

■ Implementation of the Dundalk South West Local Area Plan

This plan sets out targets for the creation of socially, economically and environmentally sustainable communities in the DSWLAP area. The delivery of the plan is complicated by the fact that the lands within the plan area are in multiple ownership. While the DSWLAP respects the right of landowners to seek to develop (or not develop) their lands according to their own wishes, they, nevertheless have a duty to ensure public resources are utilised in an efficient and sustainable manner in the interests of the common good. Wherever possible the DSWLAP will seek the cooperation of landowners in the implementation of this plan and will encourage landowners to cooperate with each other. Where necessary the local authorities will use such powers as are available to them to acquire land or way leaves compulsorily.

Funding: Section 48 (Planning and Development Act 2000)

The implementation of the Dundalk SWLAP will require significant investment in both physical and social infrastructure to support the new residential communities and other developments within the area. The councils will expect and require that developers fund and provide the infrastructure necessary to support any development proposed by them and to contribute financially to the cost of other essential infrastructure and amenities necessary to support the development of the plan area as a whole.

In this regard, consideration may be given to the preparation of a Section 48 Development Contribution Scheme to be made specifically for the plan area and, if considered necessary, augmented by a Supplementary Contribution Scheme under Section 49 of the Act to fund major infrastructure projects such as the western road and piped services infrastructure.

Under Section 48(1) of the Planning and Development Act 2000, a planning authority may, when granting permission under Section 34, include planning conditions requiring the payment of a contribution in respect of public infrastructure and facilities which directly benefit development in the functional area of the planning authority. Under the terms of Section 48, the public infrastructure and facilities must be provided or intend to be provided, by, or on behalf of the local authority, regardless of other sources of funding for the infrastructure and facilities. Under the terms of Section 48, a development contribution scheme must be made by the Council (reserved Function).

Section 48 of the Planning and Development Act 2000 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, sewers, waste water and water treatment facilities, drain and watermains,
- 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 and enlargement or replacement of roads, car parks, car parking spaces, sewers, wastewater and water treatment facilities, drains or watermains, and,
- Any matters ancillary to the above.

Funding: Section 48 (2) (c)

In addition to contributions under the proposed Section 48 Development Contribution Scheme outlined above, the Council’s also may require the payment of a special contribution in respect of the DSWLAP lands under the terms of Section 48 (2) (C) of the Planning and Development Act 2000. Special contribution may be applied with respect to specific, exceptional costs, not covered by the general section 48 scheme and relating specifically to public infrastructure and facilities. If the works in question are not commenced within five years or completed within seven years, the applicant shall be refunded the special contribution or an appropriate portion thereof.

Funding: Section 49

The Council’s also may consider the preparation of a Supplementary Development Contribution Scheme under Section 49 of the Planning and Development Act 2000. This allows the Councils to make supplementary contributions schemes, which relate to a specific public infrastructure project or service (including specific new roads sanitary projects, and public transport infrastructure including car parks and other ancillary development). Such contributions are supplementary in the sense that they are separate from, and in addition to, the General Development Contributions Scheme under section 48. The provision of the project or service in question must benefit the development for which the permission is granted. Such schemes will be area specific.

Other Sources of Funding

Louth County Council and Dundalk Town Council consider it vital the Dundalk’s designation as a NSS Gateway is realised. In view of this, the Council’s intend to pursue all available sources of financial or other aid which may be available to facilitate the full realisation of the DSWLAP within the wider context of Gateway status. Funding sources may include. In addition to the above, both councils will explore sources of public infrastructure funding such as Serviced Land Initiative (SLI) or any other funds that may become available to support the development of Dundalk as a designated Gateway under the National Spatial Strategy.

Bonds

Developers will be required to lodge a cash deposit or insurance bond for the satisfactory completion of residential and other developments and their ancillary service, prior to their being taken in charge.

Development Parcel Boundaries

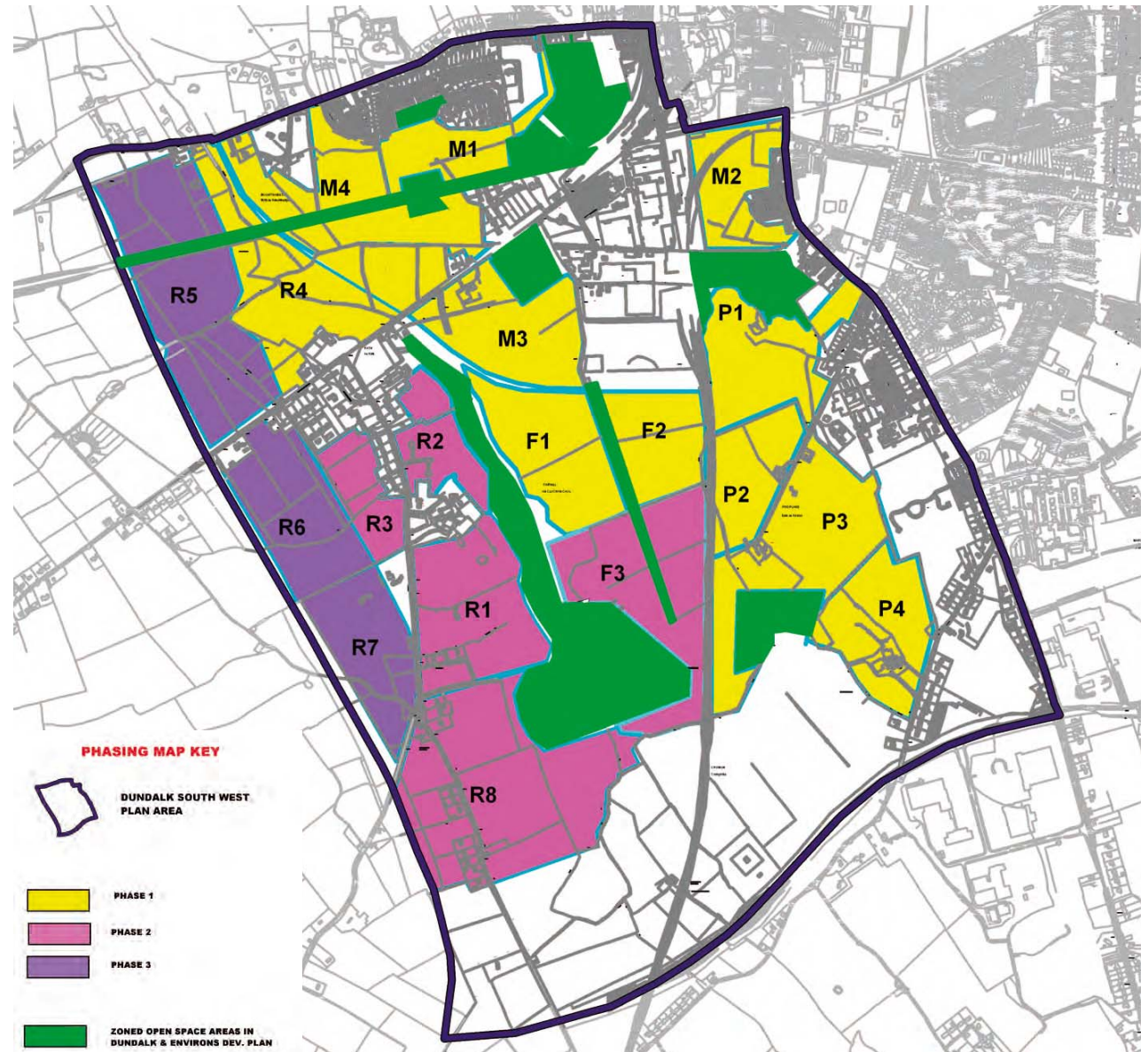
The boundaries of development parcels have been carefully selected according to physical and topographical constraints and the proposed development package envisaged for each parcel. Most development parcels are bounded by existing or proposed physical features such as roads. The majority parcels are largely intended for residential development and represent an area of land that could reasonably be developed in a single tranche (although this will not necessarily be required). The larger parcels will be required to deliver a large element of non residential uses, such as parks, schools or commercial development, in addition to residential development.

Premature Development

None of the parcels are currently serviced. It is envisaged that those parcels capable of being serviced with minimal investment, will be developed before those requiring heavy investment in infrastructure. Proposals for development where the necessary infrastructure, recreational and community facilities are not in place will be considered to be premature.

The proposed Civic and Commercial Centres in the Priorland, Mounthamilton and Fairhill sectors form key nodes in the DSWLAP. In particular, the Fairhill Civic and Commercial Centre will act as the heart for the entire DSWLAP. While it is recognised that many of the facilities and services proposed in the Civic and Commercial Centres will not be viable until there is a minimum population base within each sector, it is vital that these centres start to develop before most of the housing is in place. In certain circumstances planning permission will be granted where the planning authority is satisfied that the required infrastructure and facilities will be in place on completion of the proposed development. However, occupancy may not be permitted until the infrastructure and community facilities are in place.

While parcels may be developed on a phased basis, the minimum infrastructure, social and community facilities must be delivered to the satisfaction of the planning authority in the first phase of any development proposed within a particular parcel. Thus as the lands are developed on a phased basis, the appropriate social and community facilities considered necessary to sustain the associated residential population will be delivered as part of a package. Likewise proposals to develop parcels will be considered premature if the necessary physical infrastructure is not in place prior to, or concomitant with the development. The planning authority will normally require advanced planting to be carried out for the entire development parcel once development commences within this parcel. Advanced planting allows planting to mature in advance of development taking place. Equally, the amalgamation of two or more parcels into a single development proposal may be acceptable to the planning authority. In such circumstances the minimum infrastructure, social and community facilities required for each of the parcels must be delivered to the satisfaction of the planning authority. While land ownership patterns may change, and nothing in this plan will prevent land ownerships within a development parcel from being sub-divided, or portions of a parcel being sold off, developers should be aware that the development of land may be constrained by a requirement to deliver a piece of infrastructure or service within the parcel but not within their ownership.



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Map 23 Phasing Map.