



Kerry County Council

Supplementary Development Contributions Scheme

Section 49 Planning & Development Act 2000.

An Daingean Relief Road and Associated Coach Park

In accordance with the provisions of the Planning and Development Act 2000, Kerry County Council propose to make a Supplementary Development Contribution Scheme for An Daingean Relief Road and Associated Coach Park. Section 49 enables Kerry County Council to include a planning condition requiring the payment of a contribution in respect of any public infrastructure project or service, as defined in the Act and specified in a Supplementary Development Contribution Scheme. Specifically these relate to public infrastructure or service, including specific road projects, as well as sanitary projects. These are supplementary in the sense that they are separate from and in addition to the contributions levied under the General Development Contributions Scheme (Section 48), as already adopted by the Council.

Unlike the General scheme, under the Supplementary scheme:

- There must be a direct benefit to the development, which is the subject of the permission.
- The particular public infrastructure or service provided or to be provided must be specified.

In determining the contributions to be levied under the Supplementary Scheme, Kerry County Council has had regard to the actual estimated costs of providing the public infrastructure, service, or project, to which it relates and has excluded any benefit that accrues in respect of existing development, as required by Sections 48 (3) of the Planning and Development Act 2000.

The Supplementary Scheme sets out the basis for determining the contributions to be paid in respect of different classes or descriptions of developments which are provided, or are to be provided, with the public infrastructure, service, or project, the subject of the Scheme, namely the An Daingean Relief Road and Associated Coach Park Project.

Provision has been made for the payment of a reduced or no contribution in certain circumstances (e.g. Voluntary/non profit Groups).

A Supplementary Scheme is needed for the implementation of An Daingean Relief Road and Associated Coach Park Project, as it is central to the An Daingean Local Area Plan. The An Daingean Local Area Plan (adopted by Kerry County Council on 9th.July 2006) states *“Transport and infrastructure are important quality of life factors. Good transport links, free flowing traffic and adequate parking are an important determinant in achieving growth in population, employment and tourism as well as developing an attractive town.*

An Daingean experiences considerable through traffic and congestion during peak times in the tourist season. To alleviate these, a relief road and additional car parks have been identified and their parking requirements quantified in the Traffic Management Plan for An Daingean. The development of much of the lands zoned is contingent on the provision of this infrastructure.

Most of the traffic from Killarney and Tralee enters An Daingean by the N86 National Secondary Road which continues as the R559 Sleah Head Drive from the pier. Therefore the waterfront road is subject to a significant volume of through-traffic including commercial vehicles and tour buses on what is a relatively narrow road.

It is proposed to reduce congestion on the waterfront road and town centre by the provision of a new relief road. This relief road will provide access to the waterfront, to Milltown roundabout and to service new developments”.

Furthermore the An Daingean Local Area Plan contains a Transport and Infrastructure Objective (T1) to *“Facilitate the development of a new Relief Road (indicative corridor shown on Map 3) to relieve traffic in the town centre and waterfront road and to open up lands for development”.*

In addition, the An Daingean Local Area Plan contains a Transport and Infrastructure Objective (T3) to *“Provide a site in Fearann Na Cille north of Strand Street and east of the proposed relief road as a town centre car park with the capacity to also accommodate dedicated tour bus parking”.*

“A portion of the car park shown in the area north of Strand Street and east of the relief road will be used to accommodate tour buses where they will not be as visually intrusive as when parked on the waterfront park. This car park will be adjacent to the town centre retail area with a pedestrian and vehicular access to Green Street. This will reduce the

negative visual effect on the waterfront, while facilitating the development of An Daingean as a stopping point for tourist traffic. It is proposed to reduce congestion on the waterfront road and town centre by the provision of a new Car Park. This Car Park will provide access to the waterfront, to Milltown roundabout and to service new developments”.

The Project

The project will consist of land acquisition (where applicable), widening High Road, relief road and associated Coach Park construction and accommodation works.

The projected capital cost of the project is €17,135,000.

Area to which the Supplementary Scheme Applies

The scheme will apply to the lands within the development boundary of An Daingean Local Area Plan.

The Supplementary Scheme shall not apply to agricultural developments.

Basis for Contributions.

The cost of the project has been assigned to expected development within this designated area, which is projected at Table 1 hereunder:

Zoning Areas for the An Daingean Local Area Plan

Zone	Gross Area	Net Leviable Area /Units	Estimated levy totals €
Business Park	7.436 Ha	0.35	127,400
Business Park / Institutional & Community Facilities	0.7006 Ha	0	
Car Park	1.482 Ha	0	
Craft / Residential	0.8054 Ha	0	
Institutional & Community Facilities / Utilities	8.552 Ha	0.44625	162,435
Leisure Amenity and Associated Retail	0.2212 Ha	0.1655	60,242
Light Industry	0.936 Ha	0	
Mixed Use	12.56 Ha	17.91516	8,278,234*
Open Space / Quay / Maritime Maintenance / Car Park	1.271 Ha	0	
Permanent Residential	78.22 Ha	234 holiday units 391 permanent (non Part V) units	1,064,934 1,779,441
Recreational / Open Space/ Amenity	30.77 Ha	0	
Residential (Existing)	46.34 Ha	0	
Retail Warehousing	3.566 Ha	1.783	908,617*
Tourism / Leisure Accommodation	7.243 Ha	0	
Town Park	0.7213 Ha	0	
Town Centre	36.38 Ha	13.0502	4,750,272
Area Within Town Boundary	245.60 Ha		
Estimated Net Leviable Area /Units		33.71Ha + 234 holiday units + 391 permanent units	€17,132,000

* It is considered that the plot ratios applied to the Mixed Use and Retail Warehousing net leviable areas were conservative in nature. It is envisaged, therefore, that the estimated levy totals from these will be as shown.

The development of much of the lands zoned is contingent on the provision of the An Daingean Relief Road and Associated Coach Park. In addition traffic management and transport infrastructure were identified as major constraints to the development potential of An Daingean.

The charges to be levied which are set out in Table 2 hereunder, are based on the actual estimated costs of the project (An Daingean Relief Road and Associated Coach Park scheme), excluding any benefit that accrues in respect of existing development:

Table 2 : Level of Contributions Payable --

Development type (<i>within the An Daingean L.A.P. development boundary</i>)	Unit	Rate
Residential	square metre	€0.34
Holiday Homes	square metre	€0.34
Retail and other non-residential development	square metre	€6.40

Note 1 : These rates of contribution will be subject to indexation and will be updated on an annual basis in line with the Wholesale Price Index for Capital Goods, Buildings and Construction Scheme as published by the Central Statistics Office. During the lifetime of the scheme, contributions shall be payable at the index adjusted rate pertaining to the year in which implementation of the planning permission is commenced.

Note 2 : The floor area of proposed development shall be calculated as the gross floor area. This means the gross floor area determined from external dimensions of the proposed buildings, including the gross floor area of each floor including mezzanine floors and revenue generating external floor areas.

Exemptions and Reduced Contributions

Under Section 49(3) 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 Kerry County Council have applied the following exemptions and percentage reductions in respect of the categories listed in Table 3 hereunder :

Table 3 : % Reductions in respect of specified categories of development

Categories	Reduction
Provision of facilities by Organisations, which are considered to be exempt from planning fees as outlined in Part 12 (Article) 157 (1 a-c) of the Planning & Development Regulations 2001.*	100 %
Voluntary Organisation or Voluntary /Co-Operative Housing Bodies as outlined in Part 12 Article 157 (2) of the Planning & Development Regulations 2001.**	100 %
Social Housing Units, including those provided, in accordance with an agreement made under Part V of the Planning & Development Act 2000, [as amended by the Planning & Development (Amendment) 2002 Act] or which are provided by a voluntary or co-operative housing body which is recognised as such by the County Council.	100 %
Work to Protected Structures which is necessary to maintain the fabric of the protected structure.	100 %

<p>Affordable Housing Units provided, in accordance with an agreement made under Part V of the Planning & Development Act 2000 , [as amended by the Planning and Development (Amendment) 2002 Act] or which are provided by a voluntary or co-operative housing body which is recognized as such by the County Council or as part of the Government’s various Affordable Housing Schemes.</p>	<p>100 %</p>
<p>In the case of a change of use, where the intended use is likely to increase the demands on services, a contribution towards the cost of the services will be levied on the basis of 25% of the rate applied to new developments.</p>	<p>75 %</p>

** “ Where a planning application consists ofis 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 purpose denomination, and is not to be used mainly for profit or gain.*

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”.

*** “ Where a planning application consists of or comprises the provision of houses, or development ancillary to such provision, which is proposed to be carried out by or on behalf of a Body approved for the purposes of Section 6 of the Housing (Miscellaneous Provisions) Act, 1992 (No 18 of 1992) and is not to be used mainly for profit or gain,”*

Term of the Supplementary Development Contribution Scheme:

The Supplementary Development Contribution Scheme shall remain in force until such time as the cost of the infrastructural project (An Daingean Relief Road and Associated Coach Park) is fully recovered. It is proposed that the scheme will be implemented following its adoption by Kerry County Council.

The Supplementary Development Contribution Scheme may be varied by the resolution of Kerry County Council at any time, for the purpose of modifying the manner of determining a contribution pursuant to a condition under Section 49 (1), where the cost of carrying out or providing, as the case may be, the public infrastructure project or service is less than the cost that was estimated when Kerry County Council first determined the amount of the Contribution.

The review of the implementation of the Supplementary Scheme will be included in the County Manager's progress report, on securing the objectives of the Development Plan.

Signed: _____

Date: _____

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