



**Dublin City Council  
Draft Development Contribution Scheme 2023-2026**

**(Under Section 48, Planning & Development Act, 2000 as amended)**

**INTRODUCTION:**

1. Sub-section (1) of Section 48 of the Planning and Development Act 2000 as amended, enables a planning authority, when granting a planning permission under Section 34 of the Act, to include conditions for requiring the payment of a contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority, and that is provided, or that it is intended will be provided, by or on behalf of a local authority (regardless of other sources of funding for the infrastructure and facilities).
2. (a) Subsection (2) of Section 48 requires that the basis for the determination of a contribution under subsection (1) shall be set out in a development contribution scheme made under this section.  
  
(b) A scheme may make provision for payment of different contributions in respect of different classes or descriptions of development.
3. (a) Subsection (3) of Section 48 specifies that a scheme shall state the basis for determining the contributions to be paid in respect of public infrastructure and facilities, in accordance with the terms of the scheme.  
  
(b) In stating the basis for determining the contributions to be paid, the scheme must indicate the contribution to be paid in respect of the different classes of public infrastructure and facilities which are provided or to be provided by any local authority and the planning authority shall have 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.  
  
(c) A scheme may allow for the payment of a reduced contribution or no contribution in certain circumstances, in accordance with the provision of the scheme.
4. Subsection (15)(a) specifies that a planning authority may facilitate the phased payment of contributions under Section 48 of the Planning and Development Act 2000, as amended and may require the giving of security to ensure payment of contributions.

**DEFINITIONS:**

5. Section 48 of the Planning and Development Act 2000, as amended ("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 these 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 spaces, 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 Act.

#### **BASIS FOR DETERMINATION OF CONTRIBUTION:**

6. The basis for determination of a contribution under the Dublin City Council Development Contribution Scheme 2023-2026 ("the Scheme") is as follows;
- (a) The amount of the costs, which are attributable, to the five classes of public infrastructure and facilities (listed in the table at Article 9 below). These costs are given in Table A of Appendix I of this Scheme
  - (b) The aggregated floor areas in square metres of projected development, in each of the classes or descriptions of development, namely, residential and industrial/commercial. These floor areas are given in Table B of Appendix I which is annexed to this Scheme
  - (c) The development contributions payable per square metre of residential development, and of industrial/commercial development were determined upon consideration of a number of factors including:
    - Eligible costs of projects;
    - Expected quantum of development;
    - The level of existing contribution rates;

And the following:

- (d) An examination of current market conditions

The result of the above analysis is shown in Article 9 of the Scheme.

### DEVELOPMENT CONTRIBUTION SCHEME:

7. This Dublin City Council Development Contribution Scheme 2023 - 2026 ("the Scheme") is made under Section 48 of the Planning and Development Act 2000, as amended ("the Act").
8. Under the Scheme Dublin City Council will, when granting a planning permission under Section 34 of the Act, include conditions for requiring the payment of a contribution (the amount of which is indicated below under the heading Level of Contribution) in respect of public infrastructure and facilities benefiting development in the City and that is provided, or that it is intended will be provided, by or on behalf of Dublin City Council (regardless of other sources of funding for the infrastructure and facilities).

### LEVEL OF CONTRIBUTION:

9. Under the Scheme, the contributions to be paid (except where no contribution or a reduced contribution applies) in respect of the different classes of public infrastructure and facilities are as follows:-

<b>Class of Public Infrastructural Development</b>	<b>€ per square metre of Residential Development</b>	<b>€ per square metre of Industrial/ Commercial Development</b>
Class 1: Roads infrastructure & facilities	€34.40	€35.85
Class 2: Drainage (surface water/flooding) infrastructure & facilities	€5.70	€5.93
Class 3: Parks and open space facilities	€19.01	€19.81
Class 4: Community facilities & amenities	€25.00	€26.05
Class 5: Urban regeneration facilities & amenities	€29.71	€30.96
<b>Total of Contributions Payable</b>	<b>€113.82</b>	<b>€118.60</b>

**Note 1:** This Scheme is effective in respect of Planning Applications lodged with Dublin City Council from the 1st of April 2023, where a development contribution is applicable under this Scheme.

This Scheme is also effective in respect of existing permissions granted before this date, which have not yet commenced.

The above rates shall be fixed from 1st April 2023 to 31st December 2023. Consideration may be given to applying indexation to the rates of contribution effective from the 1st January 2024 in consideration of the SCSi Construction Tender Price Index.

**Note 2:** The floor area of proposed development shall be calculated as the gross floor area. This means the area ascertained by the internal measurement of the floorspace on each floor of a building (including internal walls and partitions) and including mezzanine floors. In

the case of multi-unit residential buildings, only the gross floor area of each residential unit will be included. In all cases, the floor area of proposed development shall be calculated to include car parking.

**Note 3:** New extensions to existing developments, including domestic extensions, will be charged at the above rates subject to circumstances where no contribution or a reduced contribution apply as per below.

### **CONTRIBUTION IN LIEU OF PUBLIC OPEN SPACE:**

The Dublin City Development Plan provides discretion to the Council to determine a financial contribution in lieu of all or part of the public open space requirement for a particular development in the event of the planning authority considering a site to be too small or inappropriate to fulfill Dublin City Development Plan requirements for public open space provision.

A financial contribution of €5,000 per unit towards provision of or improvements to a park and/or enhancement of amenities in the area in line with the City's Park Strategy shall be required.

### **CIRCUMSTANCES WHERE NO CONTRIBUTION OR A REDUCED CONTRIBUTION APPLY:**

10. **The following development will not be required to pay development contributions under the Scheme:**

- Change of use from one commercial use to another. Any net additional floorspace will be charged at the commercial rate;
- The first 40sq metres of extensions to a residential development (subsequent extensions or extensions over and above 40 square metres will be charged at the residential rate per square metre);
- Development in receipt of a disabled persons' grant;
- Social & Affordable (Purchase & Cost Rental) housing units provided,
  - in accordance with an agreement made under Part V of the Planning and Development Act (as amended)
  - by a voluntary or co-operative housing body, which is recognised as such by the Council
  - under the Council's Scheme of Priority for Affordable Dwelling Purchase Arrangements under Section 11 of the Affordable Housing Act 2021
  - under Cost Rental Housing as determined under the Affordable Housing Act 2021 (Cost Rental Designation) Regulations 2021

Note: The above exemption does not apply to housing provided under a leasing arrangement.

- Non-fee paying primary schools and secondary schools;

- Not-for-profit, community-run childcare facilities;
- Development to be used for social, recreational or religious purposes and not to be used for profit or gain;
- Development to be used as a workshop, training facility, hostel or other accommodation specifically for persons with disabilities and not to be used for profit or gain;
- The non-built elements of recreational facilities (e.g. Playing pitches, golf courses);
- Works to, and change of use from commercial to residential use to, of buildings included in the Record of Protected Structures. Protected Structure refers to the actual structure(s) and does not include development within its curtilage;
- Masts and antennae, dish and other apparatus/equipment for communication purposes that form part of the National Broadband Scheme (NBS) as defined by the Department of Communication, Energy and Natural Resources (DCENR);
- Renewable Energy (RE) development with a capacity up to 0.5MW will be exempt. Larger capacity RE development will be charged at €1,000 per each 0.1MW above an installed capacity of 0.5MW.

**11. The following development will be liable for a reduced rate of development contributions under the Scheme:**

- Where an applicant is granted permission to demolish in part or in full an existing building and replace with another, then the development contribution payable is to be charged on the net additional floorspace created;
- In the case of a change of use from residential, use to commercial and vice versa, development contributions will be calculated at 50% of the applicable rate. Where development contributions under a Section 48 Scheme were paid in respect of the former use, the contribution payable on the new proposal will be net of the quantum of development previously paid for. The Development Contribution Scheme does not provide for any rebate or refund in this regard. Agents/applicants should provide evidence of prior payment at application stage in order to expedite assessment and avail of this provision;
- In the case of works to or change of use from residential to commercial use, of buildings included in the Record of Protected Structures development contributions will be calculated at 25% of the applicable rate. Protected Structure refers to the actual structure(s) and does not include development within its curtilage. Where development contributions under a Section 48 Scheme were paid in respect of the former use, the contribution payable on the new proposal will be net of the quantum of development previously paid for. The Development Contribution Scheme does not provide for any rebate or refund in this regard. Agents/applicants should provide evidence of prior payment at application stage in order to expedite assessment and avail of this provision;
- Permissions for minor extensions to Protected Structures shall be calculated at 50% of the applicable rate of contribution. For the purposes of this Scheme, minor extension is defined as a new extension, which is no greater than 50% of the extent of the total floorspace of the Protected Structure. Protected Structure refers to the actual structure(s) and does not include development within its curtilage;

- Open storage/hard surface commercial space development, other than car parking, shall be liable for development contributions at one third of the commercial rate;
  - Residential ancillary car parking will be calculated at 25% of the applicable rate of contribution;
  - Temporary permissions shall be liable for development contributions at one-third of the applicable rate of contribution. Further temporary permissions granted for the same development will not be charged provided they are granted within 5 years from the expiry date of the original temporary grant of permission (a maximum of one such additional temporary permission will apply). In cases where a subsequent full planning permission is granted for the same development the contribution payable on the new proposal will be net of the amount already paid.
  - The development contribution for new build residential developments in the Ballymun and Cherry Orchard LAP areas will be calculated at 80% of the applicable rate.
12. No reductions in whole or in part shall apply to permissions for retention of development.
13. For clarification purposes, the following development will be required to pay development contributions;
- Third level educational institutions and student accommodation
  - Fee paying schools
  - Hospitals, medical facilities, primary care centres and similar developments including any ancillary buildings

#### **PAYMENT OF CONTRIBUTION:**

14. 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 operative date of the scheme is from 1<sup>st</sup> April 2023.
15. 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 rate pertaining to the year in which implementation of the planning permission is commenced, as provided for in the Note I to the table at Article 9 above.
16. 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.
17. The Council, in accordance with statutory powers, may recover as a simple contract debt in a court of competent jurisdiction any contribution (including interest and legal costs) due to it under the terms of this scheme. Furthermore, the Council may instigate enforcement action under the Planning and Development Act, 2000 as amended in respect of unpaid development contributions and all associated costs and fees.
18. Where applicable, connections to drainage (surface water) services will be denied at commencement of development where the development contribution has not been paid in full or paid in part in an agreed installment plan. The development contribution is required for capital expenditure and therefore costs incurred for such matters as

connections to such services are not included in the development contribution and are subject to separate connection fees.

#### **APPEAL TO AN BORD PLEANÁLA ("the Board"):**

19. An appeal may be brought to the Board where the applicant for planning permission under Section 34 of the Act considers that the terms of the Scheme have not been properly applied in respect of any conditions laid down by the Council.

#### **REVIEW OF SCHEME:**

20. The Scheme is effective from 1<sup>st</sup> April 2023 until 31<sup>st</sup> March 2026 unless a new scheme is made in the interim or the current scheme is extended. The Scheme may be reviewed from time to time by the Council having regard to circumstances prevailing at the time. After a review of the Scheme, a new Scheme may be made.

#### **SPECIAL DEVELOPMENT CONTRIBUTIONS**

A special development contribution may be imposed under Section 48 of the Act where exceptional costs not covered by the Dublin City Council Development Contribution Scheme 2023 – 2026 are incurred by the Council in the provision of a specific public infrastructure or facility. (The particular works will be specified in the planning conditions when special development contributions are levied). Only developments that will benefit from the public infrastructure or facility in question will be liable to pay the special development contribution. Conditions imposing special contributions may be appealed to An Bord Pleanála.

## APPENDIX I

**TABLE A: COSTS INCLUDED IN SCHEME:**

Costs attributable in the lifetime of the scheme to the classes of infrastructure and facilities:-

	<b>Eligible Costs</b>	<b>% Contributions Allocated</b>	<b>Contributions Allocated</b>
Class 1: Roads infrastructure & facilities	€92.70m	30.24%	€48.50m
Class 2: Drainage (surface water) infrastructure & facilities	€15.30m	5.00%	€8.0m
Class 3: Parks & open space facilities & amenities	€51.10m	16.70%	€26.8m
Class 4: Community facilities & amenities	€67.10m	21.96%	€35.20m
Class 5: Urban regeneration facilities & amenities	€80.00m	26.10%	€41.90m
<b>Total costs included in Scheme</b>	<b>€306.20m</b>	<b>100%</b>	<b>€160.40</b>

**TABLE B – PROJECTED DEVELOPMENT:**

Units of projected residential development and projected industrial/commercial development:-

<u><b>Residential</b></u>	<u><b>Industrial/Commercial</b></u>
8,000 units* (680, 000 sq. m)	700, 000sq. m

\*excludes social housing



## **APPENDIX II – PROJECT LIST**

### **CLASS 1: ROADS INFRASTRUCTURE & FACILITIES**

- Ballymun Sillogue Infrastructure
- Belmayne Main Street & Belmayne Avenue Scheme
- Carton Terrace / Balbutcher Junction
- Refurbishment Of Footpaths
- Refurbishment Of Carriageways
- Luas Associated Projects
- Overhead Network Project Upgrade
- Lighting Infrastructure Project
- Dodder Public Transport Opening Bridge
- Bloodstone Bridge
- Grafton Street Quarter
- Duke Street/Sth Anne Street Improvement Scheme
- Liffey Street Improvements
- Mary Street Improvements
- Clarendon Row Improvement Scheme
- Barrow Street
- Sean Moore Road Upgrade
- Samuel Beckett Bridge Led Lights Upgrade
- Docklands Public Realm
- Milltown Dodder Valley Car Park

### **CLASS II DRAINAGE (SURFACE WATER) INFRASTRUCTURE & FACILITIES**

- Dublin Forecasting & Flood Warning System
- S25 Phase 1 - Kilbarrack To Liffey, Dollymount & Bull Island
- S25 Phase 2 - Liffey To Sandymount ( South City Flood Defences)
- Flood Emergency Works & Flood Repairs
- Clontarf Flood Defence Project
- Implementing Flood Resilient City Outcomes
- Lower River Dodder Flood Alleviation Scheme (Phase 2)
- Campshires Flood Protection Project
- River Wad Clanmoyle Road Flood Alleviation Scheme
- River Poddle Flood Alleviation Scheme
- European Union Inflater Project
- Flood Alleviation Fleet
- Culvert Improvement Works Screen Upgrade Works
- Water Framework Directive (WFD) Office
- Surface Water Asset Management System
- Grand Canal Basin Amenity & Water Quality Project
- Camac Flood Alleviation Scheme
- River Dodder Flood Alleviation Scheme Phase 3
- Santry River Restoration & Greenway Project
- Santry River Flood Protection Phase 2 & 3
- Surface Water Network Improvement Works

- Sustainable Drainage Projects (Wetlands, Swales & Green Infrastructure)
- Small Stream Improvement Works/Recommendation In GSDS
- Flood Defence Inspection Scheme
- South Campshire-SDZ Sir John Rogerson's Quay
- North Campshire Flood Defence Future Climate Change
- Suds Projects To Support New Development Plan Policies

### **CLASS 3: PARKS & OPEN SPACE FACILITIES & AMENITIES**

- St. Anne's Park
- St. Anne's Park- Red Stable Refurbishment
- St. Anne's Park - Overflow Carpark & Two ( 2) Pavilions
- Bull Island
- Community Park Improvement Scheme
- Liffey Vale, Liffey Valley Park
- Dublin Bay Discovery Centre- Bull Island
- Sculpture Dublin
- St. James's Walk Linear Walk
- Peoples Park Ballyfermot
- Kildonan Park
- Bridgefoot Street Park
- Edenmore Park
- Ventry Park
- Cherry Orchard Park
- Ballymun Park
- Martin Savage Park
- Merrion Square Tea Rooms
- Blessington Street Basin Tea Rooms
- Palmerston Park Tea Room
- Sandymount Container Café
- Mountjoy Square Conservation Plan
- Merrion Square Conservation Plan
- Herbert Park Conservation Plan
- Conservation Works
- Cemeteries Burial Place Strategy
- Jewish Cemetery Ballybough
- St. Nicholas Within Church (Ruins)
- Depot Improvement Programme
- Eamonn Ceannt Depot
- Parks Playground
- Pitch Drainage

#### **CLASS 4: COMMUNITY FACILITIES & AMENITIES**

- Constitution Hill Regeneration
- Dorset Street Demolition & New Build - Regeneration
- Liberties Cluster
- Upgrade Of Community Facilities
- Community Facilities Plan
- Community Recreation Centres Programmes Of Works
- Northside Swimming Pool Extension
- Ballyfermot Leisure Centre Gym Extension
- Irishtown Stadium Improvements
- Energy Management Programme
- Refurbishment Of Ballymun Sport & Fitness Centre
- Municipal Rowing Centre Extension
- Aughrim Street Sports Hall Extension
- Clontarf Eleven ( 11) All Weather Pitch Carpet
- Poppintree Refurbishment Centre Refurbishment Works
- Kilmore Recreation Centre
- East Wall Recreation Centre & Playground
- St. Catherine's Sports & Community Centre
- Swan Centre Rathmines Refurbishment
- Darndale Recreation Centre
- Gloucester Street Community Centre
- Sean McDermott Street Swimming Pool
- Irishtown Stadium Track Resurface
- The Connected City (Libraries It Project)
- Crumlin /Drimnagh Library
- Terenure Library - Redevelopment
- Poppintree Playground
- Libraries Programmes Of Works
- Finglas Library Relocation

#### **CLASS 5: URBAN REGENERATION FACILITIES & AMENITIES**

- Library Square Ringsend Road /Cambridge Road
- Crumlin Village Environmental Improvement Scheme
- Rosary Hall
- Cambridge Road
- Newmarket Square Environmental Improvement Scheme
- Francis Street Environmental Improvement Scheme
- Meath Street Public Realm Improvement Scheme
- Public Realm Projects
- Ballyfermot Civic Improvement Scheme
- Dolphin's Barn Interim Environmental Improvements
- Dolphin's Barn Environmental Improvement Scheme
- Cork Street Environmental Improvement Scheme
- Vicar Street Public Space
- Inchicore Public Realm
- Kilmainham Public Realm
- Greening Strategy

- Military Trail – Wayfinding & App
- Bridgefoot Street Court
- 37 Thomas Court
- Bonham Street Commercial Unit
- Bonham Street Residential Unit
- Cork Street/Weaver Square
- St. James’s Graveyard
- Familibase Ballyfermot
- Scribblestown Improvement Works
- Suffolk Street
- Temple Bar Square
- College Green Plaza
- Quayside Buildings
- Wayfinding Scheme - New Phase
- Active Land Management
- Dublin Docklands Heritage Trail- Mobile Application & Way Finding
- URDF 41 Parnell Square
- St. Luke’s Graveyard & Park
- City Walls Conservation Plans Works
- URDF Fruit & Vegetable Market
- URDF Markets & Public Realm Study & Works
- URDF Werburgh Street/Ship Street Gateway Framework
- Redevelopment Of Dalymount Park
- Hugh Lane -Programme Works
- Nos. 20 & 21 Parnell Square North
- Docklands Public Realm
- St. Patricks Athletic Project
- 1 North Fredrick Lane
- Diamond Park
- Public Realm – Minor Works
- Green Infrastructure (Street Tree Build Out Programme)
- NEIC Greening Projects
- Stoneybatter Greening Projects
- Portobello Harbour Park
- Accessibility & Landscaping Works To Mansion House & Garden