



STATUTORY INSTRUMENTS.

S.I. No. 271 of 2017



PLANNING AND DEVELOPMENT (STRATEGIC HOUSING
DEVELOPMENT) REGULATIONS 2017

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I, EOGHAN MURPHY, Minister for Housing, Planning, Community and Local Government, in exercise of the powers conferred on me by sections 179(2) and 262 of the Planning and Development Act 2000 (No. 30 of 2000) (as adapted by the Environment, Community and Local Government (Alteration of Name of Department and Title of Minister) Order 2016 (S.I. No. 394 of 2016)) and sections 4, 5, 7, 8, 9 and 12 of the Planning and Development (Housing) and Residential Tenancies Act 2016 (No. 17 of 2016), hereby make the following regulations:

Citation

1. (1) These Regulations may be cited as the Planning and Development (Strategic Housing Development) Regulations 2017.

(2) These Regulations and the Planning and Development Regulations 2001 to 2015 shall be construed as one and may be collectively cited as the Planning and Development Regulations 2001 to 2017.

Commencement

2. These Regulations shall come into operation on 3 July 2017.

Interpretation

3. In these Regulations—

“Act of 2016” means the Planning and Development (Housing) and Residential Tenancies Act 2016 (No. 17 of 2016);

“Regulations of 2001” means the Planning and Development Regulations 2001 (S.I. No. 600 of 2001);

“specified period” has the meaning assigned to it in section 3 of the Act of 2016.

Application of Regulations

4. (1) These Regulations shall apply during the specified period.

(2) Where a request was duly made under section 5(1) of the Act of 2016 during the specified period in respect of a strategic housing development but any matter concerning the development to which these Regulations relate has not been completed before the end of that period, then, subject to section 11(10) of the Act of 2016, these Regulations shall continue to apply to that matter as if the specified period had not expired.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 27th June, 2017.

Construction of Regulations of 2001 (Part 23: strategic housing development)

5. During the specified period and thereafter in accordance with article 4(2), the Regulations of 2001 have effect as if the following were inserted after Part 22 of those Regulations:

“PART 23

Strategic Housing Development

Interpretation for this Part

283. In this Part—

‘Act of 2016’ means the Planning and Development (Housing) and Residential Tenancies Act 2016 (No. 17 of 2016);

‘application’ means an application for permission under section 4 of the Act of 2016 in respect of a proposed strategic housing development;

‘pre-application consultation’ means the consultations held under section 6 of the Act of 2016;

‘prospective applicant’ has the meaning assigned to it by section 3 of the Act of 2016.

Prospective applicant’s consultation with planning authority

284. A prospective applicant shall, at least 2 weeks prior to the date of the consultations with a planning authority referred to in section 5(2) of the Act of 2016, provide to the authority such information as it may reasonably require in relation to a proposed strategic housing development for the purpose of the consultations.

Prospective applicant’s consultation with Board

285. (1) A request to the Board by a prospective applicant under section 5 of the Act of 2016 to enter into consultations with the Board in relation to a proposed strategic housing development shall be in the form set out at Form No. 11 of Schedule 3.

(2) A request referred to in sub-article (1) shall be accompanied by the following, including maps and drawings, where appropriate:

- (a) where the prospective applicant is not the owner of the land concerned, the written consent of the owner to make an application under section 4 of the Act of 2016 in respect of that land;
- (b) a brief description of the proposed numbers and types of houses or numbers of student accommodation units and bedspaces, or both, as appropriate, and their design, including proposed gross floor spaces, housing density, plot ratio, site coverage, building heights, proposed layout and aspect;

- (c) a brief description of proposed public and private open space provision, landscaping, play facilities, pedestrian permeability, vehicular access and parking provision, where relevant;
- (d) a brief description of the proposed provision of ancillary services, where required, including child care facilities;
- (e) where relevant, any other proposed use in the development, the zoning of which facilitates such use, including the proposed gross floor space for each such use;
- (f) a brief description of any proposals to address or, where relevant, integrate the proposed development with surrounding land uses;
- (g) a brief description of any proposals to provide for water services infrastructure, including, in the case where it is proposed to connect the development to a public water or wastewater network or both, evidence that Irish Water has confirmed that it is feasible to provide the appropriate service or services and that the relevant network or networks have the capacity to service the development,
- (h) a brief description of any proposals to provide for other services infrastructure (including cabling such as broadband provision) and any phasing proposals;
- (i) a brief description of proposals under Part V of the Planning and Development Act 2000, where relevant;
- (j) details of protected structures, national monuments or other monuments included in the Record of Monuments and Places, where relevant;
- (k) any aspect of the proposed development likely to have significant effects on the environment or significant effects on a European site, including, in the case where the development may impact on a public water supply source, evidence of engagement with Irish Water in relation to protecting that source;
- (l) the appropriate fee.

(3) A prospective applicant shall submit to the Board 2 printed copies of his or her request to enter into consultations with the Board in relation to a proposed strategic housing development, together with 3 copies of the request in a machine readable form on digital devices.

(4) A prospective applicant shall send 6 printed copies of the request referred to in sub-article (1) to the planning authority or each of the authorities in whose area or areas the proposed strategic housing development would be situated, together with one copy of the request in a machine readable form on a digital device.

(5) At the conclusion of a pre-application consultation, the Board may do either or both of the following:

- (a) inform the prospective applicant of which authorities prescribed under article 295 should, in the opinion of the Board, be notified by the prospective applicant of the making of an application and the prospective applicant shall so notify those authorities in accordance with section 8(1)(b) of the Act of 2016;
- (b) notify the prospective applicant that specified information should be submitted with any application for permission for the proposed development, including photographs, plans, maps, drawings or other material or particulars and, where the Board considers it appropriate, either or both—
 - (i) an assessment of the impact of the proposed development on transport in the area, including impact on roads, and
 - (ii) a scale model of the proposed development including land and buildings in the vicinity, showing the elevations and perspective of the proposed development.

(6) Where the Board considers that a second or subsequent consultation meeting is necessary for the purpose of forming an opinion under section 6(7) of the Act of 2016, such a meeting or meetings shall be held within 4 weeks of the date of the receipt by the Board of the request referred to in sub-article (1).

(7) The Board shall, as soon as may be after issuing a notice under section 6(7) of the Act of 2016, send its record of the consultations concerned to the prospective applicant and the planning authority or authorities in whose area or areas the proposed strategic housing development would be situated.

Request under section 7 of Act of 2016 to Board after consultation meeting has been held

286. (1) A request under section 7 of the Act of 2016 shall be in writing and shall state the name and address, and telephone number and e-mail address, if any, of the prospective applicant and, except where the information was provided as part of a previous request made under that section or is provided as part of another request so made at the same time, shall include—

- (a) where the prospective applicant is not the owner of the land concerned, the written consent of the owner to make an application under section 4 of the Act of 2016 in respect of that land;
- (b) the location, townland or postal address of the land or structure to which the request under section 7 of the Act of 2016 relates (as may be appropriate), and shall include a location map marked so as to clearly identify—

- (i) in red, the boundaries of the land or structure to which that request relates and the boundaries thereof,
 - (ii) in blue, the boundaries of any land that adjoins, abuts or is adjacent to the land to be developed and which is under the control of the prospective applicant or the person who owns the land that is the subject of that request, and
 - (iii) in yellow, any wayleaves,
- (c) a brief description of the nature of the proposed strategic housing development and its possible effects on the environment,
 - (d) the Board's reference number for the consultations under section 6(5) of the Act of 2016, the date or dates of such consultations and any changes in the proposed development from the proposals the subject of those consultations,
 - (e) if the proposed development includes an activity requiring an integrated pollution control licence or a waste licence, an indication of that fact,
 - (f) if the proposed development relates to the provision of, or modifications to, an establishment, an indication of that fact,
 - (g) in the case of a request under section 7(1)(a)(i)(I) of the Act of 2016, the prospective applicant's opinion as to whether the proposed development is likely to have significant effects on the environment and the grounds for that opinion, and
 - (h) in the case of a request under section 7(1)(a)(i)(II) of the Act of 2016, the prospective applicant's opinion as to whether the proposed development, individually or in combination with another project, is likely to have a significant effect on a European site and the grounds for that opinion.

(2) A prospective applicant shall submit to the Board 2 printed copies of a request to which this article relates, together with 3 copies of the request in a machine readable form on digital devices and the appropriate fee.

(3) Where—

- (a) a prospective applicant does not comply with the requirements of sub-article (1) or (2), or
- (b) the request is not accompanied by the appropriate fee,

the Board may decide to refuse to deal with the request, in which case the Board shall, within 2 weeks from the date of the receipt by it of that request—

- (i) return to the prospective applicant—
 - (I) subject to sub-article (4), the copies of that request and the digital devices sent to the Board, and
 - (II) any part of the appropriate fee that accompanied that request,
 and
- (ii) give reasons to the prospective applicant for the Board’s decision to refuse to consider that request.

(4) Clause (I) of sub-article (3)(i) is without prejudice to the Board—

- (i) making a copy of a document,
- (ii) retaining an electronic copy of a document, or
- (iii) by agreement with the prospective applicant concerned, retaining a document,

to which that clause relates.

Prescribed bodies for scoping in relation to environmental impact statement

287. The following bodies are prescribed for the purpose of consultations relating to a request under section 7(1)(b) of the Act of 2016 for an opinion on what information will be required to be contained in an environmental impact statement in relation to a proposed strategic housing development:

- (a) the Minister;
- (b) the Minister for Agriculture, Food and the Marine;
- (c) the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs;
- (d) the Minister for Communications, Climate Action and Environment;
- (e) the Environmental Protection Agency;
- (f) the planning authority or authorities concerned.

Consultation relating to request under section 7 of Act of 2016

288. (1) On receipt of a request under section 7(1)(b) of the Act of 2016 for an opinion on what information will be required to be contained in an environmental impact statement in relation to a proposed strategic housing development, the Board shall, by notice in writing, consult the bodies prescribed under article 287 in relation to the request and shall notify the prospective applicant accordingly.

(2) On receipt of any request to which sub-article (1) relates, the Board may, by notice in writing, consult any person or body that the Board considers appropriate in relation to that request and shall notify the prospective applicant accordingly.

(3) A person or body consulted under sub-article (1) or (2) shall, within 3 weeks of the date of the notice, notify the Board of its views on, as appropriate, the determination it should make or the opinion it should give on foot of the request.

(4) The Board shall, in making a determination or giving an opinion on foot of a request under section 7 of the Act of 2016, consider any views duly notified to it pursuant to sub-article (3) and shall notify the person or body concerned of the determination it has made or the opinion it has given on foot of the request.

(5) Where the Board considers that it has insufficient information to enable it to make a determination pursuant to a request referred to in section 7(1)(a) of the Act of 2016 or to give an opinion pursuant to a request under section 7(1)(b) of that Act, the Board may, by notice in writing, require the prospective applicant to provide such further information as it considers necessary within 2 weeks of the date of the notice.

Screening for environmental impact assessment

289. (1) The Board shall, in making a determination under section 7(1)(a)(i)(I) of the Act of 2016, have regard to the criteria set out in Schedule 7.

(2) Where a proposed strategic housing development the subject of a request for a determination under section 7(1)(a)(i)(I) of the Act of 2016 would be located on, or in, or have the potential to impact on—

- (a) a European site,
- (b) an area the subject of a notice under section 16 of the Wildlife (Amendment) Act 2000 (No. 38 of 2000),
- (c) an area designated as a natural heritage area under section 18 of the Wildlife (Amendment) Act 2000,
- (d) land established or recognised as a nature reserve within the meaning of section 15 or 16 of the Wildlife Act 1976 (No. 39 of 1976),
- (e) land designated as a refuge for flora or as a refuge for fauna under section 17 of the Wildlife Act 1976,
- (f) a place, site or feature of ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan, draft development plan or draft local area

plan, or proposed variation of a development plan, for the area in which the development is proposed, or

- (g) a place or site that has been included by the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs in a list of proposed Natural Heritage Areas published on the website of the National Parks and Wildlife Service,

the Board shall, in making a determination under section 7(1)(a)(i)(I) of the Act of 2016, have regard to the likely significant effects of the proposed development on such site, area, land, place or feature, as appropriate.

(3) Where the Board determines, pursuant to a request under section 7(1)(a)(i)(I) of the Act of 2016, that a proposed development is likely to have a significant effect on the environment, the Board shall notify the prospective applicant that an environmental impact statement is required to be submitted as part of any application for permission for the development.

Screening for appropriate assessment

290. Where the Board determines, pursuant to a request under section 7(1)(a)(i)(II) of the Act of 2016, that a proposed strategic housing development, individually or in combination with another project, is likely to have a significant effect on a European site, the Board shall notify the prospective applicant that a Natura impact statement is required to be submitted as part of any application for permission for the development.

Scoping for environmental impact statement

291. The Board shall, in giving an opinion under section 7(1)(b) of the Act of 2016 on what information will be required to be contained in an environmental impact statement in relation to a proposed strategic housing development, have regard to article 94 and its opinion shall indicate the extent to which the information in paragraph 2 of Schedule 6 should be contained in the environmental impact statement.

Site notice

292. (1) A prospective applicant shall, not later than the day of publication of a notice in accordance with section 8(1) of the Act of 2016, give notice of the intention to make an application by the erection or fixing of a site notice in accordance with this article.

(2) A site notice erected or fixed on any land or structure in accordance with this article shall be—

- (a) in the form set out at Form No. 12 of Schedule 3,
- (b) subject to sub-article (5), inscribed or printed in indelible ink on a white background, affixed on rigid, durable material and secured against damage from bad weather and other causes, and
- (c) subject to sub-article (3), securely erected or fixed in a conspicuous position on or near the main entrance to the land or structure

concerned from a public road, or where there is more than one entrance from public roads, on or near all such entrances, or on any other part of the land or structure adjoining a public road, so as to be easily visible and legible by persons using the public road, and shall not be obscured or concealed at any time.

(3) Where the land or structure to which an application relates does not adjoin a public road, a site notice shall be erected or fixed in a conspicuous position on the land or structure so as to be easily visible and legible by persons outside the land or structure, and shall not be obscured or concealed at any time.

(4) Where the Board considers that the erection or fixing of a single site notice is not sufficient to comply with the requirements of sub-articles (2) and (3), or does not adequately inform the public, the Board may require the applicant to erect or fix such further site notice or notices in such a manner and in such terms as it may specify and to submit to the Board such evidence as it may specify in relation to compliance with any such requirements.

(5) Where—

(a) an application is made in respect of any land or structure and section 8(3) of the Act of 2016 is not applied in relation to it, or

(b) a valid planning application under section 34 of the Planning and Development Act 2000 is made in respect of any land or structure,

and a subsequent application or planning application under the said section 34 is made within 6 months from the date of making the application referred to in paragraph (a) or the planning application referred to in paragraph (b) in respect of land substantially consisting of the site or part of the site to which the first-mentioned application related, in lieu of the requirements of sub-article (2)(b), the site notice for the subsequent application or planning application shall be inscribed or printed in indelible ink on a yellow background and affixed on rigid, durable material and be secured against damage from bad weather and other causes.

Time limits for site notice

293. A site notice shall be maintained in position on the land or structure concerned for a period of at least 5 weeks from the date of receipt of the application for permission by the Board, shall be renewed or replaced if it is removed or becomes defaced or illegible within that period and shall be removed by the applicant following the notification of the Board's decision under section 9 of the Act of 2016.

Newspaper notice in respect of application

294. The notice required to be published under section 8(1)(a) of the Act of 2016 shall be in the form set out at Form No. 13 of Schedule 3.

Authorities to which copy of application must be sent, etc.

295. (1) The prescribed authorities for the purposes of section 8(1)(b)(ii) of the Act of 2016 are as follows:

- (a) (i) An Chomhairle Ealaíon,
- (ii) Fáilte Ireland, and
- (iii) An Taisce — the National Trust for Ireland,

where the land or structure is situated in an area of special amenity, whether or not an order in respect of that area has been confirmed under section 203 (or deemed to be so confirmed under section 268(1)(c)) of the Planning and Development Act 2000, or that the development or retention of the structure might obstruct any view or prospect of special amenity value or special interest;

- (b) Fáilte Ireland, where the proposed strategic housing development might obstruct or detract from the value of any tourist amenity or tourist amenity works;

- (c) (i) the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs,

- (ii) the Heritage Council,

- (iii) An Taisce — the National Trust for Ireland,

where the proposed strategic housing development—

- (I) would involve the carrying out of works to a protected structure or proposed protected structure, or to the exterior of a structure which is located within an architectural conservation area,

- (II) might detract from the appearance of a structure referred to in sub-paragraph (I),

- (III) might affect or be unduly close to—

- (A) a cave, site, feature or other object of archaeological, geological, scientific, ecological, or historical interest,

- (B) a monument or place recorded under section 12 of the National Monuments (Amendment) Act 1994,

- (C) a historic monument or archaeological area entered into the Register of Historic Monuments under section 5 of the National Monuments (Amendment) Act 1987, or

(D) a national monument in the ownership or guardianship of the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, under the National Monuments Acts 1930 to 2014,

or

(IV) might obstruct any scheme for improvement of the surroundings of, or any means of access to, any structure, place, feature or object referred to in sub-paragraph (III);

(d) (i) An Chomhairle Ealaíon, and

(ii) Fáilte Ireland,

where the proposed development—

(I) would involve the carrying out of works to a protected structure or proposed protected structure, or to the exterior of a structure which is located within an architectural conservation area, or

(II) might detract from the appearance of a structure referred to in sub-paragraph (I);

(e) where the proposed strategic housing development might affect the area of a local authority other than the local authority or authorities in whose functional area or areas the proposed development would be situated, the local authority that might also be affected;

(f) a regional assembly, where the proposed strategic housing development would not be consistent with or would materially contravene any regional planning guidelines (or objective thereof) of the regional assembly;

(g) where, if permission were to be granted for the proposed strategic housing development, a condition of a type referred to in sub-article (2) might be attached to such permission, any local authority (other than the local authority or authorities in whose functional area or areas the proposed development would be situated) that would be affected by such a condition;

(h) (i) Inland Fisheries Ireland, and

(ii) Waterways Ireland, in the case of waterways in respect of which it exercises functions,

where the proposed strategic housing development—

- (I) might cause the significant abstraction or addition of water either to or from surface or ground waters, whether naturally occurring or artificial,
 - (II) might give rise to significant discharges of polluting matters or other materials to such waters or be likely to cause serious water pollution or the danger of such pollution, or
 - (III) would involve the carrying out of works in, over, along or adjacent to the banks of such waters, or to any structure in, over or along the banks of such waters, which might materially affect the waters;
- (i) the Irish Aviation Authority, where the proposed strategic housing development might endanger or interfere with the safety of aircraft or the safe and efficient navigation of aircraft;
 - (j) the airport operator, where the proposed strategic housing development might interfere with the operation and development of a licensed airport, whose annual traffic is not less than one million passenger movements;
 - (k) Córas Iompair Éireann and Transport Infrastructure Ireland, as appropriate, where the proposed strategic housing development may have an impact on bus or rail-based transport;
 - (l) Transport Infrastructure Ireland, where the proposed strategic housing development—
 - (i) consists of or comprises the formation, laying out or material widening of an access to a national road within the meaning of section 2 of the Roads Act 1993, not being a national road within a built-up area within the meaning of section 45 of the Road Traffic Act 1961, or
 - (ii) might give rise to significant increase in the volume of traffic using a national road;
 - (m) the National Transport Authority, where the proposed strategic housing development might significantly impact on surface transport in the Greater Dublin area;
 - (n) the Environmental Protection Agency, where the proposed strategic housing development includes an activity requiring an integrated pollution control licence or a waste licence;
 - (o) the Minister for Transport, Tourism and Sport, where the proposed strategic housing development might significantly impact on transport or maritime navigation;

- (p) (i) the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs,
- (ii) the Heritage Council and
- (iii) An Taisce — the National Trust for Ireland,
- where the proposed strategic housing development might have significant effects in relation to nature conservation;
- (q) (i) the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, and
- (ii) Údarás na Gaeltachta,
- where the proposed strategic housing development is in a Gaeltacht area and it appears to the Board that it might materially affect the linguistic and cultural heritage of the Gaeltacht, including the promotion of Irish as the community language;
- (r) the Minister for Justice and Equality, where the proposed strategic housing development is in the vicinity of an explosives factory, storage magazine, or local authority explosives store;
- (s) (i) the Minister for Agriculture, Food and the Marine, and
- (ii) the Heritage Council,
- where the proposed strategic housing development involves initial afforestation or the removal of broadleaf high forest;
- (t) the Health Service Executive, where the proposed strategic housing development might have significant effects on public health;
- (u) (i) the Minister, and
- (ii) the Minister for Agriculture, Food and the Marine,
- where the proposed strategic housing development might impact on the foreshore;
- (v) the Commission for Energy Regulation, where the proposed strategic housing development may have an impact on energy infrastructure;
- (w) where the proposed strategic housing development might—
- (i) give rise to a significant increase in the volume or type of traffic (including construction traffic) passing under a height-restricted railway bridge, or using a railway level crossing or a bridge over a railway,

- (ii) because of its proximity to a railway, impact on the structural integrity of railway infrastructure during construction of the development, or
- (iii) endanger or interfere with the safe operation of a railway, during or after construction,
 - the railway operator, the Commission for Railway Regulation and, in the case of development which might impact on a light railway or metro, Transport Infrastructure Ireland;
- (x) Irish Water, where the proposed strategic housing development might impact on the provision of public water services.

(2) The conditions referred to in sub-article (1)(g) are conditions requiring the provision of roads, including traffic calming measures, open spaces, car parks, sewers, watermains or drains, facilities for the collection or storage of recyclable materials and other public facilities in excess of the immediate needs of the proposed development, subject to the relevant local authority paying for the cost of the additional works and taking them in charge or otherwise entering into an agreement with the applicant with respect to the provision of those public facilities.

(3) A notice to prescribed authorities under section 8(1)(b)(ii) of the Act of 2016 shall indicate the types of decision the Board may make in relation to the application.

(4) Where a prescribed authority to whom a copy of a strategic housing development application is sent pursuant to section 8(1)(b)(ii) of the Act of 2016 does not make a submission or observations in relation to the application within the period of 5 weeks beginning on the date of receipt by the Board of the application, the Board may determine the application without further notice to that authority.

Transboundary consultation

296. (1) The prescribed number of copies of an application and the accompanying environmental impact statement for the purposes of section 8(1)(c) of the Act of 2016 is one.

(2) An electronic copy of an application and the accompanying environmental impact statement shall accompany the prescribed number of printed copies of the application and the environmental impact statement sent by the applicant in accordance with section 8(1)(c) of the Act of 2016.

Requirements relating to applications

297. (1) An application shall be in the form set out at Form No. 14 of Schedule 3.

(2) An application in sub-article (1) shall be accompanied by—

- (a) where the applicant is not the owner of the land concerned, the written consent of the owner to make an application under section 4 of the Act of 2016 in respect of that land;
- (b) the relevant page of the newspaper, or a copy of the relevant page, including the date and title of the newspaper, in which notice of the application has been published pursuant to section 8(1)(a) of the Act of 2016, and a copy of the site notice erected or fixed on the land or structure pursuant to article 292,
- (c) a location map of sufficient size and containing details of features in the vicinity such as to permit the identification of the site to which the application relates, to a scale (which shall be identified thereon) of not less than 1:1000 in built up areas and 1:2500 in all other areas, or such other scale as may be agreed with the Board prior to the submission of the application, and marked so as to identify clearly:
 - (i) in red, the land or structure to which the application relates and the boundaries thereof,
 - (ii) in blue, any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant or the person who owns the land which is the subject of the application,
 - (iii) in yellow, any wayleaves, and
 - (iv) the position of the site notice or notices erected or fixed to the land or structure pursuant to article 292,
- (d) where it is proposed to connect the development to a public water or wastewater network, or both, evidence that Irish Water has confirmed that it is feasible to provide the appropriate service or services and that the relevant water network or networks have the capacity to service the development,
- (e) where it is proposed to dispose of wastewater from the proposed development other than to a public sewer, information on the on-site treatment system proposed and evidence as to the suitability of the site for the system proposed,
- (f) the documents, particulars, plans, drawings and maps referred to in sub-article (4),
- (g) in the case of an application for permission for a proposed development to which section 96 of the Planning and Development Act 2000 applies, details as to how the applicant proposes to comply with a condition referred to in subsection (2) of that section to which the permission, if granted, would be subject, including—

- (i) details of such part or parts of the land which is subject to the application for permission or is or are specified by the Part V agreement, or houses situated on such aforementioned land or elsewhere in the functional area of the planning authority concerned that is or are proposed to be transferred to that planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be leased to the planning authority, or details of any combination of the foregoing, and
 - (ii) details of the calculations and methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as an appropriate share of any common development works as required to comply with the provisions in Part V of the Planning and Development Act 2000,
- (h) where that Part V applies to the proposed development, a layout plan showing the location and types of houses proposed to be transferred or leased to the planning authority under that Part,
- (i) where the applicant is not the owner of the land or structure concerned, the written consent of the owner to make the application, and
- (j) the appropriate fee.

(3) Where, under section 6(7) of the Act of 2016, the Board issued a notice to the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, the application shall be accompanied by a statement of the proposals included in the application to address the issues set out in the notice.

- (4) (a) An application referred to in sub-article (1) shall be accompanied by such plans (including a site or layout plan and drawings of existing and proposed floor plans, elevations and sections which comply with the requirements of article 298) and such other particulars as are necessary to describe the works to which the application relates together with any information specified by the Board under article 285(5)(b).
- (b) An application referred to in sub-article (1) consisting of or mainly consisting of the making of any material change in the use of any structure or other land shall be accompanied by—
- (i) a statement of the existing use and of the use proposed, together with particulars of the nature and extent of any such proposed use,

- (ii) such plans (including a site or layout plan and drawings of existing and proposed floor plans, elevations and sections that comply with the requirements of article 298), and such other particulars as are necessary to describe the works proposed, and
- (iii) such plans and such other particulars as are necessary to identify the area to which the application relates.

(5) An applicant shall submit to the Board 2 printed copies of his or her application for permission for a proposed strategic housing development, together with 3 copies of the application in a machine readable form on digital devices.

(6) An applicant shall submit to the planning authority or each authority in whose area the proposed strategic housing development would be situated 6 printed copies of his or her application for permission for a proposed strategic housing development, together with one copy of the application in a machine readable form on a digital device.

Requirements for particulars to accompany an application under article 297

298. (1) Plans, drawings and maps accompanying an application shall be in metric scale and comply with the following requirements:

- (a) site or layout plans shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500 or such other scale as may be agreed with the Board prior to the submission of the application in any particular case, the site boundary shall be clearly delineated in red, and buildings, roads, boundaries, septic tanks and 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 shall be shown;
- (b) other plans, elevations and sections shall be drawn to a scale of not less than 1:200 (which shall be indicated thereon), or such other scale as may be agreed by the applicant with the Board prior to the submission of the application;
- (c) the site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate;
- (d) drawings of elevations of any proposed structure shall show the main features of any buildings which would be contiguous to the proposed structure if it were erected, whether on the application site or in the vicinity, at a scale of not less than 1:200, as may be appropriate, and where the proposed development would involve work to a protected structure or proposed protected structure, shall show the main features of any buildings within the curtilage

of the structure which would be materially affected by the proposed development;

- (e) plans relating to works comprising reconstruction, alteration or extension of a structure shall be so marked or coloured as to distinguish between the existing structure and the works proposed;
- (f) plans and drawings of floor plans, elevations and sections shall indicate in figures the principal dimensions (including overall height) of any proposed structure and the site, and site or layout plans shall indicate the distances of any such structure from the boundaries of the site;
- (g) any map or plan which is based on an Ordnance Survey map shall indicate the relevant Ordnance Survey sheet number;
- (h) the north point shall be indicated on all maps and plans other than drawings of elevations and sections and maps or plans referred to in paragraph (g) of this sub-article.

(2) An application for proposed development consisting of or comprising the carrying out of works to a protected structure, or proposed protected structure or to the exterior of a structure which is located within an architectural conservation area, shall, in addition to meeting the requirements of sub-article (1), be accompanied by such photographs, plans and other particulars as are necessary to show how the proposed development would affect the character of the structure.

Actions following receipt of application

299. (1) For the purposes of section 8(3)(a) of the Act of 2016, in a case where the Board is satisfied that the applicant has complied with the provisions of articles 292 and 293 but that any site notice erected by the applicant has been maliciously defaced or destroyed by any person other than the applicant, the Board shall not, on that account, consider that the application is inadequate or incomplete.

(2) Where the Board decides, under section 8(3)(a) of the Act of 2016, to refuse to deal with an application made to it under section 4(1) of that Act, the Board shall—

- (a) request the applicant to remove the site notice or notices erected or fixed pursuant to article 292(1), and
- (b) inform—
 - (i) the planning authority or authorities in whose functional area or areas the proposed development would be situated,

- (ii) any person or body to which a copy of the application has been sent under paragraph (b) or (c) of section 8(1) of that Act, and
- (iii) any person or body who made a submission or observations on the application under section 8(1)(a)(vii) of that Act,

of its decision, stating its reasons for it, and, in the case where a person or body referred to in sub-paragraph (iii) has made a submission or observations on the application, return any fee paid in respect of such submission or observations, and

- (c) publish the decision on its website.

Major accidents

300. (1) Where the proposed strategic housing development—

- (a) will be of a category listed in Table 1 of Schedule 8,
- (b) will be located within the distance listed in column 2 of Table 2 of Schedule 8 from an establishment of the corresponding type listed in column 1 of Table 2, or be located within such distance from a particular establishment as has been specified by the Health and Safety Authority in technical advice provided under article 27 of the Major Accident Regulations,
- (c) relates to the provision of, or modifications to, an establishment, or
- (d) would, in the opinion of the Board, be in the vicinity of, or impact on, an establishment and be relevant to the risk or consequences of a major accident,

and the Health and Safety Authority has not previously provided to the Board, either in relation to the proposed development or on a generic basis, relevant technical advice on the risk or consequences of a major accident, the Board shall notify the Health and Safety Authority.

(2) In forming an opinion pursuant to sub-article (1)(d), the Board shall have regard to Tables 1 and 2 of Schedule 8.

(3) A notice sent by the Board under sub-article (1) shall—

- (a) issue as soon as may be following receipt of the application,
- (b) include a copy in both printed and electronic form of the application and environmental impact statement,
- (c) identify the relevant establishment or establishments, and
- (d) request technical advice on the effects of the proposed development on the risk or consequences of a major accident.

(4) In addition to the requirements of article 306, in the case of an application to which this article refers, the list shall indicate that fact.

(5) A notice required to be published under section 8(1) of the Act of 2016 shall, in the case of an application to which this article refers, indicate that fact.

Making of application, etc., available for inspection

301. (1) In this article, a reference to ‘application’ includes a reference to any environmental impact statement or Natura impact statement or both of those statements, if such is required, and all other documents, particulars, plans or information that accompany the application.

(2) As soon as may be after receipt of an application, the Board and the planning authority or authorities in whose functional area or areas the proposed development would be situated shall, for the period expiring 8 weeks following the sending by the Board to the applicant of a copy of its decision on the application, make a copy of the application available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy at their offices during public opening hours.

(3) The applicant shall make a copy of an application available for inspection on the Internet at a web address set up for the purpose for the period commencing on the date of making the application and expiring 8 weeks following the sending by the Board to the applicant of a copy of its decision on the application.

Submissions or observations in relation to application

302. (1) Any submission or observations made in writing to the Board by a person, authority or body in relation to an application shall state—

- (a) the name of the person, authority or body making the submission or observation, the name of the person, if any, acting on behalf of that person, authority or body, and the address to which any correspondence relating to the application should be sent,
- (b) the subject matter of the submission or observations, and
- (c) the reasons, considerations and arguments on which the submission or observations is or are based,

and, except in the case of a submission or observations made under section 8(1)(b) or (c) of the Act of 2016 or sub-article (6)(b), shall be accompanied by the appropriate fee.

(2) Where the Board so consents, a submission or observations under sub-article (1) may be made in electronic form.

(3) Subject to sub-article (4), the Board shall acknowledge in writing the receipt of any submission or observations referred to in sub-article (1) as soon as may be following receipt of the submission or observation.

(4) Where a submission or observations made under section 8(1)(a)(vii) of the Act of 2016 is not accompanied by the appropriate fee, the Board shall, as soon as may be, inform the person, authority or body concerned that the submission or observations cannot be considered for that reason and the Board shall return to that person, authority or body the submission or observations and any part of the fee that accompanied it.

(5) (a) Except in the case of a submission or observations to which sub-article (6)(b) applies, where a submission or observations are received by the Board after the expiry of the period of 5 weeks beginning on the date of receipt of the application, the Board shall return to the person, authority or body concerned the submission or observations received and the fee and notify the person, authority or body that the submission or observations cannot be considered by the Board.

(b) Within 3 working days of expiry of the period of 5 weeks from the receipt by the Board of an application, the Board shall send to the planning authority or authorities in whose functional area or areas the proposed development would be situated copies of any submissions or observations duly received that have not previously been sent to such authority or authorities.

(6) (a) Without prejudice to paragraph (b), a person, authority or body who makes a submission or observations to the Board in accordance with this article shall not be entitled to elaborate upon the submission or observations or make a further submission or observations in relation to the application and any such elaboration, submission or observations that is or are received by the Board shall not be considered by it.

(b) The Board may, at any time before making its decision, request any person, authority or body to make a submission or observations or elaborate upon a submission or observations in relation to an application.

Period for making a decision on application where oral hearing held

303. Where the Board holds an oral hearing of an application, the Board shall make its decision on the application within 24 weeks beginning on the day the planning application was lodged with the Board.

Additional requirement for notice of Board's decision on application

304. Any notice of a decision made by the Board in respect of an application shall state that, in making a decision, the Board has had regard to any submissions or observations duly received in relation to the application.

Part payment by Board to planning authority of application fee

305. (1) On the making of a decision under section 9 of the Act of 2016 on an application, the Board shall, subject to sub-articles (2) and (3), pay to the planning authority or authorities in whose functional area or areas the

proposed development would be situated 50 per cent of the fee paid by the applicant to the Board under section 144(1A)(b) of the Planning and Development Act 2000.

(2) In a case where the proposed development would be situated in the functional area of more than one planning authority, the Board shall pay to each authority concerned that proportion of the total amount payable under sub-article (1) that is equal to the proportion of the gross floor space area of the proposed development that is in the functional area of the authority concerned.

(3) In a case where a planning authority fails to submit to the Board a report of its Chief Executive referred to in section 8(5)(a) of the Act of 2016 within 8 weeks and 3 working days from the receipt by the authority of a copy of an application and the Board fails to make a decision on an application within the period specified in section 9(9)(a) of that Act or as may be prescribed under section 9(10) of that Act, or within the period specified in article 303, as appropriate, the Board shall not pay to the planning authority or authorities in whose functional area or areas the proposed development would be situated any proportion of the fee paid to the Board under section 144(1A)(b) of the Planning and Development Act 2000.

Weekly list under article 72 and strategic housing developments

306. (1) A list referred to in article 72 shall also include—

- (a) any strategic housing development application received by the Board, or
- (b) any strategic housing development application determined or otherwise disposed of by the Board.

(2) A list referred to in paragraph (1) in respect of any applications received shall indicate—

- (a) the reference number of the application,
- (b) the name of the applicant,
- (c) the location of the proposed development,
- (d) the nature and extent of the proposed development, and
- (e) the date of receipt of the application.

(3) A list referred to in paragraph (1) in respect of any applications determined, otherwise disposed of or withdrawn shall indicate—

- (a) the reference number of the application,
- (b) the nature and location of the proposed development,
- (c) the name of the applicant,

- (d) the nature of the decision,
- (e) the date of the decision, and
- (f) the locations at which a full copy of the decision will be available.”.

Application of Part 18 of Regulations of 2001 during specified period

6. Other than article 221, Part 18 of the Regulations of 2001 shall not apply to proposed strategic housing developments during the specified period.

Construction of Regulations of 2001 during specified period

7. The Regulations of 2001 have effect during the specified period—

- (a) as if Forms Nos. 11, 12, 13 and 14 in the Schedule attached to these Regulations were inserted after Form 10 of Schedule 3, and
- (b) as if in article 131 “, or under section 10(2) of the Act of 2016,” were inserted after “and 220”.

Amendment of article 81 of Regulations of 2001

8. Article 81(2)(d) is amended in sub-paragraph (i) by substituting “not less than 4 weeks” for “not less than 6 weeks”.

Schedule

Form No. 11

Article 285

Form of request to An Bord Pleanála to enter into consultations in relation to a proposed strategic housing development¹

BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information, will lead to the Board refusing to deal with your request. Therefore, ensure that each section of this request form is fully completed and signed, entering n/a (not applicable) where appropriate, and that all necessary documentation is attached to the request form.

DATA PROTECTION

It is the responsibility of persons or entities wishing to use any personal data on a planning application form for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1988 and 2003. The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution.

HOLDING OF PRE-APPLICATION CONSULTATIONS WITH THE BOARD

Under section 6(9) of the Planning and Development (Housing) and Residential Tenancies Act 2016, neither the holding of a consultation under section 6, nor the forming of an opinion under that section, shall prejudice the performance by the Board, or the planning authority or authorities in whose area or areas the proposed strategic housing development would be situated, of any other of their respective functions under the Planning and Development Acts 2000 to 2016 or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

Declaration

I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the requirements of the Planning and Development Act 2000 and Chapter 1 of Part 2 of the Planning and Development (Housing) and Residential Tenancies Act 2016 and the Regulations made thereunder.

Signed (Prospective applicant or Agent as appropriate):

.....

Date

1. Name of prospective applicant²:

[Contact details to be supplied in section 24 of this form.]

2. Where applicant is a company registered under the Companies Act

Registered address of company:

Company registration number:

[Contact details to be supplied in section 24 of this form.]

3. Name of person/agent (if any) acting on behalf of the prospective applicant:

[Contact details to be supplied in section 25 of this form.]

4. Person responsible for preparation of maps, plans and drawings³

Name:

Firm/Company:

[Contact details to be supplied in section 26 of this form.]

5. Planning authority⁴

(A) Name:

(B) Has a copy of the consultation request been sent to the planning authority?

Yes [] No [] [*Place X in appropriate box*]

6. Site of proposed strategic housing development

(A) Is a site location map⁵ enclosed with this application?

Yes [] No [] [*Place X in appropriate box*]

(B) State postal address or townland or location (as may best identify the site in question):

(C) State Ordnance Survey Map Reference Number (and the Grid Reference where available)⁶:

(D) State the site zoning in current Development Plan or Local Area Plan for the area:

(E) State the existing use of the site and proposed use of the site:

(F) State the site area to which the application relates, in hectares: ha.

7. Prospective applicant's interest in the site, etc.

Place X in appropriate box to indicate prospective applicant's interest in the site:

Site owner []

Site owner has consented to the prospective applicant making an application for permission for a proposed strategic housing development in respect of the site: []

State the name and address of the site owner and supply a letter of consent to the prospective applicant making an application for permission for a proposed strategic housing development in respect of the site, signed by the site owner:

8. Site history

(A) Is the prospective applicant aware of the site ever having been flooded?

Yes [] No [] [*Place X in appropriate box*]

If the answer to question 8(A) is "Yes", give details e.g. year, extent:

(B) Is the prospective applicant aware of previous uses of the site e.g. dumping or quarrying?

Yes [] No [] [*Place X in appropriate box*]

If the answer to question 8(B) is "Yes", give details:

(C) Is the prospective applicant aware of any valid planning applications previously made in respect of the site?

Yes [] No [] [*Place X in appropriate box*]

If the answer to question 8(C) is "Yes", complete the following table:

Reg. Ref. No.	Nature of Proposed Development	Nature of final decision on application: grant or refusal by planning authority or An Bord Pleanála

(D) Is the site of the proposal subject to a current appeal to An Bord Pleanála in respect of a similar development?

Yes [] No [] [*Place X in appropriate box*]

If the answer to question 8(D) is “Yes”, specify the Board’s reference number for that appeal:

9. Characteristics of proposed strategic housing development:

(A) Provide a brief description of the nature and extent of the proposed development, including—

- the proposed types and numbers of houses, student accommodation units, or both,
- in the case of student accommodation units, the combined number of bedspaces, and any other uses to which those units may be put,
- proposed services ancillary to the residential development, and
- other proposed uses in the development of the land, the zoning of which facilitates such use:

(B) Provide a brief description of possible effects of the proposed development on the environment, highlighting any aspect of the development likely to have significant effects on the environment or significant effects on a European site:

10. Draft layout plan of proposed strategic housing development

Is a draft layout plan⁷ enclosed with this request?

Yes [] No [] [*Place X in appropriate box*]

11. Prior consultations in respect of proposed strategic housing development

- (A) State date(s) of consultation(s) with the planning authority under section 247 of the Planning and Development Act 2000:
- (B) State names and posts of participants in the consultation(s) referred to in paragraph (A):
- (C) Summarise the outcome of the consultation(s) referred to in paragraph (A):
- (D) Provide the following information about any previous pre-application consultations with An Bord Pleanála in relation to the proposed development:
- (i) Date(s) of consultation(s):
 - (ii) An Bord Pleanála Reference No.:
- (E) Provide details of any other consultations the prospective applicant has had with authorities prescribed under sections 8(1)(b) and (c) of the Planning and Development (Housing) and Residential Tenancies Act 2016 or with the public:

12. Particulars of proposed strategic housing development

Describe briefly, attaching outline plans, where appropriate—

- (A) the proposed types of houses or student accommodation units, or both, as appropriate, and their design, including proposed internal gross floor spaces, housing density, plot ratio, site coverage, building heights, proposed layout and aspect,
- (B) public and private open space provision, landscaping, play facilities, pedestrian permeability, vehicular access and parking provision, where relevant,
- (C) the provision of services ancillary to the proposed residential development, including child care facilities and communal facilities and amenities, and the proposed gross floor space for each such service. Where it is not proposed to provide one childcare facility for each 75 houses in the proposed development, the request should be accompanied by a statement of the rationale for this,
- (D) other proposed uses in the development, the zoning of which facilitates such use, including the proposed gross floor space for each such use,
- (E) any proposals to address or, where relevant, integrate the proposed development with surrounding land uses,
- (F) any proposals to provide for services infrastructure, for services other than water, (including cabling such as broadband provision) and any phasing proposals,
- (G) proposals under Part V of the Planning and Development Act 2000, where relevant, and
- (H) details of protected structures, national monuments or other monuments included in the Record of Monuments and Places, where relevant.

13. Statements enclosed with request

- (A) Is the request accompanied by a statement that, in the prospective applicant's opinion, the proposed strategic housing development is consistent with relevant guidelines issued by the Minister under section 28 of the Planning and Development Act 2000?

Yes [] No [] [*Place X in appropriate box*]

The statement should be accompanied by a list of the guidelines considered by the prospective applicant in making the statement.

- (B) Is the request accompanied by a statement that, in the prospective applicant's opinion, subject to Statement (C) where appropriate, the proposed strategic housing development is consistent with relevant objectives of the development plan or local area plan concerned?

Yes [] No [] [*Place X in appropriate box*]

The statement should be accompanied by a list of the principal plan objectives considered by the prospective applicant in making the statement.

- (C) In the case where the proposed strategic housing development would materially contravene a relevant objective of the development plan or local area plan, other than in relation to the zoning of the land, is the request accompanied by a statement of the objective concerned and why permission should, nonetheless, be granted for the development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000?

- (D) Is the request accompanied by a statement that, in the prospective applicant's opinion, the proposed strategic housing development is consistent with the relevant planning scheme for a strategic development zone made under section 169 of the Planning and Development Act 2000?

Yes [] No [] N/A [] [*Place X in appropriate box*]

The statement should be accompanied by a list of the principal provisions of the planning scheme considered by the prospective applicant in making the statement.

14. Proposed residential development

(A) Provide an indicative breakdown of the proposed residential content of the development, as follows:

Houses		
Unit Type	No. of Units	Gross floor space⁸ in m²
1-bed		
2-bed		
3-bed		
4-bed		
4+bed		
Total		

Apartments		
Unit Type	No. of Units	Gross floor space⁸ in m²
1-bed		
2-bed		
3-bed		
4-bed		
4+bed		
Total		

Student Accommodation			
Unit Type	No. of Units	No. of bedspaces	Gross floor space⁸ in m²
1-bed			
2-bed			
3-bed			
4-bed			
4+bed			
Total			

(B) State total number of residential units in proposed development:

(C) State cumulative gross floor space⁸ of residential units, in m²:

15. Proposed ancillary and other uses in the development

- (A) Provide details of the different classes of development proposed as ancillary to residential development and other uses on the land, the zoning of which facilitates such uses, as follows:

Class of development	Gross floor space ⁸ in m ²
Childcare facilities (... ⁹ No. of childcare spaces)	

- (B) State cumulative gross floor space⁸ of ancillary and other development, in m²:

- (C) State cumulative gross floor space⁸ of residential units, ancillary and other uses, in m²:

- (D) Express 14(C) as a percentage of 15(C): %

16. Strategic housing development details

Except in the case of Question 16(F), where the reply to a Question in this section is "Yes", submit a brief statement/explanation with the request and, as appropriate, related plans, drawings and maps.

- (A) Is an Environmental Impact Statement (EIS) required for the proposed development?¹⁰

Yes [] No [] [*Place X in appropriate box*]

- (B) Is the proposed development, in whole or in part, within or close to a European site or a Natural Heritage Area?

Yes [] No [] [*Place X in appropriate box*]

- (C) Is a Natura Impact Statement (NIS) required for the proposed development?¹¹

Yes [] No [] [*Place X in appropriate box*]

- (D) Is the proposed development likely to have significant effects on the environment in a transboundary state?

Yes [] No [] [*Place X in appropriate box*]

- (E) Does the proposed development include an activity requiring an integrated pollution control licence or a waste licence?

Yes [] No [] [*Place X in appropriate box*]

- (F) (i) Is there potential for the proposed development to impact on a public water supply source?

Yes [] No [] [*Place X in appropriate box*]

- (ii) If the answer to Question 16(F)(i) is "Yes", the request should be accompanied by evidence that the prospective applicant has engaged with Irish Water in relation to protecting that water source.

- (G) Does the proposed development involve the demolition of any structure (including a habitable house), in whole or in part?
Yes [] No [] *[Place X in appropriate box]*
- (H) Does the proposed development involve the demolition of a protected structure(s), in whole or in part?
Yes [] No [] *[Place X in appropriate box]*
- (I) Does the proposed development consist of work to a protected structure and/or its curtilage or a proposed protected structure and/or its curtilage?
Yes [] No [] *[Place X in appropriate box]*
- (J) Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?
Yes [] No [] *[Place X in appropriate box]*
- (K) Does the proposed development affect, or is it close to, a national monument in the ownership or guardianship of the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs or a local authority, or is it the subject of a preservation order or temporary preservation order under the National Monuments Acts 1930 to 2014?¹²
Yes [] No [] *[Place X in appropriate box]*
- (L) Is the proposed development in a Strategic Development Zone?
Yes [] No [] *[Place X in appropriate box]*
- (M) Do any statutory notices (e.g. Fire Safety, Enforcement, Dangerous Buildings, Derelict Sites, Building Control, etc.) apply to the site and/or any building thereon?
Yes [] No [] *[Place X in appropriate box]*
- (N) Do the Major Accident Regulations apply to the proposed development?
Yes [] No [] *[Place X in appropriate box]*

17. Where the proposed strategic housing development relates to existing building(s)/structure(s)—

- (A) State estimated gross floor space⁸ of any existing building(s)/structure(s), in m²:
- (B) State estimated gross floor space⁸ of any proposed demolition, in m²:
- (C) State estimated gross floor space⁸ of any building(s)/structure(s) to be retained, in m²:
- (D) State estimated gross floor space⁸ of proposed works (excluding gross floor space of any building(s)/structure(s) to be retained), in m²:

18. Social housing (Part V)

(A) Does Part V of the Planning and Development Act 2000 apply to the proposed strategic housing development?¹³

Yes No [Place X in appropriate box]

(B) If the answer to Question 18(A) is “Yes”, provide details as to how the applicant proposes to comply with section 96 of Part V of the Act including, for example—

- (i) details of such part or parts of the land for the proposed development or is or are specified by the Part V agreement, or houses situated on such aforementioned land or elsewhere in the planning authority’s functional area proposed to be transferred to the planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority’s functional area proposed to be leased to the planning authority, or details of any combination of the foregoing, and
- (ii) details of the calculations and methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as an appropriate share of any common development works as required to comply with the provisions in Part V of the Act, and
- (iii) a layout plan showing the location of proposed Part V units in the development.

(C) If the answer to Question 18(A) is “No” by virtue of section 96(13) of the Planning and Development Act 2000¹⁴, provide details indicating the basis on which section 96(13) is considered to apply to the proposed development.

19. Water services

Where it is proposed to connect the strategic housing development to a public water or wastewater network, the request must be accompanied by evidence that Irish Water has confirmed that there is or will be sufficient water network treatment capacity to service the proposed development.

(A) Proposed source of water supply [tick as appropriate]:

Existing connection: New connection:

Public mains: Group Water Scheme:

Private well:

Other (specify):

Where applicable, state name of Group Water Scheme:

(B) Proposed wastewater management/treatment:

Existing: New:

Public Sewer: Conventional septic tank system:

Other on-site treatment system (specify):

Where the disposal of wastewater for the proposed development is other than to a public sewer, provide information on the on-site treatment system proposed and evidence as to the suitability of the site for the system proposed:

(C) Proposed surface water disposal:

Public sewer/drain: Soakpit:

Watercourse:

Other (specify):

20. Traffic and transportation and associated infrastructure

Submit a statement on how the proposed strategic housing development would address traffic and transportation issues, including road infrastructure, traffic generation, pedestrian and cyclist linkages and safety, public transport availability and capacity and, where applicable, issues regarding scoping of a Traffic/Transportation Impact Assessment.

Is the statement enclosed?

Yes [] No [] *[Place X in appropriate box]*

21. Other information that prospective applicant wishes to provide

Is any other information, drawings or representations that the prospective applicant wishes to provide or make available enclosed with the request?

Yes [] No [] *[Place X in appropriate box]*

22. Maps, plans and drawings¹⁵

List in a schedule accompanying this request all maps, plans and drawings enclosed with the request, stating title, scale and number.

23. Request Fee

Is the required fee enclosed with the request:

Yes [] No [] *[Place X in appropriate box]*

CONTACT DETAILS — NOT TO BE PUBLISHED

24. Applicant

Address:

Telephone number:

Mobile number (if any):

E-mail address (if any):

Where the applicant is a company:

Name(s) of company director(s):

Contact name:

Telephone number:

E-mail address:

25. Person/agent (if any) acting on behalf of the applicant

Address:

Telephone number:

Mobile number (if any):

E-mail address (if any):

Should all correspondence be sent to the agent's address above?

Yes [] No []

[Please note that if the answer is "No", all correspondence will be sent to the applicant's address]

26. Person responsible for preparation of maps, plans and drawings

Address:

Telephone number:

Mobile number (if any):

E-mail address (if any):

27. Contact for arranging entry on site, if required

Name:

Mobile number:

E-mail address:

Directions for completing request form

- 1 A prospective applicant must send 2 printed copies of the request to the Board, together with 3 copies of the request in a machine readable form on digital devices. A prospective applicant must send 6 printed copies of the request, together with one copy of the request in a machine readable form on a digital device, to the planning authority or each authority where the proposed strategic housing development would be situated in the area of more than one authority.
- 2 In this form, “prospective applicant” means the person seeking the planning permission, not an agent acting on his or her behalf. Where there is more than one applicant, the details of all applicants should be inserted, as required, on the form.
- 3 Where the plans have been drawn up by a firm/company the name of the person primarily responsible for the preparation of the drawings and plans, on behalf of that firm/company, should be stated.
- 4 In this form, “planning authority” means the planning authority in whose area the proposed strategic housing development would be situated. Where the proposed development would be situated in the area of more than one planning authority, the relevant details should be supplied separately in respect of each such authority.
- 5 The site location map shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500, with the site boundary clearly delineated in red.
- 6 Where available, please provide the application site boundary, as shown in the submitted plans/drawings, as an ESRI shapefile in the Irish Transverse Mercator (ITM IRENET95) co-ordinate reference system. Alternatively, a CAD file in .dwg format, with all geometry referenced to ITM, may be provided.
- 7 The draft layout plan shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500, shall show buildings, roads, boundaries, septic tanks and 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.
- 8 Gross floor space means the area ascertained by the internal measurement of the floor space on each floor of a building (including internal walls and partitions), i.e. floor areas must be measured from inside the external wall, disregarding any floor space provided for the parking of vehicles by persons occupying or using the building or buildings where such floor space is incidental to the primary purpose of the building.
- 9 Insert proposed number of childcare spaces.
- 10 An Environmental Impact Statement (EIS) is required to accompany an application for permission for strategic housing development of a class set out in Schedule 5 of the Planning and Development Regulations 2001-2017 which exceeds a limit, quantity or threshold set for that class of development. An EIS will be required in respect of sub-threshold strategic housing development where the Board considers that the proposed development would be likely to have significant effects on the environment. Under section 7(1)(a)(i)(I) of the Planning and Development (Housing) and Residential Tenancies Act 2016, a prospective applicant may, following the pre-application consultation meeting with the Board, request the Board to carry out an EIA screening in respect of a proposed strategic housing development.
- 11 An appropriate assessment (AA) is required to accompany an application for permission for strategic housing development in cases where it cannot be excluded that the proposed development would have a significant effect on a European site. Under section 7(1)(a)(i)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016, a prospective applicant may, following the pre-application consultation meeting with the Board, request the Board to carry out an AA screening in respect of a proposed strategic housing development.
- 12 (a) National Monuments

A list of national monuments in the ownership or guardianship of the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs is available for download from the National Monuments Service website (www.archaeology.ie) under *National Monuments in State Care*. A list of preservation orders is similarly available from this website (under *Monument Protection*). The relevant local authority should be contacted in relation to national monuments in its ownership or guardianship. If a proposed strategic housing development affects or is close to a national monument that is in the ownership or guardianship of the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs or a local authority, or is the subject of a preservation order or a temporary preservation order, a separate statutory consent for the development is required from that Minister under the National Monuments Acts.

(b) Other Monuments

The Record of Monuments and Places (RMP), established under section 12 of the National Monuments (Amendment) Act 1994, is available for each county in the public libraries and principal local authority offices in that county. It is also available for download from the National Monuments Service website (www.archaeology.ie) under *Publications, Forms & Legislation*. If a proposed strategic housing development affects or is close to a monument listed in the RMP, there is a separate requirement to give two months advance notice of any proposed work to the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs. No work may commence within the two month period except in the case of urgent necessity and with the consent of that Minister.

13 Part V of the Planning and Development Act 2000 applies where—

- the land is zoned for residential use or for a mixture of residential and other uses,
- there is an objective in the Development Plan for the area for a percentage of the land to be made available for social and/or affordable housing, and
- the proposed development is not exempt from Part V.

14 Under section 96(13) of the Planning and Development Act 2000, Part V does not apply to certain housing developments by approved voluntary housing bodies, certain conversions, the carrying out of works to an existing house or the development of houses under an agreement made under section 96 of the Act.

15 All maps, plans and drawings, should, insofar as possible, comply with articles 297 and 298 of the Planning and Development Regulations 2001 to 2017.

Site notice of strategic housing development application to An Bord Pleanála

I,.....¹, intend to apply to An Bord Pleanála: (the Board) for permission for a strategic housing development at this site.....²

The development will consist of.....³

The application may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, during public opening hours at the offices of An Bord Pleanála and⁴. The application may also be inspected online at the following website set up by the applicant:⁵.

A submission or observation in relation to the application may be made in writing to An Bord Pleanála, 64 Marlborough Street, Dublin 1, on payment of the prescribed fee of €20, within the period of 5 weeks beginning on the date of receipt by the Board of the application, and such submission or observations will be considered by the Board in making a decision on the application. The Board may grant permission subject to or without conditions, or may refuse to grant permission.

Signed:.....⁶

Date of erection of site notice.....⁷

Directions for completing site notice

- 1 The name of the applicant for permission (and not his or her agent) should be inserted here.
- 2 The location, townland or postal address of the land or structure to which the application relates should be inserted here.
- 3 A description of the nature and extent of the proposed strategic housing development should be inserted here. The description should include—
 - (a) the types and number of proposed houses or student accommodation units, as the case may be,
 - (b) in the case of student accommodation units, the combined number of bedspaces, and any other uses to which those units may be put,
 - (c) proposed services ancillary to the residential development,
 - (d) other proposed uses in the development of the land, the zoning of which facilitates such use,
 - (e) where an environmental impact statement or Natura impact statement has been prepared in respect of the application, an indication of that fact,
 - (f) where the development includes the retention of a structure, the nature of the proposed use of the structure and, where appropriate, the period for which it is proposed to retain the structure,
 - (g) where the proposed development includes the carrying out of works to a protected structure or proposed protected structure, an indication of that fact,
 - (h) where the proposed development includes an activity requiring an integrated pollution control licence or a waste licence, an indication of that fact, and
 - (i) where the proposed development includes the provision of, or modifications to an establishment within the meaning of Part 11 of these Regulations (Major Accidents Directive), an indication of that fact.
- 4 The name of the planning authority or authorities in whose functional area or areas the proposed development would be situated should be entered here.
- 5 The website at which the application and related documents can be inspected online should be specified here.
- 6 Either the signature of the applicant or the signature of the person acting on behalf of the applicant should be inserted here.
- 7 The date that the notice is erected or fixed at the site should be inserted here.

Newspaper notice of strategic housing development application to An Bord Pleanála

I,.....¹, intend to apply to An Bord Pleanála (the Board) for permission for a strategic housing development at.....²

The development will consist of.....³

The application contains a statement setting out how the proposal will be consistent with [the] ⁴ objectives of the relevant development plan or local area plan.

[INSERT WHERE RELEVANT:]⁵

The application contains a statement indicating why permission should be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000, notwithstanding that the proposed development materially contravenes a relevant development plan or local area plan other than in relation to the zoning of the land.

[INSERT WHERE RELEVANT:]⁶

A[n] [environmental impact statement] [and a] [Natura impact statement] [has][have] been prepared in respect of the proposed development.

[INSERT WHERE RELEVANT:]⁵

The proposed development is likely to have significant effects on the environment of a Member State of the European Union or a state that is a party to the Transboundary Convention.

The application[, together with a[n] [environmental impact statement] [and a] [Natura impact statement,]]⁴ may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, during public opening hours at the offices of the Board and⁷. The application may also be inspected online at the following website set up by the applicant:⁸.

Any person may, within the period of 5 weeks beginning on the date of receipt by the Board of the application and on payment of the prescribed fee of €....⁹, make a submission or observations in writing to An Bord Pleanála, 64 Marlborough Street, Dublin 1, relating to the implications of the proposed development, if carried out, for proper planning and sustainable development in the area or areas concerned, and the likely effects on the environment or the likely effects on a European site, as the case may be, of the proposed development, if carried out. Submissions or observations duly made will be considered by the Board in making a decision on the application.

The Board may grant permission for the strategic housing development as proposed or subject to such modifications as it specifies in its decision or may grant permission for the development in part only, with or without any other modifications it may specify in its decision, or may refuse to grant permission for the

development. The Board may attach to a grant of permission such conditions as it considers appropriate.

A person may question the validity of a decision of the Board by way of an application for judicial review, under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986), in accordance with sections 50 and 50A of the Planning and Development Act 2000 (No. 30 of 2000), as amended. Practical information on the review mechanism is available at the following link:¹⁰.

Signed:.....¹¹

Date of erection of site notice.....¹²

Directions for completing newspaper notice

- 1 The name of the applicant for permission (and not his or her agent) should be inserted here.
- 2 The location, townland or postal address of the land or structure to which the application relates should be inserted here.
- 3 A description of the nature and extent of the proposed strategic housing development should be inserted here. The description should include—
 - (a) the types and number of proposed houses or student accommodation units, as the case may be,
 - (b) in the case of student accommodation units, the combined number of bedspaces, and any other uses to which those units may be put,
 - (c) proposed services ancillary to the residential development,
 - (d) other proposed uses in the development of the land, the zoning of which facilitates such use,
 - (e) where an environmental impact statement or Natura impact statement has been prepared in respect of the application, an indication of that fact,
 - (f) where the proposed development includes the retention of a structure, the nature of the proposed use of the structure and, where appropriate, the period for which it is proposed to retain the structure,
 - (g) where the proposed development includes the carrying out of works to a protected structure or proposed protected structure, an indication of that fact,
 - (h) where the proposed development includes an activity requiring an integrated pollution control licence or a waste licence, an indication of that fact, and
 - (i) where the proposed development includes the provision of, or modifications to an establishment within the meaning of Part 11 of these Regulations (Major Accidents Directive), an indication of that fact.
- 4 Delete text in square brackets, where appropriate.
- 5 This statement must be included in the notice where relevant.
- 6 This statement, with appropriate deletions of text in square brackets, must be included in the notice where one or both of the statements concerned accompany the application.
- 7 The name of the planning authority or authorities in whose functional area or areas the proposed development would be situated should be entered here.
- 8 The website at which the application and related documents may be inspected online should be specified here.
- 9 Insert amount of fee.
- 10 Insert relevant link to Board's website here.
- 11 Either the signature of the applicant or the signature of the person acting on behalf of the applicant should be inserted here.
- 12 The date that the notice is erected or fixed at the site should be inserted here.

Form of application to An Bord Pleanála in respect of proposed strategic housing development¹

BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING
Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information, will lead to the Board refusing to deal with your application. Therefore, ensure that each section of this application form is fully completed and signed, entering n/a (not applicable) where appropriate, and that all necessary documentation is attached to the application form.

OTHER STATUTORY CODES

An applicant will not be entitled solely by reason of a planning permission to carry out the development. The applicant may need other statutory consents, depending on the type of development. For example, all new buildings, extensions and alterations to, and certain changes of use of existing buildings must comply with building regulations, which set out basic design and construction requirements.

DATA PROTECTION

It is the responsibility of persons or entities wishing to use any personal data on a planning application form for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1988 and 2003. The Office of the Data Protection Commissioner state that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender, including prosecution.

Declaration

I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the requirements of the Planning and Development Act 2000 and Chapter 1 of Part 2 of the Planning and Development (Housing) and Residential Tenancies Act 2016 and the Regulations made thereunder. In this regard, I also hereby declare that, to the best of my knowledge and belief, the copies of the application documents sent to the planning authority, prescribed bodies, etc., and displayed on any website under the applicant's control are identical to the application documents being deposited with the Board.

Signed (Applicant or Agent as appropriate):

.....

Date

1. Name of applicant²:

[Contact details to be supplied in section 23 of this form.]

2. Where applicant is a company registered under the Companies Act:

Registered address of company:

Company registration number:

[Contact details to be supplied in section 23 of this form.]

3. Name of person/agent (if any) acting on behalf of the applicant:

[Contact details to be supplied in section 24 of this form.]

4. Person responsible for preparation of maps, plans and drawings³

Name:

Firm/Company:

[Contact details to be supplied in section 25 of this form.]

5. Name of planning authority⁴:

6. Site of proposed strategic housing development

(A) Is a site location map enclosed with this application⁵?

Yes No [*Place X in appropriate box*]

(B) State postal address or townland or location (as may best identify the site in question):

(C) State Ordnance Survey Map Reference Number (and the Grid Reference where available)⁶:

(D) State the zoning objective of the site in the current Development Plan or Local Area Plan for the area:

(E) State the existing use(s) of the site and proposed use(s) of the site:

(F) State the site area to which the application relates, in hectares: ha.

7. Applicant's interest in the site, etc.

(A) Place X in appropriate box to indicate applicant's interest in the site:

Owner

Site owner has consented to applicant making an application for permission for a proposed strategic housing development in respect of the site:

Please state the name and address of the site owner and supply a letter of consent to the making by the applicant of an application for permission for a proposed strategic housing development in respect of the site, signed by the site owner:

(B) Does the applicant own or control adjoining, abutting or adjacent lands?

Yes No [*Place X in appropriate box*]

If the answer to Question 7(B) is "Yes", identify the lands and the nature of the control involved:

8. Site history

(A) Is the applicant aware of the site ever having been flooded?

Yes No [*Place X in appropriate box*]

If the answer to Question 8(A) is "Yes", give details e.g. year, extent:

(B) Is the applicant aware of previous uses of the site e.g. dumping or quarrying?

Yes No [*Place X in appropriate box*]

If the answer to Question 8(B) is "Yes", give details:

(C) Is the applicant aware of any valid planning applications previously made in respect of the site?

Yes No [*Place X in appropriate box*]

If the answer to Question 8(C) is "Yes", complete the following table:

Reg. Ref. No.	Nature of Proposed Development	Nature of final decision on application: grant or refusal by planning authority or An Bord Pleanála

Note that if an application for permission for strategic housing development or a planning application under section 34 of the Planning and Development Act 2000 has been made in respect of this site in the 6 months prior to the submission of this application, the site notice for the current application in respect of strategic housing development must be on a yellow background⁷.

9. Description of proposed strategic housing development:

Provide a description of the nature and extent of the proposed development, including—

- (a) the proposed types and numbers of houses, student accommodation units, or both,
- (b) in the case of student accommodation units, the combined number of bedspaces, and any other uses to which those units may be put,
- (c) proposed services ancillary to the residential development,
- (d) other proposed uses in the development of the land, the zoning of which facilitates such use, and
- (e) where an environmental impact statement or Natura impact statement has been prepared in respect of the application, an indication of that fact.

10. Pre-application consultations

- (A) Consultation with planning authority
State the date(s) (and planning authority reference number) of the consultation meeting(s) with the planning authority under section 247 of the Planning and Development Act 2000:

Meeting date(s):

Planning authority reference number:
- (B) Consultation with An Bord Pleanála
State the date(s) (and Board reference number) of the pre-application consultation meeting(s) with the Board:

Meeting date(s):

Board reference number:
- (C) Any consultation with prescribed authorities or the public
Provide details of any other consultations the applicant had with authorities prescribed under paragraphs (b) and (c) of section 8(1) of the Planning and Development (Housing) and Residential Tenancies Act 2016 or with the public:

11. Application requirements

- (A) (i) Is a copy of the page from the newspaper containing the notice relating to the proposed strategic housing development enclosed with this application?
Yes [] No [] [*Place X in appropriate box*]
- (ii) If the answer to Question 11(A)(i) is “Yes”, state name(s) of newspaper(s) and date(s) of publication:
- (B) (i) Is a copy of the site notice relating to the proposed development enclosed with this application?⁷
Yes [] No [] [*Place X in appropriate box*]
- (ii) If the answer to Question 11(B)(i) is “Yes”, state date on which the site notice was erected:
- (iii) Note that the location of the site notice(s) should be shown on the site location map enclosed with this application.
- (C) (i) Is an Environmental Impact Statement (EIS) required for the proposed development?⁸
Yes [] No [] [*Place X in appropriate box*]
- (ii) If the answer to Question 11(C)(i) is “Yes”, is an EIS enclosed with this application?
Yes [] No [] [*Place X in appropriate box*]
- (D) Is the proposed development, in whole or in part, within or close to a European site or a Natural Heritage Area?
Yes [] No [] [*Place X in appropriate box*]
- (E) (i) Is a Natura Impact Statement (NIS) required for the proposed development?⁹
Yes [] No [] [*Place X in appropriate box*]
- (ii) If the answer to the Question 11(E)(i) is “Yes”, is a NIS enclosed with this application?
Yes [] No [] [*Place X in appropriate box*]
- (F) Has a copy of this application, and any EIS and/or NIS required, been sent to the planning authority, in both printed and electronic form?
Yes [] No [] [*Place X in appropriate box*]
- (G) (i) Has a copy of this application, and any EIS and/or NIS required, together with a notice stating that submissions or observations may be made in writing to An Bord Pleanála during the period of 5 weeks from the receipt by the Board of the application, been sent to the relevant prescribed authorities, in both printed and electronic format?¹⁰
Yes [] No [] N/A [] [*Place X in appropriate box*]
- (ii) If the answer to Question 11(G)(i) is “Yes”, list the prescribed authorities concerned:
- (iii) If the answer to Question 11(G)(i) is “Yes”, state the date on which the required documents and electronic copy were sent to the relevant prescribed authorities:

- (H) (i) Is the proposed development likely to have significant effects on the environment of a Member State of the European Union or a state that is a party to the Transboundary Convention?

Yes No [*Place X in appropriate box*]

- (ii) If the answer to Question 11(H)(i) is “Yes”, has a copy of this application and the accompanying EIS, together with a notice stating that submissions or observations may be made in writing to An Bord Pleanála during the period of 5 weeks from the receipt by the Board of the application, been sent to the relevant authority in the state or states concerned, in both printed and electronic format?

Yes No [*Place X in appropriate box*]

- (iii) If the answer to Question 11(H)(ii) is “Yes”, list the state(s) and the prescribed authorities concerned:

- (iv) If the answer to Question 11(H)(ii) is “Yes”, state the date on which the required documents and electronic copy were sent to the relevant prescribed authorities:

12. Statements enclosed with application

Are the following statements enclosed with the application?

- (A) A statement that, in the prospective applicant’s opinion, the proposed strategic housing development is consistent with relevant guidelines issued by the Minister under section 28 of the Planning and Development Act 2000.

Enclosed? Yes No [*Place X in appropriate box*]

The statement should be accompanied by a list of the guidelines considered by the prospective applicant in making the statement and proposals forming part of the application that demonstrate the consistency of the proposed development with the guidelines.

- (B) A statement setting out how the proposed strategic housing development will be consistent with the relevant objectives of the relevant development plan.

Enclosed? Yes No [*Place X in appropriate box*]

The statement should be accompanied by a list of each relevant development plan objective considered by the prospective applicant in making the statement and proposals forming part of the application that demonstrate the consistency of the proposed development with that objective.

- (C) Where applicable, a statement setting out how the proposed strategic housing development will be consistent with the relevant objectives of the local area plan.

Enclosed?

Yes No N/A [*Place X in appropriate box*]

The statement should be accompanied by a list of each relevant local area plan objective considered by the prospective applicant in making the statement and any proposals forming part of the application that demonstrate the consistency of the proposed development with that objective.

- (D) Where applicable, a statement that, in the applicant’s opinion, the proposed strategic housing development is consistent with the planning scheme for a strategic development zone.

Enclosed?

Yes No N/A [*Place X in appropriate box*]

The statement should be accompanied by a list of the principal provisions of the planning scheme considered by the prospective applicant in making the statement.

- (E) Where the Board notified the prospective applicant of its opinion that the documents enclosed with the request for pre-application consultations required further consideration and amendment in order to constitute a reasonable basis for an application for permission, a statement of any changes made to the proposals in consequence.

Enclosed?

Yes No N/A [*Place X in appropriate box*]

- (F) Where the Board notified the prospective applicant that specified additional information should be submitted with any application for permission, a statement that such information accompanies the application.

Enclosed?

Yes No N/A [*Place X in appropriate box*]

13. Material contravention of development/local area plan

Where the proposed strategic housing development materially contravenes the relevant development plan or local area plan, other than in relation to the zoning of the land, is a statement enclosed with the application indicating the plan objective concerned and why permission should, nonetheless, be granted for the proposed development, having regard to a consideration specified in section 37(2)(b) of the Planning and Development Act 2000?

Enclosed? [*Place X in appropriate box*]

Yes No N/A

14. Proposed residential development

- (A) Provide a breakdown of the proposed residential content of the development, as follows:

Houses		
Unit Type	No. of Units	Gross floor space ¹¹ in m ²
1-bed		
2-bed		
3-bed		
4-bed		
4+bed		
Total		

Apartments		
Unit Type	No. of Units	Gross floor space ¹¹ in m ²
1-bed		
2-bed		
3-bed		
4-bed		
4+bed		
Total		

Student Accommodation			
Unit Type	No. of Units	No. of bedspaces	Gross floor space¹¹ in m²
1-bed			
2-bed			
3-bed			
4-bed			
4+bed			
Total			

(B) State total number of residential units in proposed development:

(C) State cumulative gross floor space¹¹ of residential units, in m²:

15. Proposed ancillary and other uses in the proposed strategic housing development

(A) Provide details of the different classes of development proposed as ancillary to residential development and other uses on the land, the zoning of which facilitates such uses, as follows:

Class of development	Gross floor space¹¹ in m²
Childcare facilities (... ¹² No. of childcare spaces)	

Where it is not proposed to provide one childcare facility for each 75 houses in the proposed development, the application should be accompanied by a statement of the rationale for this.

(B) State cumulative gross floor space¹¹ of ancillary and other development, in m²:

(C) State cumulative gross floor space¹¹ of residential units, ancillary and other uses, in m²:

(D) Express 14(C) as a percentage of 15(C): %

16. Strategic housing development details

(A) Are details of housing density, plot ratio, site coverage, building heights, proposed layout and aspect enclosed with the application?

Yes [] No [] [*Place X in appropriate box*]

(B) Are details of public and private open space provision, landscaping, play facilities, pedestrian permeability, vehicular access and parking provision, where relevant, enclosed with the application?

Yes [] No [] [*Place X in appropriate box*]

(C) Are details of any proposals to address or, where relevant, integrate the proposed development with surrounding land uses enclosed with the application?

Yes [] No [] [*Place X in appropriate box*]

(D) Are details of any proposals to provide for services infrastructure other than water, such as cabling (including broadband provision) and any phasing proposals enclosed with the application?

Yes [] No [] [*Place X in appropriate box*]

(E) (i) Does the proposed development include an activity requiring an integrated pollution control licence or a waste licence?

Yes [] No [] [*Place X in appropriate box*]

(ii) If the answer to Question 16(E)(i) is “Yes”, give details:

(F) (i) Does the proposed development involve the demolition of any structure (including a habitable house), in whole or in part?

Yes [] No [] [*Place X in appropriate box*]

(ii) If the answer to Question 16(F)(i) is “Yes”, enclose a brief explanation with this application.

(G) (i) Does the proposed development involve the demolition of a protected structure(s), in whole or in part?

Yes [] No [] [*Place X in appropriate box*]

(ii) If the answer to Question 16(G)(i) is “Yes”, an explanation as to the need for the demolition of a protected structure(s) should be enclosed with this application.

(H) (i) Does the proposed development consist of work to a protected structure and/or its curtilage or a proposed protected structure and/or its curtilage?

Yes [] No [] [*Place X in appropriate box*]

(ii) If the answer to Question 16(H)(i) is “Yes”, provide photographs, plans and other particulars necessary to show how the proposed development would affect the character of the structure.

(I) (i) Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?

Yes [] No [] [*Place X in appropriate box*]

(ii) If the answer to Question 16(I)(i) is “Yes”, provide photographs, plans and other particulars necessary to show how the proposed development would affect the character of the structure.

(J) (i) Does the proposed development affect, or is it close to, a national monument in the ownership or guardianship of the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs or a local authority, or is it the subject of a preservation order or temporary preservation order under the National Monuments Acts 1930 to 2014?¹³

Yes [] No [] [*Place X in appropriate box*]

(ii) If the answer to Question 16(J)(i) is “Yes”, enclose a brief explanation with this application.

(K) (i) Is the proposed development in a Strategic Development Zone?

Yes [] No [] [*Place X in appropriate box*]

(ii) If the answer to Question 16(K)(i) is “Yes”, enclose a statement of how the proposed development is consistent with the planning scheme for the Zone.

(L) (i) Do any statutory notices (e.g. Fire Safety, Enforcement, Dangerous Buildings, Derelict Sites, Building Control, etc.) apply to the site and/or any building thereon?

Yes [] No [] [*Place X in appropriate box*]

(ii) If the answer to Question 16(L)(i) is “Yes”, give details:

(M) Do the Major Accident Regulations apply to the proposed development?

Yes [] No [] [*Place X in appropriate box*]

(N) (i) Is information specified by the Board as necessary for inclusion in any application for permission for the proposed development, so included?

Yes [] No [] N/A [] [*Place X in appropriate box*]

(ii) If the answer to Question 16(N)(i) is “Yes”, give details of the specified information accompanying the application:

17. Where application relates to existing building(s)/structure(s) —

(A) State gross floor space¹¹ of any existing building(s)/structure(s), in m²:

(B) State gross floor space¹¹ of any proposed demolition, in m²:

(C) State gross floor space¹¹ of any building(s)/structure(s) to be retained, in m²:

(D) State gross floor space¹¹ of proposed works (excluding gross floor space of any building(s)/structure(s) to be retained), in m²:

18. Where application relates to material change of use of land or structure—

(A) State existing use of land or structure:
.....

(B) Where the existing land or structure is not in use, state most recent authorised use of the land or structure:

(C) State proposed use:

(D) State nature and extent of any such proposed use:
.....

(E) Plans, including a site or layout plan and drawings of floor plans, elevations and sections that comply with the requirements of articles 297 and 298 and other particulars required describing the works proposed, should be enclosed with this application.

19. Social housing (Part V)

(A) Does Part V of the Planning and Development Act 2000 apply to the proposed strategic housing development?¹⁴

Yes [] No [] [*Place X in appropriate box*]

(B) If the answer to Question 19(A) is “Yes”, the following must be enclosed with the application form—

(a) details as to how the applicant proposes to comply with section 96 of Part V of the Act including, for example—

(i) details of such part or parts of the land for the proposed development that is subject to the application for permission or is or are specified by the Part V agreement, or houses situated on such aforementioned land or elsewhere in the planning authority’s functional area proposed to be transferred to the planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority’s functional area proposed to be leased to the planning authority, or details of any combination of the foregoing, and

(ii) details of the calculations and methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as an appropriate share of any common development works as required to comply with the provisions in Part V of the Act, and

(b) a layout plan showing the location of proposed Part V units in the proposed development.

(C) If the answer to Question 19(A) is “No” by virtue of section 96(13) of the Planning and Development Act 2000¹⁵, details must be enclosed with this application form indicating the basis on which section 96(13) is considered to apply to the proposed development.

20. Water servicesNote

Where it is proposed to connect the strategic housing development to a public water or wastewater network or both, the application must be accompanied by—

(a) evidence that Irish Water has confirmed that there is or will be sufficient water network treatment capacity to service the development,

(b) a statement of the applicant’s opinion that the proposals for water or wastewater infrastructure, or both, is consistent with all relevant design standards and codes of practice specified by Irish Water; and

(c) an indication of timelines and phasing for water demand or wastewater collection requirements, or both, as appropriate.

(A) Proposed source of water supply [tick as appropriate]:

Existing connection: [] New connection: []

Public mains: [] Group Water Scheme: []

Private well: []

Other (specify):

Where applicable, state name of Group Water Scheme:

(B) Proposed wastewater management/treatment:

Existing: [] New: []

Public Sewer: [] Conventional septic tank system: []

Other on-site treatment system (specify):

Where the disposal of wastewater for the proposed development is other than to a public sewer, provide information on the on-site treatment system proposed and evidence as to the suitability of the site for the system proposed:

(C) Proposed surface water disposal:

Public sewer/drain: [] Soakpit: []

Watercourse: []

Other (specify):

(D) Irish Water

(i) Where the proposed development has the potential to impact on a public water supply source, irrespective of whether or not a connection to a water/wastewater network is required, this application must be accompanied by evidence of engagement with Irish Water and its outcome.

(ii) Where the proposed development will impact on the assets of Irish Water, this application must be accompanied by details of proposals to protect, etc., such assets.

21. Traffic and transportation

(A) Is a Traffic/Transportation Impact Assessment included with the application, having regard to the relevant Development Plan/Local Area Plan requirements and the Traffic Management Guidelines [DoT/DoEHLG/DTO, 2003]?

Yes [] No [] *[Place X in appropriate box]*

(B) Is a Travel Plan included with the application, having regard to the relevant Development Plan/ Local Area Plan requirements?

Yes [] No [] *[Place X in appropriate box]*

(C) Is a Road Safety Audit included with the application, having regard to the relevant Development Plan/ Local Area Plan requirements?

Yes [] No [] *[Place X in appropriate box]*

22. Taking in charge

Is it intended that any part of the proposed strategic housing development will be taken in charge by the planning authority?

Yes [] No [] *[Place X in appropriate box]*

If the answer is “Yes”, please attach site plan clearly showing area(s) intended for taking in charge.

23. Maps, plans and drawings¹⁶

List in a schedule accompanying this application all maps, plans and drawings enclosed with the application, stating title, scale and number.

24. Application Fee

(A) State fee payable for application:

(B) Set out basis of calculation of fee:

(C) Is fee enclosed with application?

Yes [] No [] [*Place X in appropriate box*]

CONTACT DETAILS — NOT TO BE PUBLISHED

25. Applicant

Address:

Telephone number:

Mobile number (if any):

E-mail address (if any):

Where the applicant is a company:

Name(s) of company director(s):

Contact name:

Telephone number:

E-mail address:

26. Person/agent (if any) acting on behalf of the applicant

Address:

Telephone number:

Mobile number (if any):

E-mail address (if any):

Should all correspondence be sent to the agent's address above?

Yes: [] No: []

[Please note that if the answer is "No", all correspondence will be sent to the applicant's address.]

27. Person responsible for preparation of maps, plans and drawings

Address:

Telephone number:

Mobile number (if any):

E-mail address (if any):

28. Contact for arranging entry on site, if required

Name:

Mobile number:

E-mail address:

Directions for completing application form

- 1 An applicant must send 2 printed copies of the request to the Board, together with 3 copies of the request in a machine readable form on digital devices. An applicant must send 6 printed copies of the request, together with one copy of the request in a machine readable form on a digital device, to the planning authority or each authority where the proposed strategic housing development would be situated in the area of more than one authority.
- 2 In this form, “applicant” means the person seeking the planning permission, not an agent acting on his or her behalf. Where there is more than one applicant, the details of all applicants should be inserted, as required, on the form.
- 3 Where the plans have been drawn up by a firm/company, the name of the person primarily responsible for the preparation of the drawings and plans, on behalf of that firm/company, should be stated.
- 4 In this form, “planning authority” means the planning authority in whose area the proposed strategic housing development would be situated. Where the proposed development would be situated in the area of more than one planning authority, the relevant details should be supplied separately in respect of each such authority.
- 5 The site location map shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500, with the site boundary clearly delineated in red.
- 6 Where available, please provide the application site boundary, as shown in the submitted plans/drawings, as an ESRI shapefile in the Irish Transverse Mercator (ITM IRENET95) co-ordinate reference system. Alternatively, a CAD file in .dwg format, with all geometry referenced to ITM, may be provided.
- 7 See article 292(5) of the Planning and Development Regulations 2001, as amended.
- 8 An Environmental Impact Statement (EIS) is required to accompany an application for permission for strategic housing development of a class set out in Schedule 5 of the Planning and Development Regulations 2001-2017 that exceeds a limit, quantity or threshold set for that class of development. An EIS will be required in respect of sub-threshold strategic housing development where the Board considers that the proposed development would be likely to have significant effects on the environment. Under section 7(1)(a)(i)(I) of the Planning and Development (Housing) and Residential Tenancies Act 2016, a prospective applicant may request the Board to carry out an EIA screening in respect of a proposed strategic housing development.
- 9 An appropriate assessment (AA) is required to accompany an application for permission for strategic housing development in cases where it cannot be excluded that the proposed development would have a significant effect on a European site. Under section 7(1)(a)(i)(II) of the Planning and Development (Housing) and Residential Tenancies Act 2016, a prospective applicant may request the Board to carry out an AA screening in respect of a proposed strategic housing development.
- 10 See article 295 of the Planning and Development Regulations 2001, as amended.
- 11 Gross floor space means the area ascertained by the internal measurement of the floor space on each floor of a building (including internal walls and partitions), i.e. floor areas must be measured from inside the external wall, disregarding any floor space provided for the parking of vehicles by persons occupying or using the building or buildings where such floor space is incidental to the primary purpose of the building.
- 12 Insert number of childcare spaces.
- 13 (a) National Monuments

A list of national monuments in the ownership or guardianship of the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs is available for download from the National Monuments Service website (www.archaeology.ie) under *National Monuments in State Care*. A list of preservation orders is similarly available from this website (under *Monument Protection*). The relevant local authority should be contacted in relation to national monuments in its ownership or guardianship. If a proposed strategic housing development affects or is close to a national monument that is in the ownership or guardianship of the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs or a local authority, or is the subject of a preservation order or a temporary preservation order, a separate statutory consent for the development is required from that Minister under the National Monuments Acts.

(b) Other Monuments

The Record of Monuments and Places (RMP), established under section 12 of the National Monuments (Amendment) Act 1994, is available for each county in the public libraries and principal local authority offices in that county. It is also available for download from the National Monuments Service website (www.archaeology.ie) under *Publications, Forms & Legislation*. If a proposed strategic housing development affects or is close to a monument listed in the RMP, there is a separate requirement to give two months advance notice of any proposed work to the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs. No work may commence within the two month period except in the case of urgent necessity and with the consent of that Minister.

14 Part V of the Planning and Development Act 2000 applies where—

- the land is zoned for residential use or for a mixture of residential and other uses,
- there is an objective in the Development Plan for the area for a percentage of the land to be made available for social and/or affordable housing, and
- the proposed development is not exempt from Part V.

15 Under section 96(13) of the Planning and Development Act 2000, Part V does not apply to certain housing developments by approved voluntary housing bodies, certain conversions, the carrying out of works to an existing house or the development of houses under an agreement made under section 96 of the Act.

16 All maps, plans and drawings, should comply with articles 297 and 298 of the Planning and Development Regulations 2001 to 2017.



GIVEN under my Official Seal,
23 June 2017.

EOGHAN MURPHY,
Minister for Housing, Planning, Community and
Local Government.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations, which come into operation on 3 July 2017, set out procedural and administrative matters relating to proposed strategic housing developments under Chapter 1 of Part 2 of the Planning and Development (Housing) and Residential Tenancies Act 2016. They also prescribe in a Schedule the form of—

- a request to An Bord Pleanála (the Board) to enter into consultations in relation to a proposed strategic housing development,
- the site notice of a strategic housing development application to the Board,
- the newspaper notice of a strategic housing development application to the Board, and
- an application to the Board in respect of strategic housing development.

The Regulations also amend article 81 of the Planning and Development Regulations 2001, as amended, to reduce from 6 weeks to 4 weeks the period for public inspection of local authority proposals for their own developments, including proposals for social housing projects and infrastructure servicing both public and private development.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

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