

# LOUTH COUNTY COUNCIL



## Development Contribution Scheme

18th September 2023



## 1. INTRODUCTION

This Development Contribution Scheme (DCS) was prepared pursuant to Section 48 of the Planning & Development Act 2000 (as amended) (hereafter referred to as the Act), which 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 is intended to be provided, by or on behalf of the Local Authority, regardless of other sources of funding for infrastructure and facilities.

Subsections (2), (3) & (15) of Section 48 of the Act 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;
- Allow for the payment of a reduced contribution or no contribution in certain circumstances, in accordance with the provisions of the scheme;
- 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; and

Facilitate the phased payment of contributions and may require the giving of security to ensure payment of contributions.

## 2. DEFINITIONS

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

- 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).

"Scheme" means a Development Contribution Scheme made under Section 48 of the Planning & Development Act 2000 (as amended).

In the preparation of the Development Contribution Scheme, Planning Authorities are required to have regard to the Development Contribution Guidelines for Planning Authorities issued by the Department of the Environment, Community and Local Government in January 2013 and all relevant Department Circulars.

### **3. CLASSES OF PUBLIC INFRASTRUCTURE**

This Development Contribution Scheme provides funding for two classes of public infrastructure and facilities:

#### **Class 1: Transportation, Surface Water and Flood Protection**

Expenditure provides for the acquisition of land, the provision, refurbishment, upgrading, enlargement or replacement of roads, drainage, surface water sewers, flood relief works, car parks, car-parking places, bus corridors and lanes, bus interchange facilities, infrastructure to facilitate public transport, cycle and pedestrian facilities and traffic calming measures and the provision of blue/green infrastructure.

#### **Class 2: Community, Amenity & Recreation**

Expenditure provides for the acquisition of land and for the provision of open spaces, sports facilities, recreational and community facilities, fire service facilities and assets, libraries, play areas, and heritage and cultural amenities.

**Note:** Water Supply and Wastewater Services are now the under the remit of Uisce Éireann.

### **4. TYPES OF DEVELOPMENT CONTRIBUTIONS**

The Act provides for three types of development contributions that may be attached as conditions of planning permissions as follows:

- a) General Development Contribution Schemes - Section 48 of the Act 2000 (as amended)

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. 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.

b) Supplementary Development Contributions - Section 49 of the Act 2000 (as amended)

Section 49 of the Act provides for the making of a Supplementary Development Contribution Scheme in order 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, and which will directly benefit the development on which the levy is imposed.

In general, the same rules of procedure apply to the adoption of a Supplementary Development Contribution Scheme, as to the adoption of a General Contribution Scheme. However, the scheme must in addition specify the area or areas within the functional areas of the Planning Authority where the scheme will apply and the particular public infrastructure project or service for which the scheme is being applied. In the area for which the scheme is adopted these contributions will be payable in addition to those payable under Section 48. Examples of such infrastructure services or projects include rail, light rail, or other public transport infrastructure (i.e. the LUAS).

c) Special Development Contributions - Section 48(2)(c) of the Act 2000 (as amended)

This Section of the Act provides for a Special Development Contribution where exceptional costs not covered by the general contribution scheme are incurred by a local authority in the provision of a specific public infrastructure or facilities which benefit the proposed development. The Planning Authority may require the payment of a Special Development Contribution in addition to a contribution under the General Scheme. These contributions apply only to development which will benefit directly from the public infrastructure facility in question such as a new road junction.

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 Authority decides not to proceed with the proposed works, the contribution shall be refunded.

## **5. AREA TO WHICH THE SCHEME SHALL APPLY**

As provided for under Section 48, a Planning Authority may make one or more schemes in respect of different parts of its functional area. This Scheme will apply to the functional area of Louth County Council, with the exception of the area covered by the North Drogheda - R132 to Dublin-Belfast Railway Line Development Contribution Scheme (Map Reference No. DDCS1).

## **6. REVIEW OF THE PREVIOUS DEVELOPMENT CONTRIBUTION SCHEME 2016-2021**

Financial records show that €11,848,872 was collected under the previous Development Contribution Scheme 2016-2021. Some examples of projects which have received funding include:

- Clanbrassil Street & St. Nicholas Quarter Rejuvenation Scheme
- Narrow Water Bridge Project
- Redevelopment of Dundalk Sports Centre
- Rejuvenation of Market Square, Dundalk
- Smarter Travel Project DUNDALK and
- Beechgrove Roundabout Scheme 2013
- Blackrock District Park
- Car Park Programme
- Carlingford Library Refurbishment and Ext Project
- Clanbrassil Street - Tank Decommission
- Fiddle Case Pier Drogheda
- Footpath Contribution
- Greenway Cycle Route
- Carlingford Coastal Path Enhancement
- Landscaping Works at Demesne Dundalk
- Library DRCD ICT Project
- My Open Library Drogheda
- Open Library 2016 Ardee
- Pitches for Drogheda
- Playground MUGA Upgrade
- Public Libraries Small Scale Works
- Special Development Contribution for Western Road Infrastructure Dundalk
- Termonfeckin Road, Drogheda
- Thatching Project
- Tholsel Boyne Valley Interpretive Works

## **7. BASIS FOR DETERMINATION OF THE DEVELOPMENT CONTRIBUTION SCHEME**

The following methodology was used as the basis for determining the Development Contribution Scheme:

An estimation of development potential over the period of scheme is set out in the Louth County Development Plan 2021-2027 on the assumption of continued improving economic conditions.

- The Core Strategy of the Louth County Development Plan 2021-2027 projects population growth rates for the County. The housing strategy establishes a total housing target for County Louth of 6,524 units over the plan period 2021-2027, the equivalent of 1,087 units per annum to meet this projected population demand.

- Forecast growth is estimated based on the average floor area of commercial development provided per annum over the lifetime of the previous development contribution scheme. The analysis (the years of 2020 and 2021 are excluded due to the impact of the Covid-19 pandemic) indicates that an average of 14,687m<sup>2</sup> was delivered per annum during this period.

A Schedule of Development Policy Objectives to support the overall strategy of the Louth County Development Plan 2021-2027, as varied, and the delivery of identified housing unit targets and supporting economic development are set out in Appendix 1 at the end of this document. The Schedule incorporates a wide range of Transport and Drainage Infrastructure, Tourism, Community, Open Space and Amenity Projects which are to be realised over the lifetime of the Development Plan and beyond.

The projects to benefit from contributions are set out in Appendix 2. 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.

## 8. DEVELOPMENT CONTRIBUTION CHARGES

### LEVEL OF CONTRIBUTION

**Table 1 – Level of Contribution for Residential Development**

Development Category	Description	Charge per Residential Unit	
<b>1</b>	<b>RESIDENTIAL UNIT</b>	€11,646	Class 1 €9,427 Class 2 €2,219

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

Development Category	Description	Rate
<b>2</b>	<b>COMMERCIAL / INDUSTRIAL / RETAIL / RETAIL WAREHOUSING / DATA CENTRES</b>  Any structure which is normally used for the carrying out of any professional or commercial undertaking.	€90.00 per m <sup>2</sup>  Class 1: €73 per m <sup>2</sup> Class 2: €17 per m <sup>2</sup>

Development Category	Description	Rate
<p>Proportionality of charge for residential and commercial developments in each Class is set out above. All other development will be apportioned based on 80% Transportation, Surface Water and Flood Protection Infrastructure and 20% Community, Amenity &amp; Recreation. These prescribed ratios represent an estimate of the costs of providing the necessary infrastructure to support developments in such circumstances. The relevant contribution for each class will be calculated at time of decision based on relevant method of calculation as provided for under each development category.</p>		
<p><b>3</b></p>	<p><b>AGRICULTURAL DEVELOPMENT:</b></p> <p>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 of all structures on the farm landholding when measured internally, exceeds 500 square metres.</p>	<p>Nil up to 500 m<sup>2</sup> €5 per m<sup>2</sup> &gt; 500m<sup>2</sup>.</p>
	<p>b) The provision of commercial kennels for the kennelling of dogs or cats (note there is no exemption threshold).</p>	<p>€7.50 per m<sup>2</sup></p>
	<p>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).</p>	<p>€5.00 per m<sup>2</sup></p>
	<p>d) The development of intensive agriculture which includes, but is not limited to, pigs, mink or poultry farming (note there is no exemption threshold).</p>	<p>€10.00 per m<sup>2</sup></p>
	<p>e) The infilling of lands for agricultural purposes</p>	<p>€8,000 per hectare or part thereof</p>
<p><b>4</b></p>	<p><b>OTHER BUILDINGS</b></p> <p>Development other than that set out under class 1, 2 or 3 above.</p>	<p>€10.00 per m<sup>2</sup> or part thereof</p>
<p><b>5</b></p>	<p><b>FORESTRY &amp; PEAT:</b></p> <p>a) Initial afforestation b) The replacement of broadleaf high forest by conifers species. c) Peat extraction</p>	<p>€650 per hectare of site area, or part thereof.</p>
<p><b>6</b></p>	<p><b>WASTE FACILITY/ COMMERCIAL INFILLING:</b></p> <p>The use of land for the deposit of refuse or inert waste or infilling of lands for commercial purposes.</p>	<p>€2,400 per 0.1 hectare.</p>

Development Category	Description	Rate
7	<p><b>EXTRACTIVE INDUSTRY:</b></p> <p>The winning and working of minerals including the extraction of sand, gravel and stone including the storage of quarrying aggregates or related outputs.</p>	€2,400 per 0.1 hectare or part thereof with a minimum rate of €10,000.
8	<p><b>THE USE OF LAND FOR:</b></p> <p>a) the provision of commercial paid car parking vehicles. b) the provision of open storage of motor vehicles or other objects or substances for sale.</p>	€60 per square metre or part thereof
9	<p><b>THE USE OF LAND FOR:</b></p> <p>a) Caravan Park, Mobile Home or Campervan Park. b) Camping and Glamping areas.</p>	€30 per square metre or part thereof
10	<p><b>NON-BUILDING STORAGE:</b></p> <p>The provision on, in, over, or under land of plant or machinery or of tanks or other structures (other than buildings) for storage purposes.</p>	€10.00/m <sup>2</sup>
11	<p><b>ADVERTISEMENT:</b></p> <p>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 m<sup>2</sup> refers to the advertisement area only.</p>	€30.00 per m <sup>2</sup>
12	<p><b>TRANSMISSION &amp; UTILITY SUPPLY LINES:</b></p> <p>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. <i>Does not include works required for the maintenance, refurbishment or upgrading of existing networks.</i></p>	€1,000 per km
13	<p><b>TELECOMMUNICATIONS MAST</b></p> <p>Relates to telecommunications support structures, antennae, dish and other apparatus/equipment for communication purposes for Telephone, Radio and TV.</p>	€5,000 per mast/antennae or similar structure
14	<p><b>RENEWABLE ENERGY:</b></p> <p>Renewable energy installations generating greater than 0.5 MW.</p>	€1,000 per 0.1MW
15	<p>Development not coming within any of the foregoing classes will refer to both built and open.</p>	€60 per square metre or part thereof.

**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 is considered exempt from development contribution charges.

**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-1963 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 1.5 times the appropriate rates for any development.

**Note 7:** The amount of contribution to be levied in relation to outline planning permission is the contribution rate applicable at the time of the decision on the permission consequent stage and not at the date of the grant of outline permission.

## 9. EXEMPTIONS

The Planning Authority may allow for full or partial exemptions from payment of contributions in certain circumstances. The following categories of development **only** will be considered in this regard:

### 9.1 Voluntary or Not for Profit Organisations

When a planning application consists of or comprises development, by or on behalf of a voluntary organisation and which in the opinion of the Planning Authority: -

- (i) 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 for profit or gain,
- (ii) 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
- (iii) is ancillary to development referred to in paragraph (i) or (ii).

### 9.2 Schools

Non fee paying primary and secondary schools.

### **9.3 Developments Ancillary to Residential Development**

Signage, shop fronts, entrance gates, railings, fencing, bus shelters, switch rooms, substations, power lines and other related type infrastructure required to facilitate the residential development in the area and where there is no demand for new or upgraded infrastructure to serve the development. For clarity, gardens sheds and other such structures within the curtilage of residential properties are exempt provided no habitable accommodation is being provided.

### **9.4 Telecommunications**

Telecommunication infrastructure, both mobile and broadband, being deployed by a statutory undertaker as part of a Government endorsed telecommunications strategy, plan or initiative will be exempt. In addition, masts, antenna, dish and other apparatus/equipment for communication purposes which falls within the exempted development provisions are also exempt from contributions.

### **9.5 Change of Use**

Change of use applications which have the benefit of planning permission are exempt from development contributions where the change of use and internal alterations do not lead to the need for new or upgraded infrastructure/services or will not result in a significant intensification of demand being placed on existing infrastructure.

### **9.6 Agriculture**

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

### **9.7 Renewable Energy**

Small-scale renewable energy developments not exceeding 0.5 megawatt output are exempt.

### **9.8 Local Authority Development**

Development carried out by the Local Authority pursuant to Section 179 of the Act or any amending legislation are exempt.

### **9.9 Ancillary Development**

Development ancillary to development referred to in Sections 9.1 – 9.8 above will be exempt where there is no need for new or upgraded infrastructure or services.

## **10. REDUCTIONS**

### **10.1 Protected Structures**

Restoration or refurbishment of structures included in the Record of Protected Structures including the change of use to such structures may be eligible for a 100% reduction where such works are completed to a high architectural standard. An extension to a Protected Structure for commercial purposes where the council is satisfied that the works protect and enhance the character of the Protected Structure may be subject to a 50% reduction.

### **10.2 Architectural Conservation Areas**

Development involving works to structures within Architectural Conservation Areas (ACA) as identified in the County Development Plan or any Local Area Plan will be subject to a 25% reduction on the applicable rate of contribution, where the works substantially contribute to the sensitive restoration or protection of the character of the structure for which the ACA has been designated.

### **10.3 Housing**

In respect of, the 20% provision in relation to Social housing units, which are provided in accordance with Part V, Section 96, of the Planning and Development Act (as amended by Section 3 of the Planning and Development (Amendment) Act, 2002 and the Affordable Housing Act 2021 or any amending legislation), a maximum of 50% reduction will be allowed in respect of Affordable housing units. A maximum of 50% reduction will also be allowed in respect of Cost Rental Housing as determined under the Affordable Housing Act 2021 (Cost Rental Designation) Regulations 2021.

Housing units planned and constructed as Social housing, 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 primarily for profit or gain will be eligible for 100% reduction.

### **10.4 Demolition and Rebuild**

Where permission is granted to demolish in part or in full an existing building and replace with another, then the development contribution payable is to be calculated as follows:

- (i) Where a contribution has been previously paid – the contribution will be levied on the increased floor area of the new build (existing floor area will be discounted).
- (ii) If no contribution was previously paid and the structure/s to be demolished have the benefit of planning permission, were constructed pre-1963 or are such that constitute exempt development, the floor area of said structure/s will be off-set against the total floor area of the new build. Demolition must be necessary to facilitate the proposed development.

### **10.5 Temporary Planning Permissions**

Where the temporary permission would fully satisfy the policies objectives of the Development Plan/Local Area Plan contributions are to be calculated as follows: -

- (i) 33% of normal rate for permissions of up to 3 years' duration.
- (ii) 50% of normal rate for permissions of up to 5 years' duration.
- (iii) 66% of normal rate for permissions of up to 10 years' duration.

For clarity, temporary permissions relate to structures or change of use type applications which are permitted for a specified period of time only.

### **10.6 Town Centre Regeneration**

A 75% reduction shall apply to residential and non-residential developments (excluding takeaway/fast food restaurant, betting office or equivalent, nightclub, amusement arcade or equivalent) within the following areas;

- (i) the Core Retail Area of Drogheda, Dundalk and Ardee as defined within the Louth County Retail Strategy, Appendix 4 of the Louth County Development Plan 2021-2027 or any subsequent update and Lower & Upper Main Street and Ardee Road, Dunleer.
- (ii) Retail Opportunity Sites as identified within the Louth County Retail Strategy, Appendix 4 of the Louth County Development Plan 2021-2027 or any subsequent update).

### **10.7 Regeneration Lands**

A 75% reduction shall apply to residential and non-residential developments within areas of Drogheda, Dundalk and Ardee which are zoned 'D1 Regeneration' within the Louth County Development Plan 2021-2027 or any subsequent update / Local Area Plan.

### **10.8 Derelict Sites**

Sites which have been entered onto the Derelict Sites Register and where there are no outstanding levies due at the time of making a planning application may be eligible for a 75% reduction in contributions upon completion of the development.

### **10.9 Business or grant-aided development**

A 75% reduction in contributions will apply for businesses grant-aided or supported by IDA, Enterprise Ireland including through LEO Louth.

### **10.10 Existing industrial operations**

A 50% reduction in contributions will apply to extensions pertaining to authorised industrial and manufacturing operations including the expansion of port operations/facilities.

### **10.11 Leisure / Sporting Facilities**

A 50% reduction in contributions will apply to sporting and leisure facilities including any ancillary type development being provided as part of an integrated sports, recreational or leisure facility. For clarity, reductions do not apply to betting offices, amusement arcades, gaming premises or equivalent, cafes, restaurants, public houses, or bars that are proposed as part of any such facility.

### **10.12 Medical Facilities**

A 50% reduction will apply to private hospitals, medical facilities including medical research centres and nursing homes.

### **10.13 Childcare Facilities**

A 50% reduction will apply to all childcare facilities.

## **11. POINTS TO NOTE**

### **11.1 General**

The Scheme aims to avoid 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, 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 application, to demonstrate eligibility for a waiver/reduction.

### **11.2 Adjustment of Contribution Amounts/Indexation**

The contribution rates payable will be adjusted each year on 1<sup>st</sup> January, based on changes to the Wholesale Price Index for Capital Goods, Building & Construction published by the Central Statistics Office.

### **11.3 Calculation of Floor Area**

The floor area of proposed development where buildings are involved shall be calculated as gross floor area. This means the gross floor area determined from the internal dimensions of the proposed buildings including the gross floor area of each floor including mezzanine floors. Where demolition of an authorised structure is proposed and a previous development contribution has been paid in full in respect of this structure, the amount paid shall be off-set against the new development contribution rate that applies under this scheme where it falls within a different use class.

### **11.4 Special Development Contributions**

A special development contribution may be imposed under Section 48(2) of the Act in respect of a particular development where specific exceptional costs not covered by the Scheme are incurred by the council in respect of the provision of public infrastructure and facilities which benefit such development. In such circumstances, the provisions on offsetting and offsetting procedures may also be applied where considered appropriate.

### **11.5 Retention Permissions**

All retention permissions will be charged at a multiple of 1.5 times the appropriate rates for any development.

### **11.6 Emergency or Temporary legislative provisions**

Where a statutory instrument is introduced which permits/facilitates whether on a temporary or a permanent basis a change of use or intensification of use and a subsequent planning permission is sought by a developer, contributions will apply as per the general provisions of this Scheme. No reductions (other than provisions provided for within this scheme) will be permitted for structures which were subject to these temporary legislative provisions unless expressly provided for in any amending legislation.

## **12. METHOD OF PAYMENT OF CONTRIBUTIONS**

The contributions under the Scheme shall be payable prior to commencement of development or as otherwise agreed by the Council. Contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced, as set out previously.

The Council may at its discretion facilitate the phased payment of contributions payable under the Scheme, and the Council may require the giving of security to ensure payment of contributions.

The Planning Authority will consider a reduction in accordance with Section 48(3)(A) of the Planning and Development Act as amended,

- Where a permission which includes conditions referred to in subsection (1) has been granted under section 34 in respect of a development and the basis for the determination of the contribution under subsection (1) has changed -
  - (a) where the development is one to which Part II of the Building Control Regulations 1997 (S.I. No. 496 of 1997) applies and a commencement notice within the meaning of that Part in respect of the development has not been lodged,
  - or
  - (b) where the development comprises houses and one or more of those houses has not been rented, leased, occupied or sold,

the Planning Authority shall apply that change to the conditions of the permission where to do so would reduce the amount of the contribution payable.

### **13. 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.

### **14. DURATION OF SCHEME**

This scheme is effective from the date of adoption 18<sup>th</sup> September 2023. The Scheme may be reviewed from time to time, by Louth 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 adopts a new Scheme.

**Appendix 1: Relevant General Development Policy Objectives from the Louth County Development Plan 2021-2027, as varied**

<b>SO 4</b>	Transition to a low carbon and climate resilient County supporting energy efficiency and reducing energy demand, through a combination of mitigation and adaptation responses to climate change. This includes for increased usage of renewable energy through developing indigenous energy resources, supporting the transition to a low carbon economy by 2050, and ensuring flood risk management. The Council will work with other bodies and organisations as appropriate, to identify and help protect critical infrastructure.
<b>SO 5</b>	Ensure a more sustainable and integrated concept of development with regard to land use, transportation, water services, energy supply and waste management over the lifetime of the Plan.
<b>SO 6</b>	Conserve and enhance the County's Green Infrastructure and ecosystem services supporting the sustainable management of natural assets and the biodiversity of the County's protected habitats and species to provide a wide range of environmental, social and economic benefits to communities.
<b>SO 7</b>	Protect and enhance the built, cultural and natural heritage assets of Louth, the intrinsic value of which helps to define the character of both urban and rural areas, contributes to the attractiveness, vibrancy and sense of place for residents, tourists and visitors, including improved access to the countryside through the development of greenways, walking trails and blueways in support of and advancing sustainable communities.
<b>SO 9</b>	Protect and enhance the unique character and identity of Louth's towns and villages and improve quality of life and well-being through the application of Healthy Placemaking, underpinned by good urban design with the creation of attractive public spaces that are vibrant, distinctive, safe and accessible and which promote and facilitate positive social interaction.
<b>SO 15</b>	Ensure the proper integration of transportation and land use planning through the increased use of sustainable transport modes and the minimisation of travel demand to achieve a sustainable, integrated and low carbon transport system with excellent connectivity both within and beyond the County.
<b>SO 17</b>	Facilitate the development of infrastructural projects, which will underpin sustainable development throughout the County during the period of the Plan.
<b>SS7</b>	To support the progression and implementation of any projects in Drogheda funded by the Urban Regeneration and Development Fund including the Westgate Vision.
<b>SS8</b>	To support the implementation of the Urban Design Framework for the Heritage Quarter in Drogheda.
<b>SS9</b>	To support and protect the role of Drogheda Port as a Port of regional significance and to facilitate any investment, upgrade, or maintenance works to the Port, subject to appropriate environmental considerations.
<b>SS11</b>	To support the coordinated development of the Northern Environs of Drogheda with the provision and delivery of sustainable social and community facilities and infrastructure in tandem with residential development.
<b>SS12</b>	To recognise the importance of the Port Access Northern Cross Route (PANCR) as a critical piece of enabling infrastructure in the strategic growth of Drogheda and to seek to secure funding to progress the delivery of this project as a priority during the life of the Plan.

<b>SS13</b>	To support investment in public and sustainable transport infrastructure and services in Drogheda including the progression of the DART Expansion Programme which includes the electrification of the rail line and the extension of DART services to Drogheda.
<b>SS14</b>	To enhance the established role of Drogheda Town Centre and position it as a destination of choice for both visitors and residents alike with a special emphasis on the role played by the town walls.
<b>SS17</b>	To work with the NTA, local landowners, and developers to implement an integrated pedestrian and cycle path network throughout Drogheda, recognising the highest priority to be given to cycling and walking over other modes of transport.
<b>SS18</b>	To develop a network of green areas throughout the town, including the delivery of a greenway along the north and southern banks of the River Boyne stretching from Townley Hall to Baltray and Oldbridge to Mornington in County Meath while maintaining the integrity of the Boyne Natura 2000 sites.
<b>SS 23</b>	To enhance the established role of Dundalk town centre and position it as a destination of choice for shopping with a special emphasis on revitalising and reducing vacancy in the retail core area.
<b>SS 26</b>	To support the implementation of the 2008 Urban Design Framework Plan for Dundalk.
<b>SS 27</b>	To support the progression and implementation of any projects in Dundalk funded by the Urban Regeneration and Development Fund including the Longwalk Quarter Project.
<b>SS 29</b>	To support the role of Dundalk Institute of Technology (DkIT) as a centre for excellence for education and to facilitate any proposals that would strengthen the role and raise the profile of DkIT as a research and education facility.
<b>SS 30</b>	To secure the provision of the proposed Link Roads including the LIHAF funded Mount Avenue Link Road, and other road improvements, in co-operation with stakeholders and government agencies.
<b>SS 31</b>	To work with the NTA, local landowners, and developers to implement an integrated pedestrian and cycle path network throughout Dundalk.
<b>SS 32</b>	To develop a network of green areas throughout the town, building on existing green infrastructure, and advancing the delivery of the Great Eastern Greenway along the coast incorporating the delivery of greenway and pedestrian infrastructure on both sides of the Castletown River, while maintaining the integrity of the Dundalk Bay Natura 2000 sites.
<b>SS 33</b>	To ensure the delivery of the Northern Environs Framework Plan recognising the need for an interchange on the Armagh Road to reduce non-local traffic entering Dundalk at the Lisdoon Junction and the corresponding contribution to Climate Action within same.
<b>SS 34</b>	To recognise the strategic piece of infrastructure that is the former Dundalk Landfill Site to be developed for playing pitches and for recreation purposes.
<b>SS 40</b>	To support the progression and implementation of any projects in Ardee funded by the Rural Regeneration and Development Fund including the Restoration of Ardee Castle and the Regeneration Plan for Ardee.
<b>SS 41</b>	To secure the construction, pending approval by Transport Infrastructure Ireland, of the N2 bypass and N52 bypass and preserve free of development their proposed routes.
<b>SS 42</b>	To facilitate the provision of a new link road from Rathgory and Mulladrillen to Black Road.
<b>SS 43</b>	To upgrade footpaths and provide a cycle lane along Sean O'Carroll Street.
<b>SS 44</b>	To facilitate the provision of a north-south link road to the west of the town.
<b>SS 45</b>	To examine the feasibility of a running track for Ardee during the lifetime of this Plan.

<b>SS 52</b>	To work with local landowners and businesses in facilitating and carrying out public realm works in Dunleer including works to roads and footpaths and existing lane-ways / cycle ways.
<b>SS 53</b>	To examine the feasibility of providing additional off-street car parking locations in Dunleer.
<b>HOU 4</b>	To facilitate the development of emergency accommodation, including hostels for homeless individuals and families, in a balanced way throughout the county but based on needs in particular areas.
<b>HOU 10</b>	To continue to support the creation of sustainable communities throughout the County for people across all the life stages by facilitating the creation of attractive neighbourhoods where there are strong links and connections to local services, community facilities and employment areas and where walking, cycling, and public transport is prioritised.
<b>HOU 18</b>	To develop sustainable and successful neighbourhoods through the consolidation and redevelopment of built-up areas and promote new compact mixed-use urban and rural villages served by public transport and green infrastructure.
<b>HOU 19</b>	To enhance and develop the fabric of existing urban and rural settlements in accordance with the principles of good urban design including the promotion of high quality well-designed visually attractive main entries into our towns and villages.
<b>SC 7</b>	To reserve lands for social and community facilities and encourage the provision of facilities suitable for intergenerational activities accessible to all members of the community in appropriate locations.
<b>SC 13</b>	To ensure that sufficient land is identified for the provision of a variety of public open spaces on a hierarchical basis throughout the County in order to achieve a choice of active and passive open space, recreational and amenity areas to suit all individuals
<b>SC 15</b>	To facilitate and encourage open space areas and greenway corridors to be planned for on a multi-functional basis incorporating measures to promote and protect ecosystems, climate change measures and to incorporate key landscape features including archaeological considerations into their design.
<b>SC 16</b>	To support the provision of playgrounds in a variety of land use zoning categories where appropriate.
<b>SC 18</b>	To maximise the range of public play opportunities available to all children.
<b>SC 21</b>	To support and facilitate the provision, development and sustainability of arts and cultural infrastructure at appropriate locations throughout the County and which are accessible to all members of the community.
<b>SC 22</b>	To continue to enhance the public domain by encouraging the provision of public art across all art forms and throughout the County, supported by the Percent for Art Scheme.
<b>SC 23</b>	To support the development of County Louth's library services and the implementation of the actions and objectives of the <i>Library Service Development Plan 2020-2025</i> and any subsequent plan to meet the needs of all members of the community and strengthen links with socially excluded members and groups of society.
<b>SC 24</b>	To deliver a library facility in the Cooley Area.
<b>SC 30</b>	To ensure appropriate infrastructure is provided concurrent with the development of an educational facility, including technology, footpaths, pedestrian crossings, cycle lanes and parking facilities, with accessibility for all.
<b>SC 33</b>	To support the expansion and development of Dundalk Institute of Technology as a centre of excellence and its elevation to technical university status.

<b>SC 46</b>	To support the development of new or extended burial grounds and crematoria at suitable locations in the County, subject to appropriate safeguards with regard to environmental, noise and traffic impacts, and residential amenities.
<b>SC 47</b>	To protect historic graveyards and encourage their management and maintenance in accordance with best conservation practice.
<b>SC 48</b>	To facilitate the development of allotments at suitable locations throughout the County. Any such facility should be located within or close to an existing settlement and should be easily accessible.
<b>EE 27</b>	To recognise that the Port facilities at Drogheda, Greenore, Dundalk, and Clogherhead are an important economic resource and to support any improvements or expansion to these Port facilities at Drogheda, Greenore and Clogherhead and the consolidation of Dundalk Port, subject to the preparation of a Masterplan and appropriate environmental considerations.
<b>EE 38</b>	To support the delivery of the Port Access Northern Cross Route which will release strategically located lands for economic development and employment related uses.
<b>EE 45</b>	To support economic development and regeneration at Dundalk Port Harbour area.
<b>EE 65</b>	To encourage and support the re-use and revitalisation of vacant (and derelict) units and properties within town and village centres and assess change of use applications based on merit and overall contribution to the vitality of the town centre and the day and/or night time economy.
<b>EE 75</b>	To promote the improvement of the environment and public realm of town and village centres through good design, landscaping, street furniture, improve mobility through traffic management and co-operate with Tidy Towns Committees and other community groups in the implementation of environmental improvement schemes.
<b>TOU 4</b>	To promote and facilitate tourism as one of the key economic pillars of the County's economy and major generator of employment and to support the provision of necessary significant increase in facilities, visitor attractions and improvement in public spaces to promote attractive and vibrant town centres as key places for tourists.
<b>TOU 8</b>	To promote and facilitate the development of walkways and cycleways at appropriate locations throughout the County utilising disused transport links where feasible.[i]
<b>TOU 9</b>	To protect the integrity and scenic quality of existing and future walking and cycling routes and their setting.
<b>TOU 10</b>	To work in conjunction with adjoining authorities including Newry, Mourne and Down District Council and Meath County Council to extend and design new walking and cycling routes, including the Great Eastern Greenway and the Boyne Greenway. Ensure all proposals include appraisal of environmental impacts and take full account of the potential for negative impacts on European Sites through the process of Appropriate Assessment Screening.
<b>TOU 11</b>	To continue the development of a network of greenways in County Louth in accordance with the ' <i>Strategy for Future Development of National and Regional Greenways</i> '.
<b>TOU 12</b>	To work with the relevant stakeholders including the OPW, the Heritage Council, Fáilte Ireland, the Arts Council, local communities and businesses to support the development of heritage and cultural tourism in Louth.
<b>TOU 14</b>	To support the development of the food and craft tourism sector within the County and the promotion of food trails which enhance and promote a blended tourism experience model.
<b>TOU 16</b>	To support and promote existing festivals and sporting events to increase the cultural, heritage and lifestyle profile of the county, and where appropriate to promote and facilitate the development of new events and venues to host these events.

<b>TOU 19</b>	To co-operate with the relevant authorities and government agencies north and south of the Border in the provision of Narrow Water Bridge.
<b>TOU 22</b>	To assist in the development and marketing of identified Tourism Destinations including the Boyne Valley and Mourne Cooley Gullion destinations, in conjunction with the relevant stakeholders.
<b>TOU 23</b>	To support and promote Drogheda as a designated 'Destination Town' and engage with Fáilte Ireland in developing and promoting the tourism potential of the town.
<b>TOU 24</b>	To support the implementation of the Ancient Destination Development Plan 2020 – 2024 within County Louth.
<b>MOV 9</b>	To support investment in sustainable transport infrastructure that will make walking, cycling or public transport more attractive and appealing, and facilitates accessibility for all, regardless of age, physical mobility, or social disadvantage.
<b>MOV 22</b>	To work with the National Transport Authority (NTA) and Transport Infrastructure Ireland (TII) and any other stakeholders in identifying suitable locations for and the development of bus based park and ride and car based park and share facilities in the County.
<b>MOV 25</b>	To support the retrospective provision of walking and cycling infrastructure in existing settlements, where feasible, to achieve growth in sustainable mobility and strengthen and improve the walking and cycling network.
<b>MOV 33</b>	To continue the development of a network of Greenways in the County in accordance with the Strategy for the Future Development of National and Regional Greenways.
<b>MOV 34</b>	To continue to engage and work closely with Meath County Council and other stakeholders in the development and expansion of the Boyne Greenway.
<b>MOV 35</b>	To continue to engage and work closely with Newry, Mourne, and Down District Council and other stakeholders in the development and expansion of the Great Eastern Greenway from Carlingford to Newry.
<b>MOV 36</b>	To continue to engage and work closely with the OPW and other stakeholders in the development of the Coastal Greenway from Dundalk to Blackrock including the delivery of such infrastructure on both sides of the Castletown River, and Baltray to Drogheda through the Louth Coastal Defence Projects.
<b>MOV 37</b>	To continue to engage and work closely with Monaghan County Council and other stakeholders in the development of the Dundalk to Castleblayney section of the Dundalk - Sligo Greenway.
<b>MOV 38</b>	To engage in the Compulsory Purchase Order process when required in order to facilitate the timely delivery of the Greenway and Cycleway Projects in the County.
<b>MOV 40</b>	To support the design and implementation of public realm projects in town and villages throughout the County that will make these locations more attractive and liveable spaces which are climate resilient and facilitates accessibility for all, regardless of age, physical mobility, or social disadvantage.
<b>MOV 48</b>	To support major road and bridge improvement projects set out in Tables 7.7 and 7.8 and any other project identified by the Council or included in the Roads Programme by reserving the corridors, as and when they are identified, of any such proposed routes, free of development, which would interfere with the provision of such proposals
<b>MOV 49</b>	To support the progression of the long term upgrade of the N2; and in particular to protect the preferred route corridor of the upgrade road scheme between Ardee and Castleblayney, and prohibit development that could prejudice its future delivery; and to continue to work closely with Transport Infrastructure Ireland, Monaghan County Council, property owners, and residents affected, and other stakeholders in the delivery of this project.

<b>MOV 50</b>	To seek to examine, in consultation with Transport Infrastructure Ireland, the feasibility of progressing and delivering the N2 bypass of Ardee Town.
<b>MOV 51</b>	To support the progression of the N52 Ardee Bypass and to continue to work closely with Transport Infrastructure Ireland and Meath County Council and other stakeholders in the delivery of this project.
<b>MOV 52</b>	To support the progression of the Drogheda Port Access Northern Cross Route and to continue to engage with stakeholders and local landowners in securing the funding to deliver the project.
<b>MOV 53</b>	To support the progression of the identified Link Roads required in Dundalk and to continue to engage with stakeholders and local landowners in securing the funding to design and deliver these links.
<b>MOV 54</b>	To support the progression of the Narrow Water Bridge Project in association with Newry, Mourne, and Down District Council and key stakeholders and funding agencies subject to the requirements of any environmental assessments.
<b>MOV 55</b>	To support the progression of the Dundalk-Sligo Road and to continue to work closely with Transport Infrastructure Ireland and other stakeholders in the delivery of this project.
<b>NBG 46</b>	To develop linear parks, particularly along waterways, and to link existing parks and open spaces in order to provide green chains that promote permeability for pedestrians and cyclists in the Regional Growth Centres of Drogheda and Dundalk.
<b>NBG 53</b>	To support and increase investment in the on-going maintenance of existing, and provision of additional green infrastructure by accessing relevant EU funding mechanisms and national funding opportunities, including tourism related funding.
<b>NBG 56</b>	To focus on 'greening' key streets in the Regional Growth Centres of Drogheda and Dundalk and key towns and villages by way of higher standards for planning and amenity along key routes.
<b>IU 29</b>	To implement the Flood Risk Management Measures as detailed in the Neagh Bann Flood Risk Management Plan, the Eastern Flood Risk Management Plan and the Dunleer Flood Risk Management Plan, ensuring that proposals for development support and do not impede the progression of these measures. Louth County Council will, in partnership with the Office of Public Works (OPW) deliver the following Flood Relief Schemes: <ul style="list-style-type: none"> <li>• Dundalk, Blackrock and Ardee;</li> <li>• Drogheda and Baltray; and</li> <li>• Carlingford and Greenore.</li> </ul>
<b>IU 88</b>	To encourage and facilitate the reuse of existing vacant buildings particularly in town centres.
<b>ENV 55</b>	To identify, prioritise and implement necessary coastal protection works subject to the availability of resources, whilst ensuring a high level of protection for natural habitats and features, and ensure due regard is paid to visual and other environmental considerations in the design of any such coastal protection works.

## Appendix 2: The Projects to Benefit from the Contribution Scheme


<b>Transportation Surface Water &amp; Flood Protection</b>
<p>General Road Improvements</p> <p>N52 Ardee Bypass</p> <p>N53 Hackballscross to Rassin</p> <p>Dundalk - Cavan Road upgrade</p> <p>Newtown Access Road</p> <p>Mount Avenue Improvement scheme</p> <p>Leonard's Cross Drogheda</p> <p>Dundalk Link Roads</p> <p>Local Road linking R132 through Belfield Estate to the Marlbog Roundabout</p> <p>Link Road from L-3161 Marlbog Roundabout to L-7163 Chapel Road Roundabout</p> <p>Link from N2 Rathgory to Clonmore</p> <p>Port Access Northern Cross Route Phase B (Ballymakenny Road to Baltray Road)</p> <p>Surface water improvements &amp; Flooding relief schemes</p> <p>Car Park Programme</p> <p>Walking and cycling network Improvements</p>

<b>Transportation, Community &amp; Amenity</b>	<b>Amenity and Community Facilities</b>
<p>Drogheda Westgate</p> <p>St Nicholas Quarter &amp; Backlands - Public Realm</p> <p>Omeath public realm Improvements</p> <p>St. Peter's Place Shared Space</p> <p>Long walk public realm improvements</p> <p>Project Ardee 2040</p> <p>Carlingford Living &amp; Visiting</p> <p>Town Centre First Projects</p> <p>Dunleer Town Centre First</p> <p>Clogherhead Cois Farraige</p> <p>St. Laurence's Gate Plaza, Drogheda</p> <p>Linear Park in North Drogheda Phase 2</p> <p>Other Public Realm Schemes</p>	<p>Ardee Castle</p> <p>Dominican Church Development, Drogheda</p> <p>Swimming Pools Upgrade - Dundalk</p> <p>Play Facilities</p> <p>Parks Improvements &amp; Development</p> <p>Narrow Water Bridge</p> <p>Outdoor Recreation Projects</p> <p>Navy Bank / Point Road Park Project</p> <p>Greenways</p> <p>The Tholsel, Drogheda</p> <p>Small Urban and Village Projects</p> <p>Sport facilities development and Major Capital investment</p> <p>Athletics Track Dundalk</p> <p>Pitches for Drogheda</p> <p>Fire Station development program</p> <p>Library development program</p>

Comhairle Contae Lú  
Halla an Bhaile  
Sráid Crowe  
Dún Dealgah  
Contae Lú  
A91 W20C

Louth County Council  
Town Hall  
Crowe Street  
Dundalk  
Co. Louth  
A91 W20C

 [info@louthcoco.ie](mailto:info@louthcoco.ie)

 [www.louthcoco.ie](http://www.louthcoco.ie)

Cuirfear fáilte roimh chomhfhreagras Gaeilge - Correspondence in Irish is welcome