

KILDARE COUNTY COUNCIL
PLANNING APPLICATION FORM



Planning Department, Áras Chill Dara, Devoy Park, Naas, Co. Kildare.
Tel: 045-980840 Fax: 045-980845
E-mail: plandept@kildarecoco.ie Website: www.kildarecoco.ie

**BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING:
ALL INFORMATION SUBMITTED WITH A PLANNING APPLICATION WILL BE AVAILABLE
TO VIEW ON THE PUBLIC FILE AND ON THE COUNCIL'S WEBSITE**

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 invalidation of your application. Please ensure that each section of this application form is fully completed and signed, entering 'not applicable' where appropriate, and that all necessary documentation is attached to your application form.

Additional Information

It should be noted that the Kildare County Development Plan 2017-2023 sets out local development policies and objectives for County Kildare. The authority may therefore need supplementary information (i.e. other than that required in this form) in order to determine whether the application conforms with the Development Plan and may request this on a supplementary application form (Rural Housing Policy – additional form).

Failure to supply the supplementary information will not invalidate your planning application but may delay the decision-making process or lead to a refusal of permission. Therefore, applicants should contact Kildare County Council to determine what local policies and objectives would apply to the development proposed and whether additional information is required.

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 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. Also any works causing the deterioration or destruction of the breeding and resting places of bats, otters, natterjack toads, Kerry slugs and certain marine animals constitute a criminal offence unless covered by a derogation licence issued by the Minister for Culture, Heritage and the Gaeltacht (pursuant to Article 16 of the Habitats Directive).

Data Protection

The use of the personal details of planning applicants, including for marketing purposes, may be unlawful under the Data Protection Acts 1988-2018 including the General Data Protection Regulation (GDPR) (EU) 2016/679 and may result in action by the Data Protection Commissioner against the sender, including prosecution.

1. Name of Relevant Planning Authority:**KILDARE COUNTY COUNCIL**

2. Location of Proposed Development:Postal Address **or** Townland **or** Location (as may best identify the land or structure in question)

Ordnance Survey Map Ref No (and the Grid Reference where available)¹

3. Type of planning permission (please tick appropriate box):☐ Permission☐ Permission for retention☐ Outline Permission☐ Permission consequent on Grant of Outline Permission

4. Where planning permission is consequent on grant of outline permission:

Outline Permission Register Reference Number: _____

Date of Grant of Outline Permission: ____/____/____

5. Applicant²: (not agent acting on his/her behalf)

Name:

Address must be supplied at the end of this form (Question 24)

6. Where Applicant is a Company (registered under the Companies Acts):

Name(s) of company director(s) _____

Registered Address (of company) _____

Company Registration Number _____

7. Person/Agent acting on behalf of the Applicant (if any): _____

Address to be supplied at the end of this form (Question 25)

8. Person responsible for preparation of Drawings and Plans³:

Name _____

Firm/Company _____

9. Description of Proposed Development:Brief description of nature and extent of development⁴

10. Legal Interest of Applicant in the Land or Structure:

Please tick appropriate box to show applicant's legal interest in the land or structure	A. Owner	B. Occupier
	C. Other	

Where legal interest is 'Other', please expand further on your interest in the land or structure

If you are not the legal owner, please state the name of the owner. The owner's address must be supplied at the end of this form (Question 26) and a letter of consent from the owner to make the application must be supplied as listed in the accompanying documentation

11. Site Area:

Area of site to which the application relates in hectares	
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12. Where the application relates to a building or buildings:

Gross floor space⁵ of any existing building(s) in m² :

Gross floor space of proposed works in m² :

Gross floor space of work to be retained in m² (if appropriate):

Gross floor space of any demolition in m² (if appropriate) :

13. In the case of mixed development (e.g. residential, commercial, industrial, etc), please provide breakdown of the different classes of development and breakdown of the gross floor area of each class of development:

Class of Development	Gross floor area in m ²

14. In the case of residential development please provide breakdown of residential mix:

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4+ Bed	Total
Houses							
Apartments							
Number of car-parking spaces to be provided					Total		

15. Where the application refers to a material change of use of any land or structure or the retention of such a material change of use:

Existing use ⁶ (or previous use where retention permission is sought)	
Proposed use (or use it is proposed to retain)	
Nature and extent of any such proposed use (or use it is proposed to retain)	

16. Social and Affordable Housing

tick appropriate box	Yes	No
Is the application an application for permission for development to which Part V of the Planning and Development Act 2000, as amended applies? ⁷		
If the answer to the above question is "yes" and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with section 96 of Part V of the Act including, for example (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 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		

<p>methodology for calculating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as appropriate share of any common development works as required to comply with the provisions in Part V of the Act.</p> <p>If the answer to the above question is “yes” but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2000 as amended, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the application should be submitted). If the answer to the above question is “no” by virtue of section 96(13) of the Planning and Development Act 2000 as amended, details indicating the basis on which section 96(13) is considered to apply to the development should be submitted</p>		
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17. Development Details

tick appropriate box	Yes	No
Does the proposed development consist of work to a protected structure and/or its curtilage or proposed protected structure and/or its curtilage?		
Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?		
Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act, 1994 ¹⁰		
Does the application relate to work within or close to a European Site (under S.I. No.94 of 1997) or a Natural Heritage Area?		

Does the proposed development require the preparation of an Environmental Impact Assessment Report?		
Does the application relate to a development which comprises or is for the purposes of an activity requiring an integrated pollution prevention and control licence?		
Does the application relate to a development which comprises or is for the purposes of an activity requiring a waste licence?		
Do the Major Accident Regulations apply to the proposed development?		
Does the application relate to a development in a Strategic Development Zone?		
Does the proposed development involve the demolition of any structure?		

18. Site History

Details regarding site history (if known)

Has the site in question ever, to your knowledge, been flooded? Yes ☐ No ☐

If yes, please give details e.g. year, extent. _____

Are you aware of previous uses of the site e.g. dumping or quarrying? Yes ☐ No ☐

If yes, please give details. _____

Are you aware of any valid planning applications previously made in respect of this land/structure?

Yes ☐ No ☐

If yes, please state planning reference number(s) and the date(s) of receipt of the planning application(s) by the planning authority if known:

Reference No.: _____ Date: _____

Reference No.: _____ Date: _____

Reference No.: _____ Date: _____

If a **valid** planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then the site notice must be on a yellow background in accordance with Article 19(4) of the Planning and Development Regulations 2001 as amended.

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

Yes ☐ No ☐ An Bord Pleanála Reference No.: _____

(Note: The Appeal must be determined or withdrawn before another similar application can be made).

19. Pre-application Consultation

Has a pre-application consultation taken place in relation to the proposed development?

Yes ☐ No ☐

If yes, please give details: _____

Reference No. (if any): _____

Date(s) of consultation: ____/____/____

Persons involved: _____

20. Services

A. Proposed Source of Water Supply

Existing connection ☐ New connection ☐

Public Mains ☐ Group Water Scheme ☐ Private Well ☐

Other (please specify): _____

Name of Group Water Scheme (where applicable) _____

B. Proposed Wastewater Management/Treatment

Existing ☐ New ☐

Public Sewer ☐ Conventional septic tank system ☐

Other on-site treatment system ☐ Please specify _____

C. Proposed Surface Water Disposal

Public Sewer/Drain ☐ Soakpit ☐

Watercourse ☐ Other ☐ Please specify _____

21. Details of Public Notice

Approved newspaper ¹⁵ in which notice was published	
Date of publication	
Date on which site notice was erected	

22. Application Fee

Fee Payable	
Basis of Calculation	

23. Declaration

<p>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 Planning & Development Act 2000 as amended, and the Regulations made there under:</p>
<p>Signed _____ (Applicant or Agent as appropriate)</p> <p>Date: _____</p>

ADDITIONAL CONTACT INFORMATION
NOT TO BE MADE AVAILABLE WITH APPLICATION

Please note:

- The applicant's address and telephone number **must** be submitted on this page.
- If the applicant/agent wishes to submit additional contact information, this may be included here.
- This page will not be published as part of the planning file.

24. Applicant²:

Address (Required)	
Eircode (Required)	
Telephone No.	
Email Address	
Fax No. (if any)	

25. Person/Agent acting on behalf of the Applicant (if any):

Address (Required)	
Telephone No.	
Email Address (if any)	
Fax No. (if any)	
<p>Should all correspondence be sent to the agent's address above? (please tick appropriate box) (Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address)</p> <p>Yes [<input type="checkbox"/>] No [<input type="checkbox"/>]</p>	

26. Owner (required where applicant is not the owner):

Address (Required)	
Telephone No.	
Email Address	
Fax No. (if any)	

THIS FORM SHOULD BE ACCOMPANIED BY THE FOLLOWING DOCUMENTATION:

Please note that if the appropriate documentation is not included, your application will be deemed invalid.

A. ALL Planning Applications

- 1 original application form
- 1 original and 5 copies of relevant page of newspaper that contains notice of your application
- 6 copies of the site notice
- ☐ 6 copies of site location map¹⁶
- 6 copies of site or layout plan¹⁶⁺¹⁷
- 6 copies of plans and other particulars required to describe the works to which the development relates (include detailed drawings of floor plans, elevations and sections – except in the case of outline permission)
- The appropriate Planning Fee

B. Where the applicant is not the legal owner of the land or structure in question:

- The written consent of the owner to make the application

C. Where the application is for residential development that is subject to Part V of the 2000 Act as amended:

Details of the manner in which it is proposed to comply with section 96 of Part V of the Act including, for example

(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 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 appropriate share of any common development works as required to comply with the provisions in Part V of the Act.

Or

A certificate of exemption from the requirements of Part V

Or

A copy of the application submitted for a certificate of exemption.

D. Where the application is for residential development that is not subject to Part V of the 2000 Act, as amended by virtue of section 96(13) of the Act:

- ☐ Information setting out the basis on which section 96(13) is considered to apply to the development.

E. Where the disposal of wastewater for the proposed development is 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. Where the application refers to a protected structure/ proposed protected structure/ or the exterior of a structure which is located within an architectural conservation area (ACA):

- ☐ Photographs, plans and other particulars necessary to show how the development would affect the character of the structure.

G. Applications that refer to a material change of use or retention of such a material change of use:

- Plans (including a site or layout plan and drawings of floor plans, elevations and sections which comply with the requirements of Article 23) and other particulars required describing the works proposed.

H. Where an application requires an Environmental Impact Assessment Report:

- An Environmental Impact Assessment Report
- A copy of the confirmation notice received from the EIA portal in accordance with article 97B(2) of the permission regulations

I. Applications that are exempt from planning fees:

- Proof of eligibility for exemption¹⁸

J. Applications for one-off rural dwellings:

- 6 copies of the Rural Housing Application Form and documentation.

DIRECTIONS FOR COMPLETING THIS FORM

1. Grid reference in terms of the Irish Transverse Mercator.
2. "The applicant" means the person seeking the planning permission, not an agent acting on his or her behalf. **PLEASE NOTE THAT THE APPLICANTS FULL NAME MUST BE GIVEN – INITIALS ARE NOT ACCEPTABLE**
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 given.
4. A brief description of the nature and extent of the development, including reference to the number and height of buildings, protected structures, etc.
5. Gross floor space means the area ascertained by the internal measurement of the floor space on each floor of a building; i.e. Floor areas must be measured from inside the external wall.
6. Where the existing land or structure is not in use, please state most recent authorised use of the land or structure.
7. Part V of the Planning and Development Act 2000 as amended 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.
8. Under section 97 of the Planning and Development Act 2000 as amended, applications involving development of 9 or fewer houses or development on land of less than 0.1 hectare may be exempt from Part V.
9. Under section 96(13) of the Planning and Development Act 2000 as amended, 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
10. The Record of Monuments and Places, under section 12 of the National Monuments Amendment Act 1994, is available, for each county, in the local authorities and public libraries in that county. Please note also that if the proposed development affects or is close to a national monument which, under the National Monuments Acts 1930 to 2004, is in the ownership or guardianship of the Minister for Culture, Heritage & the Gaeltacht or a local authority or is the subject of a preservation order or a temporary preservation order, a separate statutory consent is required, under the National Monuments Acts, from the Minister for Culture, Heritage and the Gaeltacht.

For information on whether national monuments are in the ownership or guardianship of the Minister for the Arts, Heritage and the Gaeltacht or a local authority or are the subject of preservation orders, contact the National Monuments Section, Department of Culture, Heritage & the Gaeltacht.

11. An Environmental Impact Assessment Report (EIAR) is required to accompany a planning application for development of a class set out in Schedule 5 of the Planning and Development

Regulations 2001 as amended which exceeds a limit, quantity or threshold set for that class of development. An EIAR will also be required by Kildare County Council in respect of sub-threshold development where the authority considers that the development would be likely to have significant effects on the environment (article 103).

Where an application requires an Environmental Impact Statement this form should be accompanied by:

- ☐ An Environmental Impact Assessment Report, and
- ☐ A copy of the confirmation notice received from the EIA portal in accordance with article 97B(2) of the permission regulations

12. An appropriate assessment of proposed development is required in cases where it cannot be excluded that the proposed development would have a significant effect on a European site. It is the responsibility of the planning authority to screen proposed developments to determine whether an appropriate assessment is required, the authority will normally require the applicant to submit a Natura Impact Statement (NIS). Where the applicant considers that the proposed development is likely to have a significant effect on a European site it is open to him/her to submit a NIS with the planning application.

13. A Planning appeal to An Bord Pleanála must be determined or withdrawn before another similar application can be made.

14. A formal pre-application consultation may only occur under Section 247 of the Planning and Development Act 2000-2015. While it is not mandatory, a pre-planning consultation is recommended. The applicant should contact the planning authority to arrange specific times and locations. In the case of residential development to which Part V of the 2000 Act as amended applies, applicants are advised to avail of the pre-application consultation facility in order to ensure that a Part V agreement in principle can be reached in advance of the planning application being submitted.

15. The list of approved newspapers, for the purpose of giving notice of intention to make a planning application is available from Kildare County Council and is also available on our website, www.kildarecoco.ie

16. All plans, drawings and maps submitted to the planning authority should be in accordance with the requirements of the Planning and Development Regulations 2001 as amended.

17. The location of the site notice(s) should be shown on a site location map.

18. See Schedule 9 of Planning and Development Regulations 2001 as amended. If a reduced fee is tendered, details of previous relevant payments and planning permissions should be given. If exemption from payment of fees is being claimed under Article 157 of the 2001 Regulations, evidence to prove eligibility for exemption should be submitted.



Comhairle Contae Chill Dara Kildare County Council

Data Protection Act 2018 PRIVACY STATEMENT

Who are we?

Kildare County Council (the Council) is the democratically elected unit of Local Government in County Kildare and is responsible for providing a range of services to meet the economic, social and cultural needs of the people of our County. In order to provide the most effective and targeted services to meet the needs of the citizens, communities and businesses of County Kildare we will be required to collect, process and use certain types of information about people and organisations. Depending on the service being offered, information sought may include 'personal data' as defined by the Data Protection Acts and the General Data Protection Regulation (GDPR) and may relate to current, past and future service users; past; current and prospective employees; suppliers; and members of the public who may engage in communications with our staff. In addition, staff may be required, from time to time, to collect process and use certain types of personal data to comply with regulatory or legislative requirements or to carry out functions in the public interest.

Why do we have a Privacy Statement?

This privacy statement has been created to demonstrate the Council's commitment that personal data you may be required to supply to us, to enable us to provide services, is;

- Obtained lawfully, fairly and in a transparent manner
- Obtained for only specified, identified and legitimate purposes
- Processed for purposes which we have identified or purposes compatible with the purposes that we have identified.
- Adequate, relevant and limited to what is necessary for purpose for which it was obtained
- Personal data collected and processed must be accurate and (where necessary) kept up to-date.
- Kept only for as long as is necessary for the purposes for which it was obtained.
- Processed in a manner that ensures the appropriate security of the personal data including protection against unauthorised or unlawful processing.

More detail is available in our Data Protection Policy at

<http://kildare.ie/CountyCouncil/DataProtection/> or you can request a hard copy at 045 980 200.

What is the activity referred to in this Privacy Statement?

Kildare County Council performs the role of Planning Authority for the County. The planning application process is a statutory requirement which allows for the relevant parties and public to participate in the proper development of the lands in the County.



Comhairle Contae Chill Dara

Kildare County Council

What is the basis for making the processing of this personal data lawful?

Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in Kildare County Council in accordance with Article 6(1)(e) of the General Data Protection Regulation, 2016. Specifically the lawful basis for this process is the Planning & Development Acts 2000- 2017 and the Planning and Development Regulations 2001 - 2017. In addition there are also certain delegated functions under the local Government Reform Act 2014.

We require contact details

In order to communicate with you, you will be asked for contact details. You do not have to provide all contact details but providing more, such as email, phone, address, makes it easier to communicate. Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data. These contact details may also be used to verify your identity.

What other types of personal data do we need to undertake this activity?

(a) Data subject - Name, address, contact number, copy of payment receipt, local needs information & supporting documentation which may include documents such as birth certificate, baptismal certificate, credit union details, copy of driving licence, copy of passport, school documentation etc.

(b) Third parties related to the land - name, address, land ownership

(c) Third parties - information related to submissions made to the Planning Authority (Elected Representatives)

Medical records and potentially other sensitive data can be processed under the rural housing local need aspect of this activity. This information is not requested; however it may be voluntarily submitted as part of the application.

What will happen if the personal data is not provided?

All information requested as part of the application process, (excluding the **rural housing** local need information) is mandatory as part of the application process and is required for the application to be considered valid. Any application deemed invalid will not proceed. If the local need information is not submitted, the planner may refuse or request further information on the file in order to satisfy the Planning Authority that the applicant is compliant with the Rural Housing policy of the Kildare County Development Plan 2017-2023

Am I the only source of this personal data?

In some instances to assist with the delivery of the activity or to comply with regulatory or legislative requirements personal data is sourced from a third party. This **may apply** to this activity.



Comhairle Contae Chill Dara

Kildare County Council

Data may be sourced during the planning application process from public sources such as the Property Registration Authority and other publically available information that Kildare County Council may hold.

Is personal data submitted as part of this activity shared with other organisations?

The Council may, to fulfil statutory or regulatory obligations or in the public interest, from time to time, have to share personal data with other organisations or entities (in Ireland or abroad). Where this is required the Council shall have regard to your rights, to the security and integrity of the data and will minimise the data shared.

Sharing **APPLIES** to this activity.

As part of this process, the planning application data which is publicly available may be forwarded to external agencies/consultees such as ESB, Irish Rail, etc. to review and make a submission if they wish. If an application is to be appealed Kildare County Council are required under the Planning and Development Acts to give all details submitted as part of the planning application to An Bord Pleanála, who then become the joint data controller for the information they hold.

Data **IS NOT** transferred to another country.

Data is transferred to (if there are no countries listed, it is not intended to transfer the personal data abroad)

How long is my data kept for?

The Council has a detailed record retention policy which outlines time periods for which your personal data will be retained and what will happen to it after the required retention period has expired. A copy of Record Retention Policy can be accessed via the following link:

http://www.lqma.ie/sites/default/files/2002_national_retention_policy_for_local_authority_records_2.pdf

Do you need to update your records?

Kildare County Council must take reasonable steps to ensure that personal data we have about our customers is correct and up to date.

In addition, if the data held by us is found to be inaccurate you have the right to rectify/correct this.

If you find that personal data we have about you is inaccurate or needs to be updated (for instance, you may have changed your name, address, contact details etc.) then please contact us so that we can correct it. You can do this by:



Comhairle Contae Chill Dara

Kildare County Council

Writing to us at: Kildare County Council, Áras Chill Dara, Devoy Park, Naas, Co Kildare. W91 X77F

Emailing us at customercare@kildarecoco.ie

When making a request to update your record please provide evidence to support this - for example a copy of a document containing your new address – utility (Gas, Electricity, Phone) bill etc.

Your rights:

You have the right to obtain confirmation as to whether data concerning you exists, to request access to personal data held about you, to be informed of the content and source of data and check its accuracy.

If the data held by us is found to be inaccurate you have the right to rectify/correct this – see above on how to update your records.

You also, subject to certain conditions being met, have the right to object to or seek restriction of the processing of personal data and to request the erasure of personal data held by the Council.

Please note that to help protect your privacy, we take steps to verify your identity before granting access to personal data.

To exercise these rights logon to <http://kildare.ie/CountyCouncil/DataProtection/> , use one of the forms at our Counter or contact us.

Kildare County Council - Access to Information Officer

Phone	045 982 200
E-mail	dataprotection@kildarecoco.ie or customercare@kildarecoco.ie
Postal Address	Áras Chill Dara, Devoy Park, Naas, Co Kildare. W91 X77F.

Right of Complaint to the Data Protection Commissioner

If you are not satisfied with the outcome of the response received by the Council you are entitled to make a complaint to the Data Protection Commissioner who may investigate the matter for you. The Data Protection Commissioner's website is www.dataprotection.ie or you can contact their Office at:



Comhairle Contae Chill Dara

Kildare County Council

Lo Call Number	1890 252 231
E-mail	info@dataprotection.ie
Postal Address	Data Protection Commissioner Canal House Station Road Portarlinton, Co. Laois. R32 AP23.

Changes to Privacy Statement

We may make changes to this Statement. If we make any changes they will be posted on this page and we will change the "Last Updated" date below.

Last Updated 25 May 2018.