered into a connection agreement with ESB Networks or Eirgrid and generates and consumes electricity in a single premises, or on whose behalf another person generates electricity in the single premises, essentially for the first person's own consumption in that single premises and any export capacity does not exceed twice the import capacity.

Protected Structures

Restoration or refurbishment to a high architectural conservation standard of Protected Structures included on the Record of Protected Structures will be subject to a reduction of 50% in development contributions, where the Council is satisfied that the works substantially contribute to the protection and/or restoration of the protected structure.

Derelict Sites

Developments that include the satisfactory resolution of dereliction (as per the Derelict Site Notice) on sites that are on the Register of Derelict Sites under the Derelict Sites Act 1990 will be subject to a reduction of 50% in development contributions for any change of use / redevelopment of the existing structure(s) and up to an additional 100% of the existing floor area subject to the Register of Derelict Sites.

11.0 Points to Note

This Development Contribution Scheme does not provide for any rebate or refund. The Scheme aims to avoid any double charging of contributions and so an allowance will be made in respect of pre-existing authorised development in place prior to the introduction of Development Contributions.

Where a particular development comes within the remit of more than one category of reduced contributions set out in Section 10.0 above, only one such reduction may be applied. In this instance the Council shall apply the category where the greater percentage reduction applies. The onus is on the applicant, as part of their planning application, to demonstrate eligibility for a waiver/reduction.

Replacement Dwelling House

In the case of a replacement house where it can be demonstrated that the structure is serviced and was last used as a dwelling, the equivalent floor area of the house that is being replaced shall be exempt from development contributions. The additional floor area of the replacement house shall be charged at the rate set out in the Schedule of Contributions. A planning application seeking planning permission for multiple residential units or an application seeking planning permission for a structure for uses other than residential shall not avail of this exemption.

Modification to a Permitted Development

An application for permission for modification to a permitted development, including a change of house type or amendment to a site layout, will be assessed on the basis of the scale of development contributions in operation on the date of issue of the decision to grant permission. Any development contributions paid under the parent permission or where none were applicable at the time will be taken into consideration in terms of the floor area.

Change of Use Applications or Redevelopment of Buildings

Where a 'change of use' permission is sought and the new use remains in the same class of the DCS (as set out under Section 6.0 above) as the previous authorised class of use, no additional charges shall be levied on the applicant, save in the event of an expansion.

Where a new class of use (as per Section 6.0 above) is sought for a property or where redevelopment of a site is proposed, the contributions applicable shall be the difference between the contribution rate applicable to the authorised existing use/floor area and the contribution payable for the proposed use (where greater). 100% of the applicable contributions will be sought on any additional floor area / buildings.

Temporary Permissions

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

Retention Permission

No reductions as set out in Section 10 shall apply to any developments subject to retention permission save where it applies to a previously permitted development (eg temporary permission).

Infrastructure in lieu

In the case of a multi-unit-residential, commercial or industrial development a developer may, subject to the agreement of the Planning Authority, provide public infrastructure as part or full payment in lieu of the relevant development contribution. Any such proposal is required to be addressed as part of the planning application.

Developments for the provision of water supply and/or waste water infrastructure that deliver additional capacity/supply for the catchment population (as defined by TCC) as projected²² for a minimum period of 10 years post project delivery shall be subject to a reduction of 100% in development contributions.

Apportionment of Contributions

Monies received by way of development contributions collected under this Scheme shall be placed into a single central fund within the Council. On an annual basis monies shall be set aside from the contributions received to meet ongoing commitments of the Council as a result of long term loans entered into under this or previous Schemes.

The remaining monies received shall be apportioned in the County as follows:

- | | |
|---|-----|
| ➤ Roads & Public Infrastructure | 82% |
| ➤ General Recreational & Community Facilities & Amenities | 18% |

Apportionment of development contribution levies in the County shall be set aside as follows;

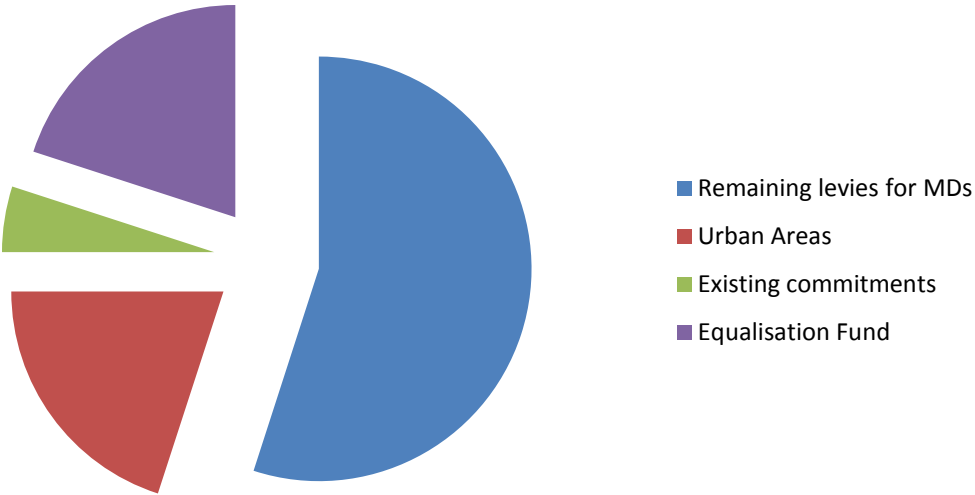
1. A percentage of all monies collected shall be allocated to urban areas²³ with a population greater than 5,000.
2. A percentage of all monies collected shall be allocated for the purpose of equalising the average allocation across all Municipal Districts and for unique projects²⁴ which are of benefit to the County as a whole.
3. The balance shall be distributed to each of the Municipal Districts based on the population size as per the most recent CSO Census returns.

²² National, Regional & County population projections and population distribution patterns shall inform capacity & supply requirements.

²³ Urban area is the area of the town identified by the Central Statistics Office.

²⁴ Priorities shall be proposed by the Management Team of Tipperary County Council and agreed by one or more Strategic Policy Committees, or a sub-committee thereof, as decided by the Council.

Development Contribution Distribution



12.0 Schedule of Contributions

In addition to the table below, a charge of €3,000 per space in lieu of the provision of required car parking spaces may be payable subject to the provisions of Section 9.3 above. See also Section 6.0 for relevant footnotes and fuller descriptions.

CLASS	DESCRIPTION	Contribution in Euro
Class 1	Per sqm - house in the open countryside.	31
Class 2	Per sqm - house in a town or village.	31
Class 3	Per sqm - extension to house / provision of domestic storage structure	20
Class 4	Per sqm - commercial premises.	22
Class 5	Per 0.1 hectare - commercial land.	460
Class 6	Per sqm - advertisements.	6.50
Class 7	Per sqm – intensive livestock farming.	5.50
Class 8	Per sqm - industrial.	23
Class 9	Deposit, extraction and/or mining	17,500 per hectare
Class 10	Per sqm - plant, machinery, tanks etc for storage	8
Class 11	Per sqm -kennels/stables	9.50
Class 12	Per sqm - agriculture.	5.50
Class 13	Per sqm - horticulture.	4
Class 14	Per 0.1 ha - intensive planting/ peat extraction	52.50
Class 15	Per ha - sports or camping	64
Class 16	Per metre -pipes and/or ducts.	1
Class 17	Per sqm – water/wastewater	22
Class 18	Per linear meter and per m3 of abstraction	15 per linear meter 1 cent per m3
Class 19	Per metre - Distribution lines Per associated pylon (200-400kv/400kv+)	10 1,000/2,000
Class 20	Per 0.1 ha - burial ground.	640
Class 21	Per MW capacity	15,000
Class 22& 23	Intentionally blank	

13.0 Implementation of Scheme

This Development Contribution Scheme will come into operation from 1st January, 2020 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 TCC.

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. TCC 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.

TCC 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 it is otherwise modified, extended or replaced by the Local Authority.

Appendix: Infrastructure & Facilities Work Programme 2020-2025

Clonmel Borough MD
Clonmel Urban Design Project
Town & Village Enhancement works and Traffic Calming
Car-parking Strategy Implementation Clonmel Town (Signage)
Acquisition of land for additional car-parking
Mick Delahunty Square
Gordon Street Carpark
Resurface Mitchell Street, Clonmel
Glenconnor Road Upgrade
Local Road Pavement Improvement works
Suir Island Amenity Park, including Pedestrian Bridge linking Suir Island to town centre
Kickham Barracks
LIT Sports Hub (Playground/ Skateboard Park/ Recreation Track elements)
Flights of Discovery (Dowd's Lane/West Gate)
Clonmel Digital Hub
CCTV
Improvement works on the Suir Blueway
Provision of Road Improvements works
Provision of ducting for services
Nenagh MD
Pedestrian Bridge at Willow Cliff, Ballina
Ballina Flood Alleviation Works
Surface water drainage works
Provision/upgrade Lough Derg tourism facilities
Town & Village Enhancement works
Newport Town Park
Banba Square Heritage Project
Implementation of Nenagh Traffic Management Plan
CCTV
Provision of car parking facilities at Ballina & Nenagh
Local Road Pavement Improvement works
Provision of Road Improvements works including road widening/reconstruction
Provision of ducting for services
Thurles MD
Town & Village Enhancement Works
Traffic Calming in District
Liberty Square Project
Thurles & Templemore Traffic Management Plans
Car park improvement/provision at Thurles, Templemore, Roscrea
Link Road at N75/N62 Dublin Rd to Cork Rd, Thurles
Bridge improvements
Devil's Bit access and enhancement

Drainage Schemes
Thurles, Roscrea & Templemore Town Parks
Templemore Town Hall
Thurles-Holycross Green Link
Playground Improvements
CCTV
Local Road Pavement Improvement works
Provision of Road Improvements works including road widening/reconstruction
Provision of ducting for services
Town & Village Enhancement Works
Carrick on Suir MD
Town & Village Enhancement Works
CCTV
Fethard Town Park
Road Widening at Carrickbeg as part of Coolnamuck Road Masterplan
Carrick-on-Suir – Railway Footbridge at Clairin Estate
Drainage/ Flood Protection Works in Carrick –on-Suir & District
Provision of Road Improvements works including road widening/reconstruction
Provision of ducting for services
Local Road Pavement Improvement works
Provision of Tourism/Visitor related infrastructure and parking associated with Ormond Castle, Town Walls, Lingaun Valley, Fethard Town
Tipperary Cahir Cashel MD
Provision of Road Improvements works including road widening/reconstruction
Provision of ducting for services
Local Road Pavement Improvement works
Public Realm & Street Enhancement works for Tipperary, Cahir & Cashel Towns
Town & Village Enhancement works, Traffic Calming and pedestrian facilities
Carpark Strategies together with development and enhancement works
Provision of infrastructure services and upgrades
CCTV
Open Spaces, recreational facilities and amenity infrastructure development and enhancement
Economic development and tourism initiatives for the Tipperary Cahir Cashel District