

**SLIGO COUNTY COUNCIL/SLIGO BOROUGH
COUNCIL**

PLANNING AND DEVELOPMENT ACT 2000 (AS AMENDED)

SUPPLEMENTARY DEVELOPMENT CONTRIBUTION SCHEME

FOR

WESTERN DISTRIBUTOR ROAD

Adopted Sligo Borough Council – 12th May 2008

Adopted Sligo County Council – 19th May 2008

Supplementary Development Contribution Scheme in respect of the Western Distributor road.

1. Introduction

Section 49 of the Planning and Development Act, 2000 enables local authorities when granting a permission under Section 34 of the Act to include conditions requiring the payment of a contribution in respect of any public infrastructure service or project specified in a scheme made

by the Planning Authority, hereafter referred to as a “Supplementary Development Contribution Scheme”. The making of such a Supplementary Development Contribution Scheme is a reserved function.

The Public Infrastructure Service or project shall be provided or carried out, as may be appropriate, by the planning authority or, pursuant to an agreement entered into by a local authority, any other person. In addition the service or project shall benefit the development to which the permission relates when carried out.

“Public infrastructure service or project” means:

- a) The provision of particular rail, light rail or other public transport infrastructure, including car parks and other ancillary development,
- b) the provision of particular new roads,
- c) the provision of particular new sewers, waste, water and water treatment facilities, drains or watermains and ancillary infrastructure.’

2. The Project

The particular project is the provision of a strategic Non-National urban link road on the Western side of Sligo City called the Western Distributor road. This has been included as an objective by Sligo Borough Council & Sligo County Council in the Sligo and Environs Plan 2004 - 2010. This project is an important part of Sligo’s infrastructural development programme, which is geared, inter alia, to the development of Sligo as a Gateway City as envisaged under the National Spatial Strategy and the recently published National Development Plan.

The proposed development has been included in Sligo City Development Plans since the 1970’s and the need for the road has been identified in traffic studies undertaken in 1975, 1985, and 1995 and again in 1999.

Sligo Borough Council and Sligo County Council approved the scheme under the Part 8 process in June 2007.

Reasons for the Western Distributor Route include:-

- To facilitate the development of the large area of zoned and generally undeveloped lands to the Southwest of Sligo City.
- To provide access to the proposed IDA Business Park on IDA owned lands at Oakfield.
- To reduce traffic congestion and to improve access to existing residential areas on the western side of Sligo City.
- To improve access to the existing IDA Business Park at Finisklin.
- To improve access to Sligo Airport at Strandhill.

The road is some 3 kilometres in length and will link the Strandhill Road to the Caltragh interchange on the Sligo Inner Relief Road. The road is outlined on the map attached hereto.

3. Cost of Project

It is estimated that the total cost of the development of Western Distributor Road will be in the order of €48 million. It is anticipated that 19.2 million will be funded through the Supplementary Development Contribution Scheme with the balance to be funded by the Dept of Transport. These figures may be subject to variation.

4. Area To Which the Scheme Shall Apply

Section 49 requires that the area to which the scheme will apply must be specified. Therefore the scheme shall apply within the area outlined on map attached hereto, which is considered to be the area to benefit from the proposed development.

5. Duration of the scheme:

This Scheme shall apply for a period of 20 years commencing on its adoption by the members. The Planning Authority may, at any time, by resolution, amend this supplementary development contribution scheme for the purpose of modifying the manner of determining a contribution pursuant to a condition where the cost of carrying out this project is less than the cost that was estimated when the planning authority first determined the amount of the contribution.

6. Basis for Determination of Contributions and Level of Contributions

The planning authority has had regard to the actual estimated cost of providing this project. Any benefit which accrues in respect of existing development has not been included in determining the levels of contributions required.

The Supplementary Development Contribution Scheme provides for the payment of different contributions in respect of different classes or descriptions of development. The basis for determining the contributions to be paid in respect of this project is set out hereunder.

In this regard, the Sligo and Environs Development Plan 2004-2010 designates a number of different zoning objectives for those areas to be covered by the scheme. Table 1 below outlines the various use classes specified within the development plan and indicates the extent of land which would be the subject of the proposed scheme.

Table 1 – area of undeveloped Land within scheme area:

Use Class	Area (ha)
Residential – R1, R2, R3	78.7

Industrial / Business – BITP	57.72
Commercial – C2,C3, NC,RP	61.67

The percentage of the total amount of €19.2 million to be levied on each of the use classes is proposed as follows;

Use Class	% of Contribution	Amount
Residential	40	€7.68million
Industry/Business	30	€5.76million
Commercial	30	€5.76 million

6.1 Residential

The Development Plan incorporates four types of zoned land within which residential development is permissible. Each of these use classes would accommodate a range of housing densities. An average density is assumed for each of the zones as indicated on Table 2 below. In addition, deductions have been made to the total undeveloped land area in each zoning to reflect the amount of land reserved under Part V of Planning act for social housing (10%) and land which will remain undeveloped over the lifespan of the contribution scheme (40%). In relation to the C2, C3 and NC use classes, it is assumed that only 50% of this land will be developed for residential purposes.

Table 2 – Capacity of Land

Use Class	Area (ha)	Less deductions (50%)	Average Density	Average No. of Units
Residential Density R2	17.94	8.97	25 per ha	224.25
Residential Density R3	60.76	30.38	40 per ha	1,215
Commercial	61.67	30.84	40 per ha	1,233

Accordingly, it is estimated that approximately 2672 residential units will be the subject of the supplemental development contribution scheme. The contribution payable will amount to €2900 per residential unit.

6.2 Industry / Business

A total of 57.717 hectares of undeveloped land is zoned BITP within the area covered by the scheme. The I.D.A own 30.434 hectares or 52.73% of these lands. The contribution payable by the I.D.A will be 52.73% of the required contribution from this sector. The contribution payable by the remaining land owners will be 47.27% of the contribution required. The contribution payable by the I.D.A will amount to €3.03million. The contribution payable by the other land owners will amount to €2.73million or €100,062 per hectare.

6.3 Commercial

A total of 61.67 hectares of undeveloped land is zoned C2, C3, NC and RP within the area covered by the scheme of which 50% has been assumed to be reserved for residential purposes. Furthermore, it is assumed that only 50% of this land will be developed within the timeframe of this scheme (i.e. approx 15.42ha remaining). Section 3.2.3 of the development plan recommends a range of plot ratios which would be considered acceptable in each use zone. It is assumed that a plot ratio of 1.5 will be achieved on these lands. Accordingly, it is estimated that approximately 231,263 sqm of commercial floor space will be the subject of the supplemental development contribution scheme. The contribution payable in respect of new commercial floor space, to include extensions, will amount to €25 per square metre.

6.4 Conversion of residential units

Where an existing residential unit is extended or converted to create an additional residential unit, the appropriate rate of contribution will be payable in respect of each additional unit

6.5 Change of use from Residential to Industrial/Business or Commercial

The charges shall apply in the case of a change of use from residential to Industrial/Business or Commercial use with an allowance being made for any development contributions already paid in respect of the residential development.

7. Method of payment of contribution:

The Planning Authority will apply conditions requiring payment of the contributions provided for in the scheme to all relevant decisions to grant Planning Permission.

Contributions shall be payable in accordance with the terms of the condition set out in the Planning Permission. The Planning Authority may facilitate the phased payment of contributions. The prior written agreement of the Planning Authority will be required to any such phasing. The planning authority may require the giving of security to ensure payment of contributions.

8. Reductions/Exemptions:

The Council may allow for the payment of a reduced contribution or no contribution in certain circumstances. Particular regard shall be had to the following categories of development: -

- Development by or on behalf of a voluntary organisation which is designed or intended to be used for social, recreational, sporting, 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
- 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
- Restoration / refurbishment to a high architectural standard of buildings included in the record of protected structures
- Social housing units including those which are provided in accordance with an agreement under Part V of the Planning & Development Act 2000 or which are provided by a

voluntary or co-operative housing body whether or not under Part V of the Planning & Development Act, 2000 or by the Council (or its agent) under the various affordable schemes.

- Community owned local enterprise units.
- Development of child care facilities by voluntary/not for profit childcare providers
- Projects delivering drug treatment and rehabilitation services and drug education/prevention services by voluntary/not for profit organisations.
- House Extensions

9. Indexation of Contributions

The rates will be adjusted annually following adoption of the Scheme based on changes to the Wholesale Price Index for Building & Construction published by the Central Statistics Office.

10. Appeals to an Bord Pleanála

In accordance with the Act, no appeal shall lie to the Board in relation to a condition requiring a contribution to be paid in accordance with the supplementary development contribution scheme.

An appeal may however be brought to the Board where an applicant for permission under section 34 considers that the terms of the scheme have not been properly applied in respect of any condition laid down by the planning authority.