

Guide to submitting a Valid Planning Application

Upon receipt of a Planning Application, the Planning Authority will carry out an initial examination to assess that the application is made in full accordance with the Planning & Development Regulations 2001(as amended). This ensures that each application is consistent and contains the relevant information to allow an assessment of the proposed development.

The following guide is designed to assist an applicant / agent in making a Valid Application.

- Please note this is a non-exhaustive guide and the onus remains on the applicant to ensure that their application complies fully with the Planning & Development Regulations 2001(as amended).
- Please note an application which is initially deemed valid may be deemed invalid at a later stage upon site inspection (e.g. site notice not present / illegible, submitted application does not accurately reflect the current site layout etc).
- Please note an application for outline permission cannot be made for retention of development, works to a protected or proposed protected structure or works that require an integrated pollution control licence or a waste licence.
- Furthermore, an application cannot be considered were there is a current appeal to An Bord Pleanala on the same site for a similar development.

Application Form:

- ✓ **Fully completed Application Form** in the approved format.
- ✓ **Additional Contact Information Sheet** – include both the applicant and agent’s contact details (Note – this information will not be published).
- ✓ Ensure that the applicant’s name correlates with the Site Notice and Newspaper Notice.
 - Application shall be in the name of individual(s) or a Limited Company.
- ✓ Ensure that the application form is signed and dated.

Fee:

- ✓ The **appropriate fee** shall be included with the application. Please refer to schedule of fees.
- ✓ Where an applicant is seeking a waiver of fees in accordance with Article 157 of the Planning & Development Regulations 2001(as amended) they shall include supporting documentation e.g. confirmation of registered Charity Number or a letter confirming their voluntary / not for profit status from their accountant / bookkeeper or solicitor.
 - **Fee Addendum Form** – it may be beneficial to include this form to show how the fee was calculated.

Additional Documentation:

- ✓ Where it is proposed to dispose of waste water from the proposed development other than to a public sewer, a **site suitability assessment** shall be included for the proposed wastewater treatment system together with information on the proposed on-site treatment system
- ✓ In the case of an application for permission for the development of houses or of houses and other development, to which Section 96 of the Act applies, the application must be accompanied by proposals as to how the applicant proposes to comply with the Housing Strategy.
 - (Agreement in principle, financial aspects of the Part V proposal, S. 97 Exemption Certificate)
- ✓ Where the applicant is not the legal owner of the land or structure concerned, a **letter of consent** of the owner to make the application must be included.
- ✓ A planning application for any development consisting of or mainly consisting of the making of any material change in the use of any structure or other land, or for the retention of any such material change of use must be accompanied by a **statement of the existing use and of the use proposed** together with particulars of the **nature and extent of any such proposed use**.
 - If an application is for works to or in a **protected structure or a proposed protected structure** then plans, photos and drawings showing how the development would affect the character of the structure must be submitted as part of the application.

Newspaper Notice:

- ✓ Newspaper Notice shall be published in an **Approved Newspaper**. Please see the List of Approved Newspapers which details acceptable newspapers for the various areas of the County.
- ✓ Newspaper Notice shall have **“Donegal County Council”** as a **heading**.
- ✓ The Newspaper Notice shall contain the **name of the applicant, correct address / townland, the type of permission sought** (permission, outline, permission consequent or retention) and a **brief accurate development description**. This information shall correlate with the Site Notice.
- ✓ The Newspaper Notice should include the following statement:

“The planning application may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority during its public opening hours. A submission or observation in relation to the application may be made in writing to the planning authority on payment of the prescribed fee, €20.00, within the period of 5 weeks beginning on the date of receipt by the authority of the application”

- ✓ The submitted application shall **include the relevant page from the Newspaper** or a copy thereof. The title of the newspaper and the date of publication should be clearly legible on the page.

Note: Application to be lodged within 14 days of the publication of the Newspaper Notice.

(The day of publication is Day 1).

- For **Permission Consequent** the Newspaper Notice shall reference the relevant Outline Planning Register Application Number.
 - Where the development relates to works to a **Protected Structure or Proposed Protected Structure**, this fact shall be stated.
 - Where the development relates to a **Strategic Development Zone**, this fact shall be stated.
 - Where the development compromises or is for the purposes of an activity requiring an **integrated pollution control licence** or a **waste licence** this fact shall be stated.
1. Where the application includes a **Natura Impact Assessment (NIS)** or an **Environmental Impact Assessment Report (EIAR)**, this shall be stated on the newspaper notice. It shall also be stated that the NIS and / or EIAR is available for inspection or purchase for a fee not exceeding the reasonable cost of making a copy of same.
 2. Any application that is accompanied by an EIAR, must be uploaded the EIAR National Portal. This Portal is accessible on the Departments website. It is the applicants responsibility to upload the EIAR. If the applicant has completed this step then they will receive a 'Confirmation Notice'. This confirmation notice must be submitted with the application to the Planning Authority or it will be invalid on receipt.

Site Notice:

- ✓ Site Notice shall have "**Donegal County Council**" as a **heading**.
- ✓ Immediately underneath "**Donegal County Council**" the notice shall have the words "**Site Notice**" as a sub-heading.
- ✓ The Site Notice shall contain the **name of the applicant, correct address / townland, the type of permission sought** (permission, outline, permission consequent or retention) and a **brief accurate development description**. This information shall correlate with the Newspaper Notice.
- ✓ The Site Notice should include the following statement:
"The planning application may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority during its public opening hours. A submission or observation in relation to the application may be made in writing to the planning authority on payment of the prescribed fee, €20.00, within the period of 5 weeks beginning on the date of receipt by the authority of the application, and such submissions or observations will be considered by the planning authority in making a decision on the application. The planning Authority may grant permission subject to or without conditions, or may refuse to grant permission"

- ✓ The Site Notice shall be **signed by the applicant or by the agent**. Where a Site Notice is signed by an agent it shall also include the **agent's contact details**.
- ✓ The **date of erection** of the notice shall also be displayed on the Site Notice.
- ✓ The site notice shall be on a **white background**. If a valid application has been received by the Planning Authority within the previous 6 months, relating to the same site or a substantial portion of the same site, the site notice shall be on a **yellow background**.

- ✓ The submitted application shall include **a copy of the Site Notice as erected**.

Note: Application to be lodged within 14 days of the erection of the Site Notice.

(The day of erection of notice is Day 1).

- For **Permission Consequent** the Site Notice shall reference the relevant Outline Planning Register Application Number.
- Where the development relates to works to a **Protected Structure or Proposed Protected Structure**, this fact shall be stated.
- Where the development relates to a **Strategic Development Zone**, this fact shall be stated.
- Where the development compromises or is for the purposes of an activity requiring an **integrated pollution control licence** or a **waste licence** this fact shall be stated.

- Where the application includes a **Natura Impact Assessment (NIS)** or an **Environmental Impact Assessment Report (EIAR)**, this shall be stated on the site notice. It shall also be stated that the NIS and / or EIAR is available for inspection or purchase for a fee not exceeding the reasonable cost of making a copy of same.

Site Location Map:

- ✓ **6 copies** of the site location map shall be submitted.
- ✓ Site Location map to a **scale of not less than 1:1000 for development in a built up area or 1:2500 in all other areas**. Depending on the nature and extent of the development, other scales can be agreed with the Planning Authority prior to submission of an application.

- ✓ The Site Location Map shall show the **site boundary in red**.
- ✓ The Site Location Map shall show the **overall landholding of the applicant in blue**.
- ✓ Any **wayleaves** applicable to the application shall be shown in **yellow**.

- ✓ The **North Point** shall be indicated on the map and the relevant **OS Sheet number** shall also be indicated.
- ✓ The **position of the Site Notice** shall be indicated. Please note a Site Notice shall be in a public place. It is permissible to erect additional notices where a development is a reasonable distance from the nearest public road. The position of any additional site notices should also be noted on the map.

Site Layout:

- ✓ **6 copies** of the site layout plan shall be submitted.
- ✓ The site layout shall be drawn to a **scale of not less than 1:500**

- ✓ The **site boundary** shall be delineated in red and correlate with the site boundary as shown on the site location map.
- ✓ The site layout plan shall indicate the any buildings, roads boundaries, septic tanks, percolation areas, bored wells, significant tree stands and other features on, adjoining or in the vicinity of the land or structure to which the application relates
- ✓ The site layout plan shall show the level of **contours** of the land and the proposed structures relative to **Ordnance Survey datum or a temporary local benchmark**.
- ✓ The site layout plan shall indicate the **distance of all proposed structures from the boundaries** of the site as defined in red.
- ✓ The **North Point** shall be indicated on the site layout plan.

- ✓ Where it is proposed to **demolish** a structure, the footprint of said structure shall be clearly shown on the Site Layout.

Plans, Elevations & Sections:

- ✓ **6 copies** of the plans, elevations and sections shall be submitted.
- ✓ Plans in **metric scale** of at least 1:200 or greater

- ✓ Elevations show the main features of buildings that are **contiguous** to the proposed structure
- ✓ For extensions, alterations and retention applications, the proposed works shall be clearly **distinguished** from the existing structure / structure which does not form part of the current application
- ✓ All plans, drawings etc. shall show the **overall dimensions** and **overall ridge height** of the structures.

- ✓ Where the development would involve work to a **protected structure or proposed protected structure**, the drawings shall show the main features of any buildings within the curtilage of the structure which would be materially affected by the proposed development

- ✓ Where it is proposed to **demolish a Protected Structure or Proposed Protected Structure**, the application shall include floor plans, elevations and section.

Additional Information

The following information would be extremely beneficial when submitting an application to the Planning Authority. The inclusion of this information will help avoid unnecessary delays in the decision making process and will significantly reduce the likelihood of a request for Further Information on an application.

For All Applications

- TTS1 Traffic & Transport Statement
- TTS2 Further Information Traffic & Transport Statement (To be completed where any of the thresholds described in Table 2.1 of NRA Guidelines for Traffic and Transport Assessment are reached)
- Vision Lines and letters of consent relating to maintenance of vision lines. It may be useful to provide a map extract showing the extent of 3rd party land concerned. (See Sample Vision Line Letter of Consent). Vision Lines should be to the nearest road edge.
- Where a derogation is sought in terms of vision lines, documentary evidence in the form of a traffic / speed survey
- Where a development is likely to increase the loading on an existing wastewater treatment system or retention permission is sought for an existing wastewater treatment system, it would be beneficial to include a short report on the existing system, percolation area etc regarding functionality, capacity etc.
- Foul drainage/Storm Drainage/Water Supply details
- OS Licence Number

Additionally for Rural Housing Applications

- Completed Supplementary Housing Application Form
- Bona Fides – evidence that the applicant complies with the relevant policies of the County Development Plan in terms of the area in which it is proposed to construct a dwelling

2017 Statistics

In 2017, just over 17% of planning applications received by the Planning Authority were deemed invalid. This was reduced to under 16% in 2018 and in 2019 to date it is running at 19%

The most common reasons for an invalid application are outlined below:

- Newspaper Notice published in a newspaper which is not approved for the particular area of the subject site.
- Applicant's name unacceptable e.g. using first initial of Christian name, not a legal entity etc
- Applicant's name does not correlate across public notices and application form
- Development description inaccurate
- Development description does not correlate between the site notice and newspaper notice
- Principal dimensions not indicated
- Site Location map misleading e.g. several red lines appearing on location map
- Incorrect Fee e.g. no fee included where demolition comprises part of the application