Comhairle Baile Dhún Dealgan
Dundalk Town Council

Comhairle Chondae Lú
Louth County Council

Dundalk Western Transportation
Infrastructure

Supplementary Development Contribution
Scheme

Adopted by Louth County Council on 20\textsuperscript{th} October 2008 and by
Dundalk Town Council on 28\textsuperscript{th} October 2008.

(Under Section 49, Planning & Development Act, 2000)
1. Definition of Project

The western transportation infrastructure is to commence at the Southern link road to the South of Dundalk and will continue in northerly direction parallel to the existing N1 towards the town land of Priorland. The first junction on the route is at Priorland where the routes branch off in three directions, north towards the Hill Street junction, east towards the Dublin road and west crossing the railway line to the proposed Knockbridge Road junction. The route will then link the Knockbridge Road to the Carrickmacross Road and the Castletown road the road will continue across the Castletown River and continue across the Armagh road to the Newry Road. The route is to be classed as a primary distributor route to serve for future traffic demands of Dundalk town and environs. The infrastructure will provide for two single carriageways, bus lanes, cycle paths and footpaths.

2. Policy Framework

*Dundalk and Environs Development Plan 2003 -2009*

10. TRANSPORTATION & INFRASTRUCTURE

10.1 Transportation

10.1.1 Introduction and Context

A comprehensive and efficient transportation infrastructure is an essential component in the future development of any urban area. This is particularly so in high growth areas like Dundalk, where increased car travel demand has placed unprecedented pressure on transport infrastructure. This Chapter gives effect to Strategic Objective No 2.

*SO2*

*Direct new development to the existing settlement structure; in accordance with the development strategy and other plan policies, relating development to accessibility to promote energy efficiency and helping to secure quality urban infrastructure and services.*

The aim is to promote containment, consolidating and reinforcing the existing settlement patterns to help ensure an efficient use of existing services, facilities and infrastructure.
Previous development plans placed the provision of infrastructure for the private car as the priority with less emphasis about basic mobility (non-mechanical mobility). It is now widely recognised that basic mobility needs must come first and prioritising the needs of the car is not the solution for the transportation needs of a community. The provision of basic infrastructure should be accompanied by other transport-conscious planning strategies that encourage the use of alternative means of transport. The Plan draws a balance between facilitating the private car where appropriate, and promoting alternative means of transport. The car has a rightful, but not dominant role in the urban transport system. This Plan constitutes a sustainable approach to the future development of the transportation system in Dundalk and its environs.

10.1.2. A Sustainable Approach

‘Sustainable Transport ‘helps to reduce environmental impacts of transport infrastructure; contributes to economic prosperity by maximising transport efficiency and enhances social well-being by providing greater mobility for people.’

(Dole, ENFO Information Sheet on Sustainable Transport, 1999)

The Policy of the Council will be to:

TR 1 promotes sustainability by reducing mobility demands and promoting transport-conscious planning strategies.

TR 2 actively co-operate with relevant bodies in the development of a sustainable and integrated transportation system for Dundalk.

While most development plans identify the road network as the key structural element, a sustainable design should take the circulation of people on foot and bicycle and the effectiveness of public transport as starting points. The overall objective is to reduce the level of car reliance and to reduce the need to travel - with the social benefits of increasing transport choice for all groups in the population, and enhancing local security and community. Dundalk has been developing spatially in ways, which are convenient for car use and less convenient for other means of access. As housing, jobs and other activities have moved further away from the town centre, so the density and structure of built-up areas has loosened, and therefore car usage has increased. Typical transport-conscious planning strategies include more compact urban fabrics with rich mixtures of uses so that living, working, schooling and leisure can all take place within walking or cycling distance and public transport supportive densities.
10.1.3 Pedestrians and Cyclists

The building of new roads has presented opportunities in the past which have not been fully realised because freed up road space eventually became reoccupied by cars. Ownership and usage are likely to increase further, suggesting that similar problems could occur. The allocation of more road space to pedestrians and other modes of transport should help to reduce traffic congestion, particularly in the town centre. This may involve the installation of cycle / bus lanes and pedestrian priority / pedestrianisation onto existing road space.

TR 3 Encourage alternative means of transport

The Council will seek to encourage a shift in emphasis in an effort to make Dundalk a town where pedestrians and cyclists can easily co-exist with other modes of transport. In doing so the Council will seek to

TR 7 Promote and Encourage Cycling as an alternative means of transport
Promote cycling as a mode of travel and encourage greater adherence to the cycle parking standards contained in Table 10.2

Cycling is a healthy, environmentally friendly and most significantly, an efficient mode of transport in these congested times. A typical journey from the top of Clanbrassil Street to Dundalk Shopping centre would not take much more the 10 minutes by bicycle, difficult to do using any other mode at peak times. Cycling can become an important means by which to travel to school, work, shops and other facilities, as well as being a popular leisure activity. Safety when cycling and security of parked bicycles are two issues that should be addressed if cycling is to become a mode of transport popular enough to impact upon car traffic congestion levels. Finally, in order to implement these policies the Council recognise that it is important to liaise with relevant organisations, including Slí na Sláinte, the Irish Cycling Federation and disabled representatives, to promote their interests in an overall transport strategy.

*A Safe Routes to School Initiative identifies measures to increase the safety of children travelling to school by their own means, (walking or cycling).

10.1.4 Public Transport

Public transport within Dundalk consists of bus services run by Bus Éireann and Halpenny Buses. Regular services operate between the town centre and Muirhevnamor, Bay Estate, Cox’s Demesne, Fatima and Blackrock. These services operate on either a half hourly or an hourly basis and in good traffic conditions take approximately 15 minutes. Bus Éireann operate four or five return services per day to the surrounding villages within the study area and to other neighbouring towns.
These services can only be promoted as a realistic alternative if they comprehensively cover the town, and can compete with other modes in terms of efficiency. Iarnrod Eireann is currently undertaking work at Dundalk Station, which will increase the daily capacity from 750 to 1350 commuters. Improving public transport facilities and capacity is a priority to ensuring the future sustainable growth and development of Dundalk and its environs. Public transport is provided in the form of bus and rail services to locations further afield. Dundalk is on the main Belfast to Dublin railway line at a distance, which is commutable to both cities. This Enterprise Service has recently been upgraded and is now one of the most attractive public transport services in the country. Further efforts should be made to increase the frequency of services as at present congestion occurs at peak times. While unlikely to arise as an issue during the period of this plan, nonetheless as a long term issue, the suitability or otherwise of the present train location must come into focus. In a greatly expanded Dundalk, a new location for main line trains might be desirable with the existing station serving local freight and passenger transport needs (e.g. a possible link by Rail or Tram to Blackrock).

**TR 8 Enhancing Public Transport**

The Council will encourage and assist in the enhancement of a public transport system in Dundalk in order to improve general accessibility to, from and within the town, and therefore reduce the impact of the private car on the urban environment.

In order to achieve this, it is policy of the Council, in co-operation with other agencies and subject to availability of the necessary finance, to secure an improved service.

**TR 9 Liaison with relevant transport bodies** The Council will seek to co-operate and liaise with the relevant transport bodies and authorities to secure improvements to the public transport system within and throughout Dundalk and its environs, through a) introducing physical quality public transport measures, e.g. bus priority measures. b) Improving the connectivity of the urban network in order to promote public transport. c) Promoting public transport supportive densities. d) Encourage the provision of bus shelters to further encourage the use of public transport; operators will be encouraged to provide shelters for the convenience of their customers (e.g. shelters at bus stops and taxi ranks)

In addition, the Council considers that the existence of railway lines and the associated station and marshalling facilities must be protected from redevelopment, which would preclude their use in future as an operational transportation network. The emerging National Spatial Strategy seeks to promote the use of rail as a sustainable mode of transportation. Dundalk is already served by an existing railway line and station.
It is therefore paramount to ensure that existing facilities are not lost and are capable of contributing fully to any future railway expansion plans. It is important to ensure that any proposed development will not jeopardise the future development of any railway or transportation system.

**10.2 Infrastructure**

10.2.1 Transportation

*IN 1 Safeguard the function of M1 Motorway safeguard the strategic / regional function of the M1 motorway and protect and enhance the environmental benefits it will create in Dundalk.*

The completion of the latest section of the M1 has already resulted in traffic reduction benefits for the villages on the old Dublin to Belfast Road. Similar benefits will result in Dundalk, presenting opportunities to remove traffic congestion from the town so as to provide for a cleaner, quieter, safer and greener environment for the town’s people. With the completion of the bypass the current inner relief road will change in function to become the distribution spine of the town. A plan has also been prepared for the construction of a series of roads within the town itself. These roads will represent the third level in the road hierarchy of the town. Their purpose is to provide better connectivity and to enable development in already zoned areas. A new road has been completed on the route of the disused railway line from Hill Street Bridge to the Inner Relief Road. Hill Street Bridge will be removed to be replaced by signalised junction. Another connector road is proposed from this road to Ramparts Road. The Red Barns Road has been reconstructed and widened with the provision of a footway over its entire length. New roads will service zoned residential land to the west of the town within the route of the by-pass. The developers of this land shall contribute to the construction of these roads. The main section of a proposed distributor route will run roughly parallel to the western by-pass. This road should be heavily landscaped and allow for cross connections.

*IN 2 Liaise with local interests for Road building. The Council will liaise with landowners; developers and all interested parties in the implementation of this road-building programme and include it as part of a Local Transport Strategy.*

The Council will seek to ensure that a new system of roads will result in connections and linkages between primary and secondary roads so as not to encourage locally based traffic onto the motorway. There will be a sufficient number of access points onto the primary route from the secondary system for all modes of transport.

Road building shall not result in communities being severed and traffic speeds should reflect the residential character of the area. Other roads are proposed which should provide better linkages within the town and create alternative routes, helping to divert traffic away from the already congested town centre. This will also help to make the town centre a more pedestrian friendly environment.
IN 3 Implementation of Infrastructure Programmes

It is the policy of the Council, in co-operation with other agencies and subject to the availability of necessary finance, to:

(a) implement road building programmes agreed in the Local Transport Strategy; to include:

- St Alphonsus/Hill Street link
- Mount Avenue link road
- North-Western road infrastructure
- Finnabair Retail Park road infrastructure
- Western road infrastructure
- Access to southern link road infrastructure
- Mullaharlin to Clermont link road
- Tom Bellew Avenue to Hoey’s Lane
- Red Barns Road realignment

(b) safeguard the necessary land areas for the development of any proposed roads as agreed in the Local Transport Strategy;

(c) improve existing roads to improve sight lines in the interests of traffic improvement and safety and ensure all new roads are constructed to provide for the convenience and safety of all its users, subject to the Local Transportation Strategy;

(d) minimize the impact and disturbance of new road building on existing communities.

Under Part 5, Section 176 of the Planning and Development Act, 2000 (as amended), the Minister may identify development, which may have significant effects on the environment. This comes under Article 24 of the European Communities (Environmental Impact Assessment) Regulations, 1989 (S.I. No. 349 of 1989). All significant new road schemes should be subject to an Environmental Impact Assessment (EIA) under this legislation. Other road schemes may require an EIA where the Local Planning Authority considers that the road would cause significant environmental impact in accordance with the EIA regulations.

The aim of the assessment is to identify and predict (for a given proposed scheme) any impacts of consequence; to describe the means and extent by which they can be reduced or ameliorated. It is also to interpret and communicate information about the impacts; and to provide input into the decision-making and the planning process. An Environmental Impact Statement (EIS) is a key component of the impact assessment procedure. Proper liaison will be required between all interested parties involved in the road building process, which shall be in adherence to policy IN3.

3. Legal Basis

The legal basis for a supplementary development contribution scheme is set out in Section 49 of the Planning and Development Act 2000. This allows a planning authority to attach a condition to a planning permission for development that will benefit from a specified public infrastructure service or project, requiring payment of a financial contribution in respect of it in line with a supplementary development contribution scheme made by the authority. A public infrastructure service or project is defined in Section 49.7 to include the “provision of particular rail, light rail or other public transport infrastructure, including car parks and other ancillary development...” The public infrastructure project or service can be provided by another person, pursuant to an agreement with the Local Authority. The supplementary development contribution scheme must specify the particular public infrastructure service or project and the area within the functional area of the authority to which it relates and must set out the basis on which the contributions have been determined. The legislation allows for different rates of levy to be applied to different classes or descriptions of development. It also allows for exemptions for specified classes of development. Provision is made in the legislation for public consultation in relation to a proposed Section 49 scheme.

4. Area to which the Supplementary Scheme Applies

Section 49 requires that the area, to which the scheme will apply, within the Council’s functional area, must be specified. The scheme will apply to area which is shown on:

Drawing No 001-00_0, May 2008 titled ‘Scheme Map’.

5. Discounting of Benefit to Existing Development

The total area of land within the corridor zoned for development is 1,465 hectares. The land with potential for development or re-development in the corridor within the 20 year term of the Scheme amounts to 400 hectares. The area of existing development considered to benefit is 433 hectares. Under a Section 49 scheme benefit that accrues to existing development must not be included in the determination of the contributions. The Planning Authority, in making this scheme, has had regard to the benefit estimated to accrue to property likely to be developed
or redeveloped in the Scheme Area and not to existing development. Accordingly, the cost of the scheme is apportioned as follows:

\[ €142,000,000 - (€142,000,000 \times \frac{433 \text{ hectares}}{1465 \text{ hectares}}) = €100,000,000 \]

6. Cost of Project

The cost of the project, which is estimated to be in excess of €142 million, includes for detailed design, acquisition of property, legal and valuation costs, diversion of utilities, supervision and construction costs.

7. Rate of Contribution

In determining appropriate rates of contribution for the Scheme, consideration was given to the quality of service to be provided by the Dundalk Western Transportation Infrastructure, to the objective of avoiding the diversion of development from the area due to excessive rates of contribution and to the estimated benefit to different classes of development. Consideration has also been taken of the estimated cost of the Project. A scheme may make provision for payment of different contributions in respect of different classes or descriptions of development. Three different classes of development have been identified requiring the payment of contributions, namely Residential, Commercial and Retail. The rates of contribution to be applied to each class of development reflect the relative benefits which accrue to that class. Accordingly the following rates of supplementary development contributions are proposed for the specified land uses.

- €7,146 per residential unit;
- €250,141 per gross hectare Retail;
- €250,141 per gross hectare Commercial;

The residential contribution is calculated on the anticipated development of 400 hectares to a density of 35 houses per hectare within the term of the Scheme. (i.e. €100,000,000/(35 units X 400 hectares)) Equally, the Retail and Commercial contributions are calculated on similar basis. (i.e. €100,000,000/400 hectares)

The amounts will be updated on 1st January each year during the life of the Scheme in accordance with the changes in the Wholesale Price Index for building and construction, published by the Central Statistics Office. The contributions must be paid at the rate in effect at the time of payment.
8. Exemptions and Reduced Contributions

Under subsection 3 of Section 49 of the Planning & Development Act 2000 "a scheme may allow for the payment of a reduced contribution or no contribution in certain circumstances, in accordance with the provisions of the scheme". Therefore Dundalk Town Council and Louth County Council have applied the following exemptions and percentage reductions in respect of the categories listed below:

Exemptions

The following categories of development will be exempted, or partly exempted, from the requirement to pay development contributions under the scheme:

1. 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.

2. Development which 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.

3. Restoration/refurbishment to a high architectural standard of buildings included in the Record of Protected Structures.

4. Social housing units, including those which are provided in accordance with an agreement made under Part V, Section 96, of the Planning & Development Act 2000 (as amended by the Planning & Development (Amendment) Act, 2002) or which are provided by a voluntary or co-operative housing body, which is recognised as such by the Council.

Where Part V Agreements are not in place prior to the decision to grant permission, the full contribution will be applied, and will remain in place, unless an agreement, which includes the provision of social housing, is entered into.

5. Development which is designed or intended to be used as a childcare facility and is not to be used mainly for profit or gain.

6. Development which is designed or intended to be used as drug treatment services and is not to be used mainly for profit or gain.

7. Development ancillary to development referred to in paragraphs (1), (2), (3), (4), (5) and/or (6).
9. Manner of Payment

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

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.

The Council may facilitate the phased payment of contributions payable under the Scheme, and the Council may require the giving of security to ensure payment of contributions. In the event of any delay in the receipt of phased payments, contributions shall be due at the index-adjusted rate applicable at the time of payment.
If no substantial works have been carried out or commenced within 10 years, following the date of receipt of the supplementary development contribution by Dundalk Town Council and or Louth County Council the contribution will be returned with interest to the developer.

10. Term of the Supplementary Development Contribution Scheme:

The scheme will apply from the date it is adopted until the 20th anniversary of that date. The scheme may be reviewed periodically by the planning authority having regard to circumstances prevailing at that time.
The review of the implementation of the Supplementary Development Contribution Scheme will be included in the Manager’s progress report, on securing the objectives of the Development Plan.