

PLANNING APPLICATION –PLANNING & DEVELOPMENT REGULATIONS 2001 - 2007.

VALIDATION CHECKLIST

ARTICLE	VALIDATION ISSUES	NON-COMPLIANCE
NEWSPAPER NOTICE		
17(1)(A)	Has the application been received WITHIN 2 weeks of publication date of newspaper notice? <i>e.g. Publication date Friday 10th March - last day for lodging application Thursday 23rd.</i>	
17(2)	Note: When the last day of the 2 week period referred to above is a weekend, Public Holiday or any other day the offices of the Planning Authority are closed, the application shall be valid if received on the next day on which the offices are open.	
22(2)(a) 18 (2)	Has notice been published in an approved newspaper and a Full PAGE ORIGINAL , <u>or a full copy of the relevant page, including the date and title</u> been submitted ?	
<i>Has the following information been included in the newspaper notice?</i>		
18(1)	Waterford City Council as the heading	
18(1)(a)	Applicant(s) name	
18(1)(b)	Location, townland (as per O.S. map) or postal address, of the land or structure	
18(1) (c)	Application type - Permission for development / Outline permission for development / permission for Retention of development / Permission consequent on the grant of outline permission (stating the reference number on the register of the relevant outline permission)	
18(1)(d)	A brief Description of the nature and extent of the development , including the following: Note: Q. 9 on application form refers to requirement to include reference to the <u>number and height of buildings.</u>	
18(1)(d)(i)	For housing developments, the number of (to be provided must be stated. Note: “Houses” include buildings designed as 2 or more dwellings or flats, apartments or other dwellings within a building.	
18(1)(d)(ii)	If the application is for retention of a structure, the nature of the proposed use of the structure to be retained and where appropriate (i.e. other than indefinite) the period for which it is proposed to retain the structure.	
18(1)(d)(iii)	Where the application relates to development which would consist of the carrying out of works to a Protected Structure or a Proposed Protected Structure, the notice must state this fact.	
18(1)(d)(iv)	If the development is for an activity which requires an Integrated Pollution Control Licence, the notice must state this fact. If the development is for an activity which requires a Waste Licence, the notice must state this fact.	
18(1)(d)(v)	Where the application relates to development in a Strategic Development Zone, the notice must	

ARTICLE	VALIDATION ISSUES	NON-COMPLIANCE
	SITE NOTICE	
17(1)(b)	Has the site notice been erected within a 2 week period before lodgement of the planning application?	
19(1)(a)	Is the notice substantially like that set out in Form 1 of Schedule 3 of the Planning & Development Regulations 2001 - 2007?	
19 (4)	If there has been a valid planning application in respect of land substantially consisting of the site or part of the site within the previous six months-the site notice for this application must be <u>yellow</u> in colour. <i>This does not apply where the previous application was invalid, but does apply if the valid application was subsequently withdrawn - See answer to question 18.</i>	
22 (2) (a)	Has one copy of the site notice (appropriate colour) been submitted?	
<i>Has the following information been included in the site notice?</i>		
Sch. 3 (1)	Waterford City Council as the heading	
Sch.3(2)	Applicant(s) name (and <u>not his or her agent</u>)	
Sch.3(3)	Application type - Permission / Permission for Retention / Outline permission / Permission consequent on the grant of outline permission (with the reference no. from the relevant outline permission)	
Sch.3(4))	Location, townland (as per O.S. map) or postal address, of the land or structure.	
Sch.3(6)	A Brief Description of nature and extent of the proposed development, to include:- <i>Note: Q. 9 on application form refers to requirement to include reference to the <u>number and height of buildings</u></i>	
Sch.3(6)(a)	For housing developments, the number houses to be provided must be stated? <i>"Houses" include buildings designed as 2 or more dwellings or flats, apartments or other dwellings within a building.</i>	
Sch.3(6)(b)	If the application is for retention, the nature of the proposed use of the structure to be retained and, where appropriate (i.e. other than indefinite) - the period for which it is proposed to retain the structure.	
Sch.3(6)(c)	Where the application relates to development which would consist of the carrying out of works to a Protected Structure or a Proposed Protected Structure, the notice must state this fact.	
Sch.3(6)(d)	Where an EIS (Environmental Impact Statement) has been required to be prepared to accompany the application, a statement of this fact must be contained in the notice.	
Sch.3(6)(e)	If the development is for an activity which requires an Integrated Pollution Control Licence, the notice must state this fact. If the development is for an activity which requires a Waste Licence, the notice must state this fact.	

Sch.3(6)(f)	Where the application relates to development consisting of the provision of, or modification to an establishment within the meaning of Part 11 of the P & D Regulation (Major Accident Directive), an indication of the fact.	
Sch.3(7)	Either the signature of the applicant or the signature and contact address of the person acting on behalf of the applicant should be inserted here.	
Sch.3(8)	Date notice was erected or fixed at the site should be inserted.	
	A statement that the planning application may be inspected or purchased at the offices of the planning authority during its public opening hours and that a submission or an observation in relation to the application may be made to the planning authority in writing on payment of the prescribed fee within the period of 5 weeks beginning on the date of receipt by the authority of the application. .	
NOTE: 26 (3)	Where a planning authority considers that the site notice, because of its content or for any other reason, is misleading or inadequate for the information of the public, the planning application shall be invalid.	
Site Notice is not required for applications for construction /erection by an electricity undertaking of overhead transmission or distribution lines for conducting electricity or development consisting of the construction or erection, by a statutory undertaker authorised to provide a telecommunication service of overhead telecommunications.		
<p>Article 19. - Site Notice</p> <p>(1) A site notice erected or fixed on any land or structure in accordance with article 17(1)(b) shall be— (a) in the form set out at Form No. 1 of Schedule 3, or a form substantially to the like effect, (b) subject to sub-article (4), inscribed or printed in indelible ink on a <u>white</u> background, affixed on rigid, durable material and secured against damage from bad weather and other causes, and (c) subject to sub-article (2), 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. (2) Where the land or structure to which a planning 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. (3) Where a planning authority considers that the erection or fixing of a single site notice is not sufficient to comply with the requirements of sub-articles (1) and (2), or does not adequately inform the public, the authority 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 authority such evidence as it may specify in relation to compliance with any such requirements. (4) Where a valid planning application is made in respect of any land or structure, and a subsequent application is made within 6 months from the date of making the first- mentioned application 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 (1)(b), the site notice for the subsequent application shall be inscribed or printed in indelible ink on a <u>yellow</u> background and affixed on rigid, durable material and be secured against damage from bad weather and other causes.</p> <p>In addition to the requirements of article 17(1)(b), a site notice shall be maintained in position on the land or structure concerned for a period of 5 weeks from the date of receipt of the planning application by the planning authority, 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 planning authority decision under article 31.</p>		
	COMMENTS - SITE NOTICE	

ARTICLE	VALIDATION ISSUES	NON-COMPLIANCE
	<p align="center"><u>CONTENTS OF APPLICATION-A planning application under section 34 of the Act shall be in the form set out at Form No. 2 of Schedule 3, or a form substantially to the like effect. 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 <u>invalidation</u> of the application.</u></p>	
Q.1	Name of relevant Planning Authority (Waterford City Council)	
Q.2	Postal Address <u>or</u> Townland <u>or</u> Location (as may best identify the land or structure in question)	
Q.2	Ordnance Survey Map Ref. No. (and the Grid Reference where available) <i>Note: Grid reference in terms of the Irish Transverse Mercator.</i>	
Q.3	Application type – Permission / Permission for Retention / Outline permission / Permission consequent on the grant of outline permission	
Q.4	Where planning permission is consequent on grant of outline permission: Outline Permission Register Ref. No. Date of Grant of Outline Permission.	
Q.5 Applicant	Applicant Name <i>Note: “The applicant” means the person seeking the planning permission, not an agent acting on his or her behalf.</i>	
Q.23	Applicant’s Address	
Q.23	Applicant’s Telephone No.	
Q.23	Applicant’s email address (if any) Fax No. (if any)	
Q.6 Company	Where Applicant is a Company registered under the Companies Acts 1963 to 1999), the following is required:	
	Name(s) of Company Director(s)	
	Registered Address (of Company)	
	Telephone No.	
	Email address, Fax No. (if any)	
Q.7 Agent	Name of Person/Agent acting on behalf of the Applicant (if any)	
Q.24	Address of Person/Agent acting on behalf of the Applicant (if any)	
Q.24 Agent	Agents Telephone No.	

Q.24 Agent	Agent's email address (if any) Fax No. (if any)	
Q. 24	Address for correspondence – ensure box is ticked	
Q. 8 Person resp. for preparation of drawings/plans	Name of Person responsible for preparing Drawings and Plans <i>Note: 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 the firm/company should be given.</i>	
Q. 25	Address of Person responsible for preparing Drawings and Plans	
Q.25	Telephone No. of Person responsible for preparing Drawings and Plans	
Q.25	Email address (if any) Fax No. (if any)	
Q.9	Brief Description of nature and extent of development <i>Note: A brief description of the nature and extent of the development, including reference to the number and height of buildings, protected structures, etc.</i>	
Q.10 22(2)(g) Q.10 & Q.26	Legal interest of applicant in the Land or Structure: Owner / Occupier /Other <i>Note: Where legal interest is "other" – details must be given; Where applicant is not the owner, the name and address, telephone no., email address(if any), fax no.(if any).</i>	
Q.11 Site Area	Area of site to which the application relates in hectares	
Q.12 Where application relates to a building or buildings	Gross floor space of any existing building(s) in m ²	
	Gross floor space of proposed works in m ²	
	Gross floor space of works to be retained I m ² (if appropriate)	
	Gross floor space of any demolition in m ² (if appropriate) <i>Note: In each case gross floor space means the area ascertained by the internal measurement of the floor space on each floor of a building: i.e. floor area must be measured from inside the external wall.</i>	
Q.13	In the case of mixed development (e.g. residential, commercial, industrial, etc), a breakdown of the different classes of development and the gross floor area of each class of development must be provided.	
Q.14 Residential development	In the case of residential development a breakdown of residential mix of houses/apartments must be provided, e.g., number of studio, 1 bed, 2 bed, 3 bed, etc. and number of existing and proposed car parking spaces .	

ARTICLE	VALIDATION ISSUES	NON-COMPLIANCE
Q.15 Material Change of Use	<p>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 the application must provide details of the following:</p> <p>Existing Use (or previous use where retention permission is sought);</p> <p>Proposed Use (or use it is proposed to retain);</p> <p>Nature and extent of any such proposed use (or use it is proposed to retain).</p> <p><i>Where the existing use is “vacant”, the most recent authorised use of the land or structure must be stated.</i></p>	
Q.16 Social and Affordable Housing	<p>Where the application relates to permission for development to which Part V of the Planning and Development Act 2000 applies the applicant must specify the manner in which they propose to comply with Section 96 of Part V of the Act.</p> <p><i>Note: 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. The proposal must be in accordance with the Guidelines set down in the Department of the Environment, Heritage and Local Government Circular letter AHS 04/06 (see Guidance Notes on making a Planning Application 2007).</i></p>	
Q.16 Social and Affordable Housing	<p>Where the application relates to permission for development to which Part V of the Planning and Development Act 2000 applies, and the applicant is claiming that the development is exempt by virtue of S. 97, the application must be accompanied, by a certificate issued by the planning authority in accordance with section 97 of the Act, or if such certificate has been applied for but not issued, a copy of the application made in accordance with Article 48.</p> <p><i>Note: Under section 97 of the Planning and Development Act 2000, applications involving development of 4 or fewer houses or development on land of less than 0.1 hectare <u>may</u> be exempt from Part V.</i></p>	
Q.16	<p>Where applicant is claiming that an application for residential development is not subject to Part V on the basis that section 96(13) of the Act applies, details setting out the basis for the claim must be submitted.</p> <p><i>Note: 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</i></p>	
Q.17 Development Details	<p>Where proposed development consists of work to a Protected Structure and/or its curtilage or a Proposed Protected Structure and/or its curtilage, the application must state this fact.</p>	
Q.17	<p>Where the proposed development consists of work to the exterior of a structure which is located within an architectural conservation area (ACA), the application must state this fact.</p> <p><i>Note: For details of ACA's see Waterford City Development Plan</i></p>	
Q.17	<p>Where the application relates to development which affects or is close to a monument or place recorded under Section 12 of the National Monuments (Amendment) Act 1994, the application must state this fact.</p>	
Q.17	<p>Where the application relates to work within or close to a European site (under S.I. No. 94 of 1997) or a Natural Heritage Area, the application must state this fact.</p>	

ARTICLE	VALIDATION ISSUES	NON-COMPLIANCE
Q.17	Where an EIS (Environmental Impact Statement) has been required to be prepared, the application must state this fact.	
Q.17	If the development is for an activity which requires an Integrated Pollution Prevention and Control Licence, the application must state this fact.	
Q. 17	If the development is for an activity which requires a Waste Licence, the application must state this fact .	
Q.17	Where the application relates to a development to which the Major Accident Regulations apply, the application must state this fact.	
Q.17 Development Details	Where the application relates to development in a Strategic Development Zone, the application must state this fact.	
Q.17	Where the proposed development involves the demolition of a habitual house, the application must state this fact. <i>Note: Demolition of a habitable house requires planning permission and must be indicated in public notices.</i>	
Q.18 Site History	<p>Has the applicant indicated (and where relevant supplied details) of flooding of the site?</p> <p>Has question relating to flooding been answered? If answer is yes – have details been supplied?</p> <p>Has the applicant indicated (and where relevant supplied details) on any previous use e.g. dumping or quarrying activity at the site?</p> <p>Has the applicant indicated (and where relevant supplied reference numbers) of any previous valid planning application on the site?</p> <p>Has the applicant indicated (and where appropriate supplied details of relevant An Bord Pleanala reference number) of any current appeals to the An Bord Pleanala in respect of similar development?</p> <p><i>Note: Under S. 37(5) of the Planning & Development Act, where an application for permission for the same development or for development of the same description as an application which is the subject of an appeal to An Bord Pleanala is received, the application cannot be considered by the planning authority and must be returned. The appeal must be determined or withdrawn before an application for permission for the same development or development of the same application is made.</i></p>	
Q.19 Pre-application Consultation	<p>If the applicant states that pre-planning has taken place, has the applicant given details, including Reference No., dates and persons involved in any pre-application consultation ?</p> <p><i>Note: Formal pre-planning consultation under S. 247 of the Planning & Development Acts.</i></p>	
Q.20 Services	<p>Has the applicant given details of proposed source of water supply?</p> <p>Has the applicant given details of proposed wastewater management/treatment?</p> <p>Has the applicant given details of proposed surface water disposal?</p>	
Q.21 Details of Public Notice	<p>Has approved newspaper in which notice was published been indicated?</p> <p>Has date of publication been stated?</p> <p>Has date on which site notice was erected been indicated?</p>	

ARTICLE	VALIDATION ISSUES	NON-COMPLIANCE
Q.22 Application Fee 22 (2) (h)	The appropriate fee (calculated in accordance with Schedule 9 of the Planning Regulations) together with details of how the fee was calculated must be entered. <i>Note: If a reduced fee is tendered, details of previous relevant payments and planning permissions should be given. Where an exemption from fees is being claimed under Article 157, evidence to prove eligibility for the exemption should be submitted.</i>	
	Declaration and Signature of Applicant or Agent.	
Article 97	If an EIS is required, at least 10 copies must be submitted.	

COMMENTS - FORM		
ARTICLE	VALIDATION ISSUES	NON-COMPLIANCE
The following details must be submitted with the Planning application:		
23(2)(c)	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 suitability of the site for the system proposed.	
23(2)(e)	In the case of an application for permission for the development of houses or of houses and other development, to which section 96 of the Act applies, proposals as to how the applicant proposes to comply with the requirements of S. 96., should be submitted.	
23(2)(f)	Where appropriate, a certificate issued by the planning authority in accordance with section 97 of the Act, or if such certificate has been applied for but not issued, a copy of the application .	

23(2)(g)	Where the applicant is not the legal owner of the land or structure concerned, the written consent of the owner to make the application.	
23(2)(h)	The appropriate fee.	
23 (4) (a)	A planning application in respect of any development consisting of or mainly consisting of the carrying out of works on, in, over or under land or for the retention of such works shall be accompanied by 6 copies of such plans (including a site or layout plan and drawings of floor plans, elevations and sections which comply with the requirements of article 23), and such other particulars, as are necessary to describe the works to which the application relates.	
23(4)(b)	A planning application for any development consisting of or mainly consisting of the making of any material change in the use of any structure or other land , or for the retention of any such material change of use , 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) where the development to which the application relates comprises the carrying out of works on, in, over or under the structure or other land, 6 copies of such plans (including a site or layout plan and drawings of floor plans, elevations and sections which comply with the requirements of article 23), 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.	
135	Where the application relates to development consisting of the provision of, or modification to an establishment within the meaning of Part 11 of the P & D Regulation (Major Accident Directive), the planning application shall be accompanied by 4 copies of the information specified in the Third Schedule of the Major Accident Regulations.	
Q.23(2)	Where the application relates to works to a Protected Structure, a Proposed Protected Structure or the exterior of a structure in an Architectural Conservation Area - The application must be accompanied by such photographs, plans and other particulars as are necessary to show how the development would affect the character of the structure. <i>In addition to the six copies of plans & particulars required, a further four copies are requested to be submitted in respect of Protected Structures/ACA s (10 in total)</i>	
	COMMENTS	

ARTICLE	VALIDATION ISSUES	NON-COMPLIANCE
	<u>SIX COPIES OF SUCH PLANS & PARTICULARS AS ARE NECESSARY TO DESCRIBE THE WORKS TO WHICH THE APPLICATION RELATES</u> Site Location Map	
2(2)(b)	6 copies of site location map Must be sufficient size and contain details of features in the vicinity so as to permit identification of the site.	
22(2)(b)	Is the scale correct and marked on map? Minimum 1:1000 in built up area and 1:2500 in all other areas or such scale as may be agreed with the planning authority <i>prior</i> to the submission of the application.	
22(2)(b)	Boundary of the application site must be marked in red , any land which adjoins, abuts or is adjacent to the land to be developed and is under control of applicant or the persons who own the land the subject of the application in blue , and wayleaves in yellow ?	
22(2)(b)	The position of the site notice or notices affixed to the land or structure must be indicated thereon.	
23(1)(h)	North point shall be indicated on all maps other than those based on O.S. map.	
23(1)(g)	f based on O.S. sheet, has relevant O.S. number been entered?	

COMMENTS	

ARTICLE	VALIDATION ISSUES	NON-COMPLIANCE
	<u>Site Plan / Layout PLAN</u>	
23(1) and Art. 22	6 copies	
23(1)(a)	Scale of not less than 1:500 or such other scale as may be agreed with the planning authority <i>prior</i> to the submission of the planning application and scale to be marked on map. Site boundaries shall be clearly marked in red and all buildings, roads, boundaries, septic tanks, percolation areas, bored wells, significant tree stands and other features on, adjoining, or in the vicinity of the land or structure to be developed must be shown.	
23(1)(c)	Show levels or contours of land and proposed structures relative to Ordnance Survey datum or temporary local benchmark, whichever is more appropriate.	
23(1)(e)	If the application relates to re-construction, alteration or extension of structure, the proposed works shall be marked or coloured to distinguish from existing structure on all plans.	

23(1)(f)	Show the distances of any structures from the boundaries of the site.	
23(1)(g)	If based on O.S. sheet, has relevant O.S. number been entered?	
23(1)(h)	North Point must be entered on all plans other than maps and plans based on O.S. map.	

	COMMENTS	

ARTICLE	<u>VALIDATION ISSUES</u>	NON-COMPLIANCE
22(5)	<p style="text-align: center;"><u>PLANS, DRAWINGS, ELEVATIONS & SECTIONS</u></p> <p><i>Floor plans are not required to be submitted in respect of a structure (other than a Protected Structure or Proposed Protected Structure) that it is proposed to be demolished.</i></p>	
22(3)(a)	Include 6 copies of all plans , drawings etc.	
23(1)(b)	All plans , drawings , elevations & sections shall be of a scale of not less than 1:200 – or such other scale as may be agreed with the planning authority <i>prior</i> to the submission of the planning application and scale to be marked on each plan/drawing.	
23(1)(c)	Show levels or contours of land and proposed structures relative to Ordnance Survey datum or temporary local benchmark, whichever is more appropriate, on all plans	
23(1)(d)	Elevations of any proposed structure shall show the main features of any buildings which would be contiguous to the proposed structure whether within the site or in the vicinity, at a scale of not less than 1:200 and where the 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.	
23(1)(e)	If the application relates to re-construction, alteration or extension of structure, the proposed works shall be marked or coloured to distinguish between existing structure and works proposed.	
23(1)(f)	All plans / drawing, elevations, sections shall indicate in figures the principal dimensions, (including overall height) of any proposed structure and the site.	
23(1)(h)	The north point must be indicated on all plans other than elevations & sections , and, maps and plans based on O.S. map.	

	COMMENTS	

N.B. This checklist does not form part of the Regulations and does not purport to be a legal interpretation. You are advised to consult the Planning and Development Regulations 2001- 2006. The final decision as to whether an application is valid or invalid is a matter for the Planning Authority.

S. 37(5) Planning & Development Act, 2000-

Is an application for the same development or for development of the same description currently on appeal

NO - In order to accept application

YES - Return application

Note: Under S. 37(5) of the Planning & Development Act, where an application for permission for the same development or for development of the same description as an application which is the subject of an appeal to An Bord Pleanala is received, the application cannot be considered by the planning authority and must be returned.

FOR OFFICE USE ONLY:

Application is declared invalid, returned to notice party for failure to comply with the Planning & Development Regulations, 2001- 2006, as outlined above.

Signed: _____
Administrative Officer

Dated: _____