





DEVELOPMENT CONTRIBUTION S C H E M E 2 0 2 2

FEBRUARY 2022

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1. INTRODUCTION:

Development contribution schemes are a central instrument in the funding of essential physical and social infrastructure that support the implementation of development plans of local authorities.

The statutory basis for the operation of the various development contribution schemes is set out in the Planning and Development Act 2000 (as amended). Under the Act, the making of the schemes is a reserved function of the elected members of the local authority.

Section 48 subsection (1) of the Act, provides for planning authorities when granting a planning permission, to include conditions requiring the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority, and that is provided, or that it is intended will be provided, by or on behalf of a local authority. In this regard the Planning Authority is required to set out the basis for the determination of contributions in a Development Contribution Scheme.

Development Contribution Schemes provide funding for the following general classes of public infrastructure or facilities:

1.1 General Recreational, Community Facilities and Amenities

Expenditure on general recreational, 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 including libraries, fire and emergency response facilities, economic development and 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.

1.2 Transport and Drainage Infrastructure

Expenditure on Transport and Drainage Infrastructure includes for the provision, refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking places, public lighting, 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 and broadband, 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.

Subsections (2), (3) & (15) of Section 48 of the Planning & Development Act 2000 (as amended) specifies that a scheme shall:

- Set out the basis for determining the contributions to be paid in respect of public infrastructure and facilities, in accordance with the terms of the scheme;
- Make provision for payment of different contributions in respect of different classes or descriptions of development;
- Indicate the contribution to be paid in respect of different classes of public infrastructure and facilities
 which are provided, or to be provided by the local authority having regard to the actual estimated cost of
 providing the classes of public infrastructure and facilities, except that any benefit which accrues in respect
 of existing development may not be included in any such determination;

- Allow for the payment of a reduced contribution or no contribution in certain circumstances, in accordance with the provisions of the scheme; and
- Facilitate the phased payment of contributions and may require the giving of security to ensure payment of contributions.

2. BASIS FOR DETERMINATION OF THE DEVELOPMENT CONTRIBUTION SCHEME

The primary objective of the development contribution scheme is to encourage economic activity while partly funding the provision of essential public infrastructure, without which development could not proceed. Since their introduction, development contributions have enabled much essential public infrastructure to be funded in combination with other sources of, mainly exchequer, funding.

The basis for determining the contributions to be paid in respect of public infrastructure and facilities is calculated having regard to:

- a) A review of the Westmeath Development Contribution Scheme 2013-2020 and those of neighbouring and other similar local authorities in terms of their urban rural dimensions;
- the estimated cost to the Council in the period 2021 to 2027 of providing further public infrastructure and facilities as set out in the objectives outlined in the Westmeath County Development Plan and associated Urban/Local Area Plans;
- c) the estimated number of units and floor area of projected development for residential and industrial/commercial classes for the period 2021 2027;
- d) the estimated charge for each residential unit and the estimated charge per m² for industrial/commercial development and other categories of development.

As required by the DECLG (2013), "Development Contributions: Guidelines for Planning Authorities", the following are required to be included in the scheme:

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

2.1 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 Local Authority's functional area. All planning permissions granted are subject to the conditions of the development contribution scheme in operation in the area of the planning authority.

The types of public infrastructure and facilities that can be funded by this mechanism are:

- e) the acquisition of land,
- f) the provision of open spaces, recreational and community facilities and amenities and landscaping works,
- g) the provision of roads, car parks, car parking places, surface water sewers and flood relief work and ancillary infrastructure,
- h) 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,
- i) the refurbishment, upgrading, enlargement or replacement of roads, car parks, car parking spaces, surface water sewers, flood relief work and ancillary infrastructure,
- j) the provision of high-capacity telecommunications infrastructure, such as broadband,
- k) the provision of school sites, and
- I) any matters ancillary to paragraphs (a) to (g).

2.2 Special Development Contributions

A Planning Authority may, in addition to the terms of a General Development Contribution Scheme, 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.

2.3 Supplementary Development Contribution Scheme

Under Section 49 of the Act, a Planning Authority may, when granting planning permission include conditions requiring the payment of a contribution in respect of any public infrastructure service or project specified in a "Supplementary Development Contribution Scheme" which is provided by a local authority and which will directly benefit the development on which the development contribution is imposed.

Westmeath County Council adopted a Supplementary Development Contribution Scheme for the following projects in April 2007:

Clonmore Link Road & Robinstown Link Roads, Mullingar

Levies collected under this Supplementary Scheme, together with Government grants and levies collected prior to April 2007 mean that there is no longer a requirement for this Supplementary Contribution Scheme.

[&]quot;scheme" means a development contribution scheme made under Section 48 of the Act.

3. REVIEW OF PREVIOUS SCHEME

The preparation of this scheme was informed by a review of the current Development Contribution Scheme

Between 2014 and 2020, €3,759,536 was generated from financial contributions with commercial developments being the main contributor, accounting for €2,114,248, followed by residential developments which accounted for €1,526,357. The average amount generated per annum was €751,907.

Examples of projects enabled by development contributions include:

- Mullingar to Athlone Railway Cycleway "Old Rail Trail"
- Mullingar Town Enhancement Works
- Grange Community Centre Carpark, Mullingar
- Surfacing Access to Canal Cycleway at Mullingar Railway Station
- Ardmore Road Footpath, Mullingar
- Lynn School Link Road, Mullingar
- Skateboard Park, Town Park, Mullingar
- Athlone Town Enhancement Works
- Count John McCormack Sculpture, Athlone
- Burgess Park Development, Athlone.
- Roscommon Road Junction, Athlone
- Kilbeggan Town Enhancement works
- Village Enhancement Fore
- Footpaths at Boardstown to IDA roundabout and Ardmore Road in Mullingar, Stoneyford Park Delvin, The Downs and Collinstown.

4. ESTIMATING THE NATURE AND SCOPE OF FUTURE DEVELOPMENT

In the case of residential, the population and housing targets set out in the Westmeath County Development Plan Core Strategy provides the most appropriate basis from which to commence the estimation process. The Core Strategy identifies the quantum, location and phasing of development for the plan period that's consistent with the nationally and regionally defined population targets and settlement hierarchy, and which reflects the availability of existing services, planned investment, sequential development and environmental requirements.

4.1 Residential Forecasts

The Core Strategy of the Westmeath County Development Plan 2021-2027 projects population growth rates across 8 different tiers ranging from the large urban centres of Athlone and Mullingar, which are designated centres at a national and regional level, to rural towns and villages. The housing strategy establishes a total housing target for Westmeath of 4,983 units over the plan period 2021-2027, the equivalent of 712 units per annum to meet this projected population demand.

4.2 Commercial/Industrial Forecasts

Forecast growth is estimated based on the average floor area of commercial development provided over the period 2014-2020. This is calculated by applying the applicable development contribution rate per square metre (€16.20) to the income received. If the current trend is continued it is estimated that in excess of 20,000m2 of commercial and industrial floor space will be commenced each year of the scheme as against an average of 18,644m2 per annum in the years from 2014 to 2020.

5. ALLOCATION OF CONTRIBUTIONS

The provisions of the Westmeath County Development Plan and any urban/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 projects to benefit from contributions are set out in Appendix I. There will be an ongoing review of the infrastructure and facilities which can be funded during the life of the Scheme, based on the levels of income received from development contributions collected and funding costs which apply. Projects may be substituted where appropriate ensuring that the scheme is flexible and dynamic to changing needs and opportunities.

Proportionality of charge for residential developments is 50% General Recreational, Community Facilities and Amenities and 50% Transport and Drainage Infrastructure. All other development will be apportioned based on 40% General Recreational, Community Facilities and Amenities and 60% Transport and Drainage Infrastructure. These prescribed ratios represent an estimate of the costs of providing the necessary infrastructure to support developments in such circumstances.

6. LEVEL OF CONTRIBUTION

Table 1 – Level of Contribution for Residential Development.

Class	Description	Residential Unit		
		< 90 m ²	90 m² - 200 m²	> 200m²
1	RESIDENTIAL UNIT	€2,000	€3,000	€3,500 plus €25 per m² over 200 m²

Class	Description	Rate per m²
2	RESIDENTIAL EXTENSION ¹	€20.00

Table 2 – Level of Contribution for Other Categories of Development.

Class	Description	Rate
3	COMMERCIAL / INDUSTRIAL / RETAIL / RETAIL WAREHOUSING / DATA CENTRES	€23.00 per m²
	Any structure which is normally used for the carrying out of any professional or commercial undertaking.	
4	AGRICULTURAL DEVELOPMENT:	
	a) The provision of buildings or other structures for the purposes of agriculture and equine (excluding kennels, horticulture, and intensive agriculture) this contribution will be applied where the gross floor area, when measured internally, exceeds 500 square metres.	Nil up to 500 m². €4 per m² 500 - 1,000 m². €5 per m² > 1,000 m².
	 b) The provision of commercial kennels for the kennelling of dogs or cats (note there is no exemption threshold). 	€7.50 per m²
	c) Horticulture operations such as polytunnels, glasshouses and mushroom tunnels, but does not include the covered floor area of Garden Centres and Nurseries which are retail based (note there is no exemption threshold).	€5.00 per m²
	d) The development of intensive agriculture which includes, but is not limited to, pigs, mink or poultry farming (note there is no exemption threshold).	€10.00 per m²

5	OTHER BUILDINGS	
	Development other than that set out under class 1, 2, 3 or 4 above.	€10.00 per m²
6	FORESTRY & PEAT:	
	a) Initial afforestationb) The replacement of broadleaf high forest by conifers species.c) Peat extraction	€650 per hectare of site area, or part thereof.
7	WASTE FACILITY:	€1,500 per 0.1 hectare.
	The use of land for the deposit of refuse or inert waste.	
8	EXTRACTIVE INDUSTRY:	€1,500/0.1ha, a
	The winning and working of minerals including the extraction of sand, gravel and stone including the storage of quarrying aggregates or related outputs.	e1,300/0.111a, a minimum rate of €10,000.
9	THE USE OF LAND FOR:	6250 per 0.1 hestere
	a) the provision of parking for motor vehicles.b) the provision of open storage of motor vehicles or other objects or substances for sale.	€250 per 0.1 hectare
10	THE USE OF LAND FOR:	
	a) Caravan Park, Mobile Home or Campervan Park.b) Camping and Glamping areas.	€250 per 0.1 hectare
11	NON-BUILDING STORAGE:	2.2.2.4.2
	The provision on, in over or under land of plant or machinery, or of tanks or other structures (other than buildings) for storage purposes.	€10.00/m²
12	ADVERTISEMENT:	620.00
	The provision of an advertisement structure or the use of an existing structure or other land for the exhibition of advertisements requiring planning permission. The applicable area in m2 refers to the advertisement area only.	€30.00 per m²
13	TRANSMISSION & UTILITY SUPPLY LINES:	
	The provision of overhead and/or underground distribution lines for the distribution of electricity and/or telecommunications, inclusive of transmission lines to grid connection. The provision of Utility supply lines and/or ducts for the distribution of gas, water or wastewater. Does not include works required for the maintenance, refurbishment or upgrading of existing networks.	€1,000 per km

14	TELECOMMUNICATIONS MAST	
	Relates to telecommunications support structures, antennae, dish and other apparatus/equipment for communication purposes for Telephone, Radio and TV.	€5,000 per mast.
15	RENEWABLE ENERGY:	
	Renewable energy installations generating greater than 0.5 MW.	€1,200 per 0.1MW
16	CAR-PARKING:	
	Shortfall in provision of car parking a) Urban b) Rural Urban charge applies within the development boundaries of Mullingar and Athlone.	€5,700 per space €2,850 per space
17	OPEN SPACE: Shortfall in provision of public open space a) Urban b) Rural Urban charge applies within the development boundaries of Mullingar and Athlone.	€42 per m² €14 per m²
18	Development not coming within any of the foregoing classes will refer to both built and open.	€250 per hectare

Note 1: 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. Development contributions shall be charged on extensions which add more than 40m² (cumulatively) onto the original gross floor area of the dwelling.

Note 2: The provision or extension to a detached shed/garage or other storage structure for domestic purposes is considered exempt from development contribution charges.

Note 3: 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.

Note 4: Threshold waivers for agricultural buildings can be obtained only once and refer to buildings which have previously obtained planning permission or are the subject of the current development. Pre-1964 and other buildings which are considered exempt under the Planning and Development Regulations are excluded from calculations in exemption thresholds.

Note 5: New build residential development for accommodation of disabled person(s) is exempted in full in cases where an occupant of such a dwelling meets the medical requirements attached to the eligibility requirements of a Housing Adaptation Grant (Disabled Persons Grant).

Note 6: All retention permissions will be charged a multiple of 1.25 times the appropriate rates for any development in excess of the exemptions of this Scheme.

7. EXEMPTIONS AND REDUCTIONS

The following categories of development will be exempted from the requirement to pay development contributions under the Scheme or will pay a reduced rate, as stated, under the scheme:

7.1 Voluntary Organisations

Development by or on behalf of a voluntary organisation which 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. Not for profit childcare facilities and all non-fee-paying primary and secondary school developments as recognised by the Department of Education and Skills.

Development by or on behalf of a non-commercial community voluntary non-profit-making group, club or organisation which is designed or intended to be used as a workshop, training facility, hostel or other accommodation for persons with disabilities. The development must be exclusively for the primary purpose of the organisation, and not to be used for profit or gain.

7.2 Housing:

Social housing units, including those which are provided in accordance with an agreement made under Part V of the Act or which are provided by a voluntary or co-operative housing association, which is recognised as such by the Planning Authority or units provided by the Local Authority itself.

Development 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 provided by voluntary or not-for-profit non-statutory groups that are recognised by the Council.

Extensions to dwellings to facilitate the needs of persons in receipt of a disabled persons grant are exempt.

7.3 Local Authority Development

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

7.4 Agriculture

Agricultural development consisting of silage pits/slabs; open loose yards; feed aprons; assembly yards; slurry pits; underground tanks and roofless cubicles.

7.5 Renewable Energy

Development consisting of small-scale renewable energy developments not exceeding 0.5 MW output

7.6 Telecommunications

Telecommunications infrastructure, both mobile and broadband, being deployed as part of a Government endorsed telecommunications strategy, plan or initiative. Where mobile or broadband operators demonstrate to the satisfaction of the planning authority that their infrastructure provides services to customers who would not otherwise be able to avail of an adequate mobile or broadband service. This exemption applies to masts, antennae, dishes and other apparatus or equipment being installed for such communication purposes.

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, Climate Action and Environment (DCCAE).

7.7 Change of Use/Modification to a permitted development

Where permission is granted for change of use development/modification to a permitted development, then allowance will be made for any contribution that has been previously paid and the contribution will be based on the difference between contributions previously paid and the contribution associated with the change of use as set out in the relevant class of development under Section 6.

The Scheme does not provide for any rebate or refund in this regard.

7.8 Demolition and Rebuild

Where permission is granted to demolish in part or in full an existing building and replace it with another, then allowance will be considered for any contribution that has been previously paid and the contribution will be levied on the increased floor area of the new build over the old.

7.9 Supporting Economic Development

A 33% reduction shall apply to new development in IDA Business Parks.

7.10 Protected Structures

Development involving permitted works to protected structures shall be subject to a 50% reduction on the applicable rate of contribution, where the works substantially contribute to the restoration or protection of the protected structure.

7.11 Town Centre Regeneration

A 33% reduction shall apply to retail development in the Retail Core of Mullingar and Athlone, as defined in the Athlone Town Development Plan and the Mullingar Local Area Plan respectively, or any subsequent update. This reduction also applies in the core of the following towns / villages as defined in the attached maps: Castlepollard, Moate, Kilbeggan, Kinnegad, Killucan/Rathwire, Rochfortbridge, Clonmellon, Delvin and Tyrrellspass. (See attached maps indicating core areas).

7.12 Architectural Conservation Areas

Development involving permitted works in Architectural Conservation Areas as identified in the County Development Plan or Urban/Local Area Plan shall be subject to a 25% reduction on the applicable rate of contribution, where the works substantially contribute to the restoration or protection of the structure.

7.13 Temporary Permission

Developments permitted by way of a temporary permission or cumulative temporary permissions shall be liable to pay development contributions as follows:

- i. Up to 3 years: 33% of normal rate
- ii. Up to 5 years: 50% of normal rate
- iii. Up to 10 years: 66% of normal rate
- iv. Full rates where permission or combination of permissions exceed 10 years (less any previous payments under reductions set out at i-iii above)

NOTE 1: Exemptions and reductions shall not apply to permissions for retention of development under any category of development in this Development Contribution Scheme. All retention permissions will be charged a multiple of 1.25 times the appropriate rates for any development in excess of the exemptions of this Scheme.

NOTE 2: Where a proposed development qualifies for one or more exemptions, the greater discount only shall be applied.

8. PAYMENT OF CONTRIBUTIONS

8.1 Conditions requiring payment of the contribution provided for in the Scheme will be imposed on all decisions to grant planning permissions made following the making of the Scheme by the 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.

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed by the Council.

- 8.2 The rates of contribution set out in Table 1 and Table 2 will be adjusted on the 1st January each year based on changes to the Wholesale Price Index for Building and Construction published by the Central Statistics Office, on the 1st November of the previous year.
- 8.3 The rate of Development Contribution to be applied is the rate applicable on the year contributions are paid subject to agreement at 8.1 above.

Contributions due with regard to permission for retention will become payable within a period prescribed by condition under issue of the final grant of permission.

- 8.4 The Council may facilitate the payment of contributions payable under the Scheme by instalment in accordance with an agreed schedule and the Council may require the giving of security to ensure payment of Contributions.
- 8.5 Westmeath County Council may charge interest in respect of outstanding development contributions. If the development contributions are not paid in accordance with the conditions of planning permission or phased payment agreement in writing with Westmeath County Council, then an amount to include interest at a rate to be determined in respect of the period the payment is withheld will be payable.

9. APPEALS TO AN BORD PLEANÁLA

Section 48(10) of the Planning and Development Act 2000 as amended, stipulates that no appeal shall lie to An Bord Pleanála in relation to a condition requiring a Development Contribution to be paid in accordance with a Development Contribution Scheme.

However, an appeal may be brought where an applicant for permission considers that the terms of the adopted contribution scheme have not been properly applied in respect of any condition laid down by the Planning Authority.

10. DURATION OF SCHEME

This scheme is effective from the 01 February 2022. The Scheme may be reviewed from time to time, by Westmeath County Council, having regard to the circumstances prevailing at any particular time. The scheme shall continue to remain in force until such time as the Council adopt a new Scheme.

APPENDIX I

General Recreational, Community Facilities and Amenities

Policy Objectives in the Westmeath County Development Plan, Mullingar Local Area Plan and the Athlone Town Development Plan, including any replacement or subsidiary plans.

Open Spaces, cultural, recreational and community facilities, amenities and landscaping works, town and village improvement – including land acquisition.

Parks and Open Spaces

Provision of high quality, public open spaces including town and village parks, localised public open spaces and play areas in Towns and Villages.

General environmental improvements across the county and investment in sporting, cultural and recreational facilities.

Walks and Cycleways

Fore - Mullingar - Kilbeggan

River Brosna riverside walk through Kilbeggan

Development of a linear park with walkway / cycleway between Belvedere and Mullingar and between Athlone and the boundary with Counties Longford and Offaly.

Walking and cycling links throughout the county

Improvements to existing walking and cycling infrastructure

Lakes

Provision of viewing / picnic areas and improved access / amenities at various locations Community Facilities Economic, Social and Community facilities at various locations, that will confer general benefit to towns, villages and rural areas.

Community Facilities

Economic, Social and Community facilities at various locations, that will confer general benefit to towns, villages and rural areas

Estimated Expenditure over 5 years: €20,000,000

Transport and Drainage Infrastructure

Roads, car parking, infrastructure to facilitate public transport, cycle and pedestrian facilities and traffic calming measures – including land acquisition.

Policy Objectives in the Westmeath County Development Plan, Mullingar Local Area Plan and the Athlone Town Development Plan, including any replacement or subsidiary plans.

Walking and cycling links throughout the county

Improvements to existing walking and cycling infrastructure

Cycleways

Traffic calming

Traffic Management

Public Realm and Streetscape Improvements

Footpaths

Active Travel and Smarter Travel projects

New roads and improvements to existing roads

Car Parks

Flood Defences

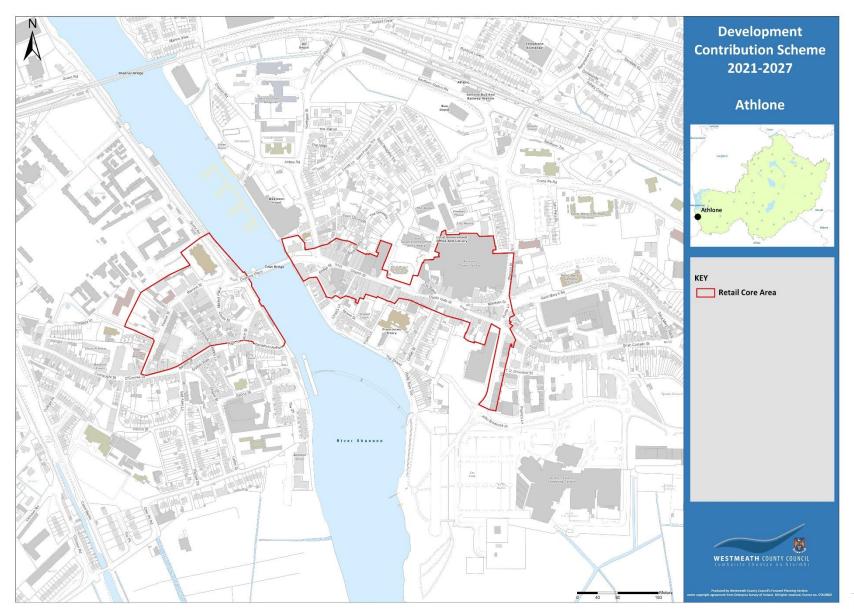
Surface Water Drainage Infrastructure

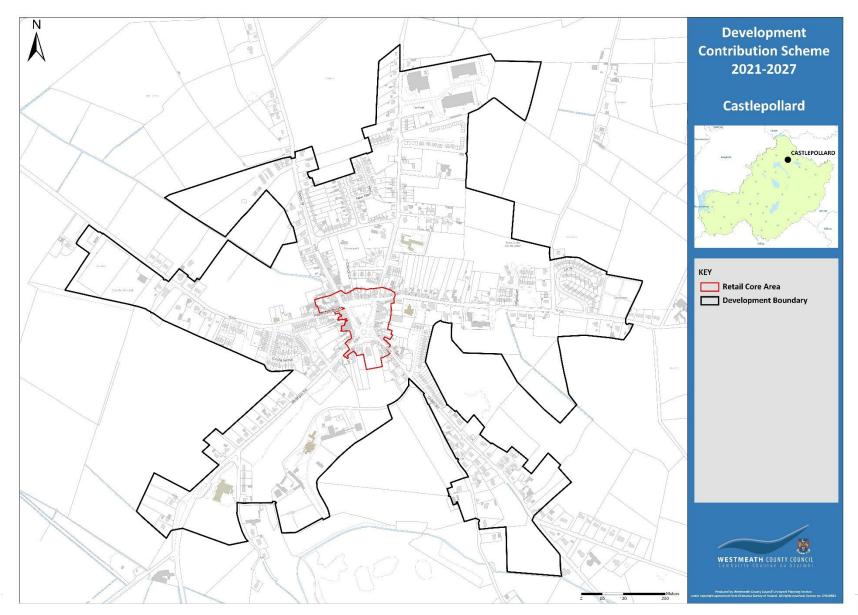
Public transport infrastructure

Estimated Expenditure over 5 years: €30,000,000

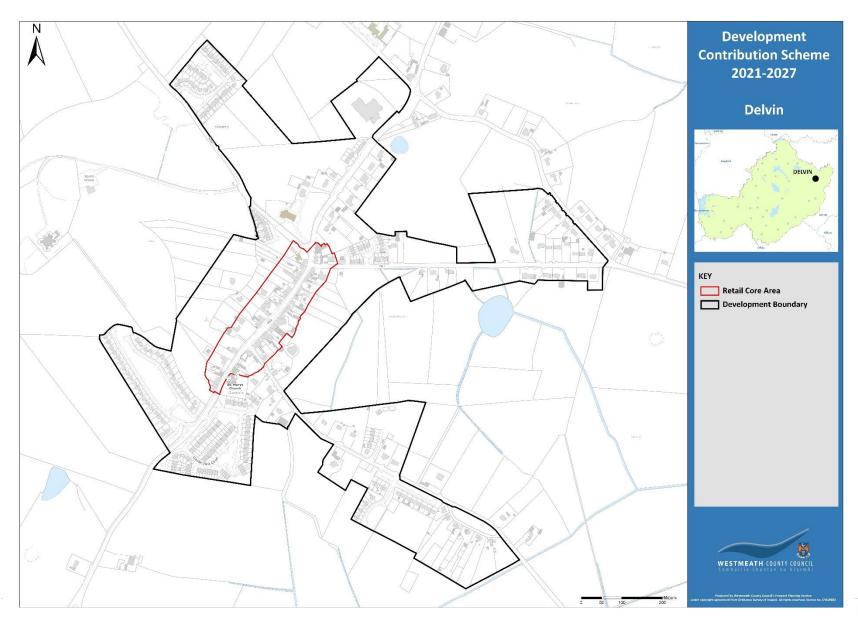
APPENDIX II

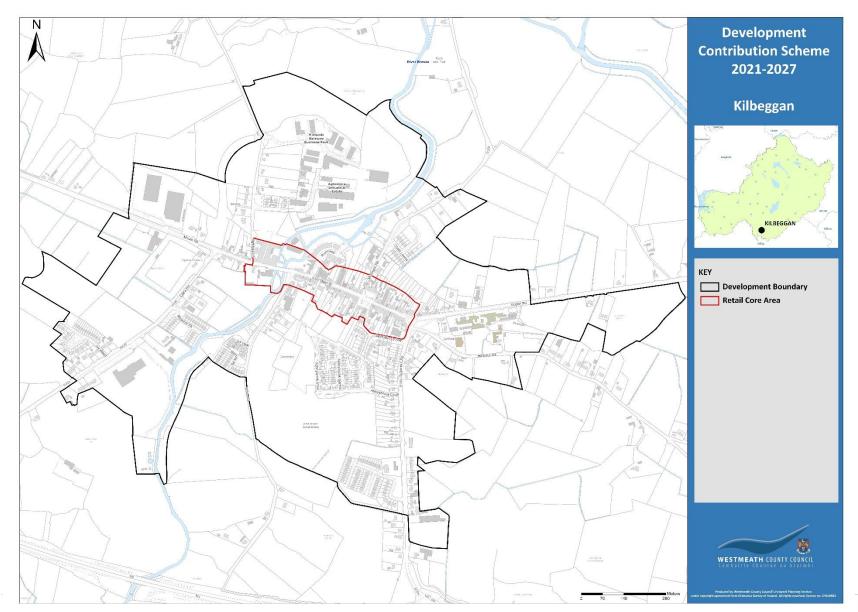
Settlements Core Area Mapping

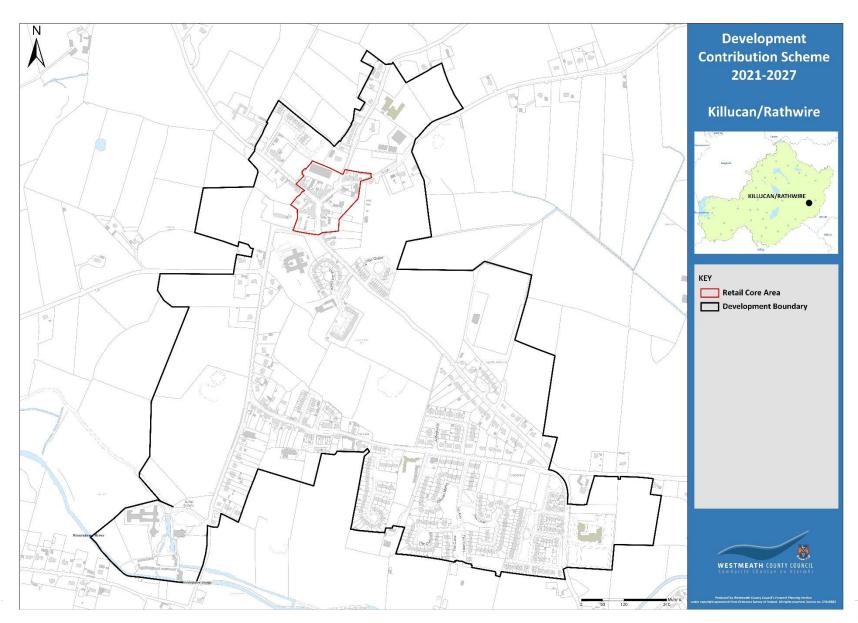


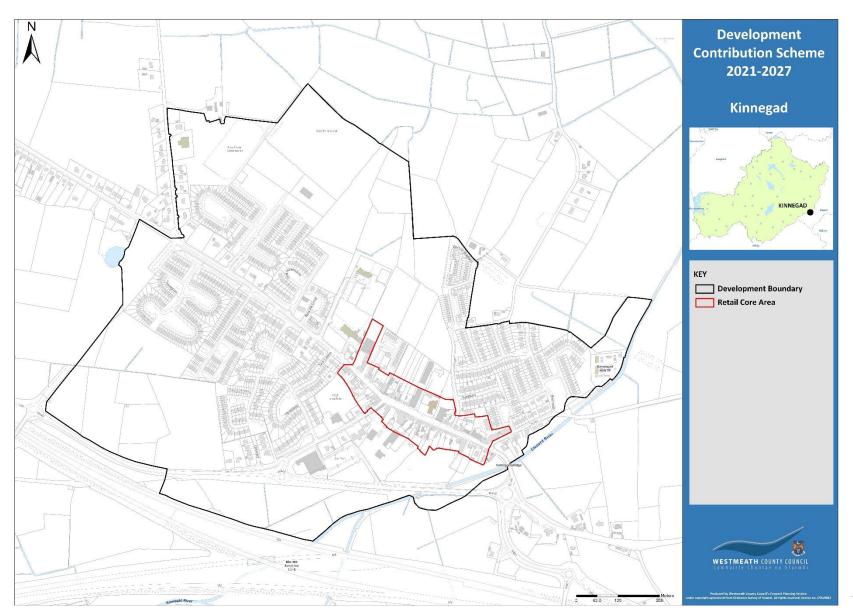


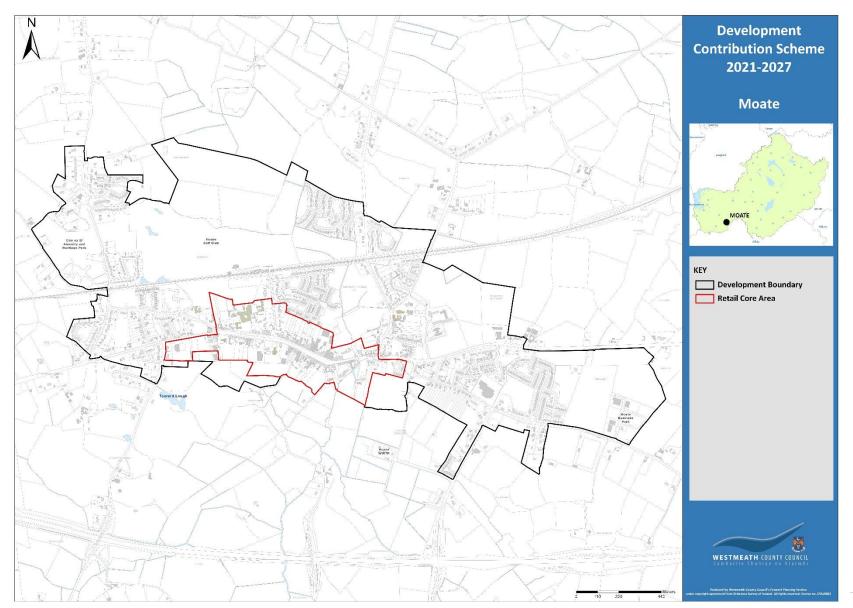


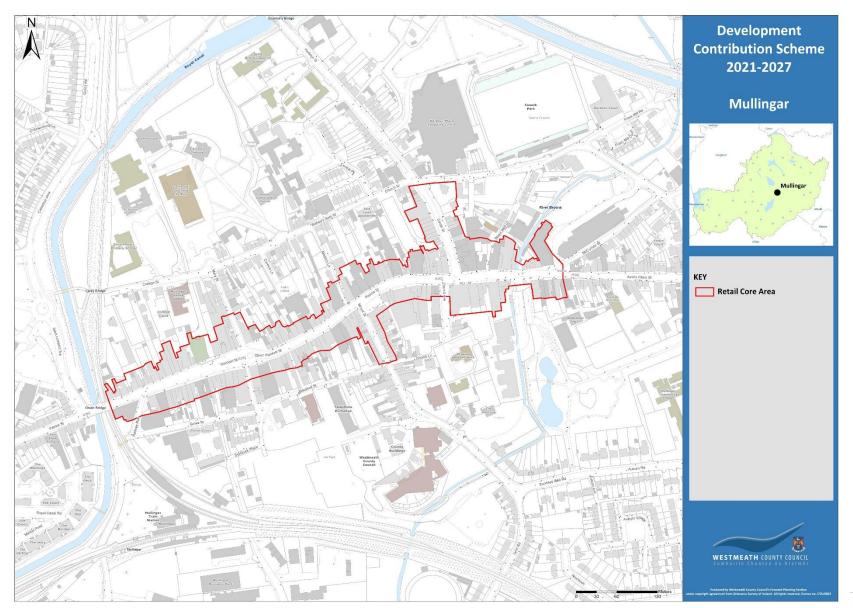


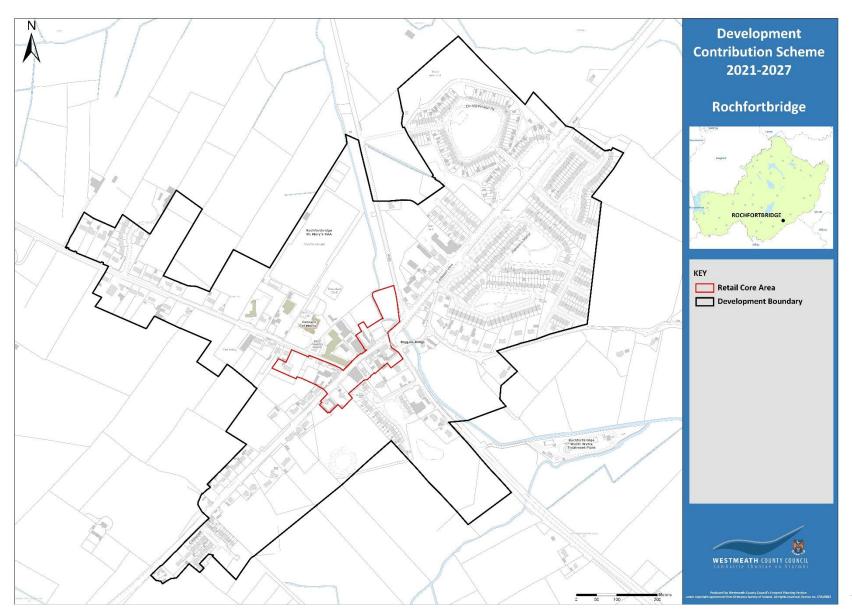


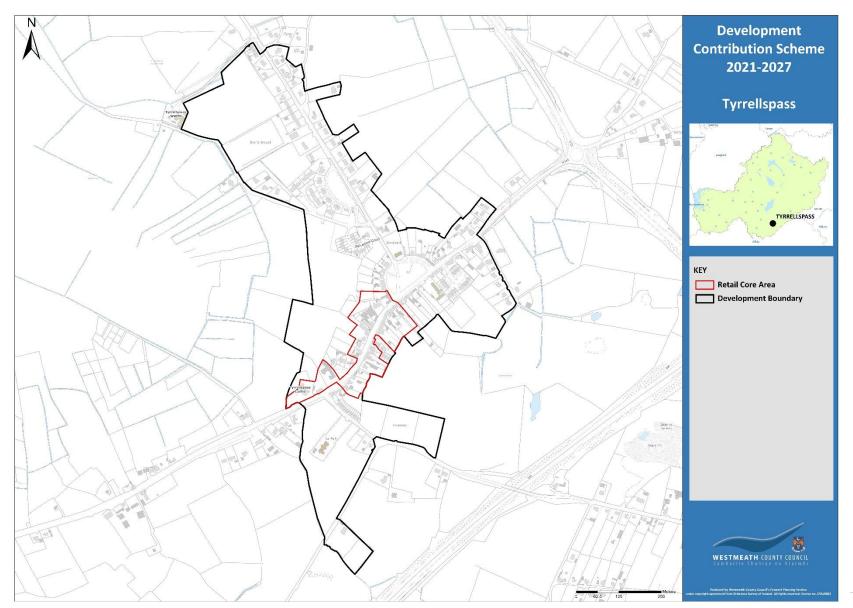
















Áras an Chontae

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