

COMHAIRLE CHONTAE CHILL CHAINNIGH
Kilkenny County Council
County Hall
John Street
Kilkenny

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**Application Form for Declaration and Referral on
Development and Exempted Development under
Section 5 of the Planning and Development Acts 2000-2018**

(This is a non-statutory advice application prepared by Kilkenny County Council for the purpose of advising people what information is required for a decision to be made under Section 5. This document does not purport to be a legal interpretation of the statutory legislation nor does it state to be a legal requirement under the Planning and Development Acts 2000-2018)

APPLICANT DETAILS:

| | |
|------------------------------------|--|
| Applicant Name | |
| Address: | |
| Contact Telephone No: | |
| Fax No. or E-mail Address, if any: | |

PERSON/AGENT ACTING ON BEHALF OF APPLICANT (IF ANY):

| | |
|---|--|
| Name | |
| Address: | |
| Telephone No: | |
| Fax No. or E-mail Address: | |
| Should all correspondence be sent to the Agents address? Yes { } No { } | |

Section 5 of the Planning and Development Acts 2000-2018 states that if any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of these Acts, any person may, on payment of the prescribed fee, request in writing from the relevant Planning Authority a declaration on that question, and that person shall provide to the Planning Authority any information necessary to enable the authority to make its decision on the matter:

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| <p><u>Sample Question:</u> Is the construction of shed at Hebron Road, Kilkenny development and if so, is it exempt development?</p> |
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PLEASE STATE THE SPECIFIC QUESTION FOR WHICH A DECLARATION IS SOUGHT:

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| <p><u>Completion of this question is essential. Failure to do so will invalidate your application.</u></p> |
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ADDITIONAL INFORMATION WHICH MAY ASSIST THE PLANNING AUTHORITY:

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The Applicant is advised to set out the matter on which the declaration is sought, as comprehensively as possible using additional pages if necessary and should use additional material including plans and drawings as appropriate to give as full account as possible on this matter.

LOCATION ADDRESS OF DEVELOPMENT:

Site Location Map must be attached

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SITE AREA:

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|--|-----------|
| Area of site to which the application relates in hectares | ha |
|--|-----------|

WHERE THE APPLICATION RELATES TO A BUILDING OR BUILDINGS IF AVAILABLE:

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| Gross floor space of any existing building(s) in m ² : |
| Gross floor space of proposed works in m ² : |
| Gross floor space of work to be retained in m ² (if appropriate): |
| Gross floor space of any demolition in m ² (if appropriate): |
| Overall height of any existing structure in metres: |
| Overall height of any proposed structure in metres: |
| Distance of existing or proposed structure to nearest dwelling(s) not being the applicants, where appropriate: |

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:

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| Details of Existing or Previous use: |
| Proposed use (or use it is proposed to retain) |
| Nature and extent of any such proposed use (or use it is proposed to retain) |

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: |
|---|

Name & Address of Landowner and/or Occupier if not the Applicant:

DEVELOPMENT DETAILS

| Please 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 involve the demolition of any habitable house or part thereof? | | |

Are you aware of any valid planning applications previously made in respect of this land/structure?
Yes [] No []

If Yes – Please provide Planning Register Ref. No(s) if known:

The Applicant is advised that notwithstanding the completion of the above application form, that the Planning Authority may require the Applicant to submit further information or particulars with regard to the request in order to enable the Planning Authority to issue the declaration on the question.

The Applicant is also advised that the Planning Authority may request other person(s) other than the applicant to submit information on the question which has arisen and on which the declaration is sought.

Subject to the above, the Planning Authority shall issue the declaration on the question that has arisen and the main reasons and considerations on which its decision is based to the person who made the request and where appropriate, the owner and occupier of the land in question, within 4 weeks of the receipt of the request.

APPLICATION FEE ATTACHED:

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| Fee payable €80.00 : Payment must be made by Cash or Cheque which should be made payable to Kilkenny County Council |
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I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate:

Signed: _____ Date: _____
Applicant or Agent as appropriate

Failure to complete this form or attach the necessary prescribed documentation, or the submission of incorrect information or omission of required information will lead to the invalidation of your application.

THE FOLLOWING DOCUMENTATION IF AVAILABLE SHOULD BE SUBMITTED WITH YOUR APPLICATION:

- Site Location Map (1:2500 Rural Areas) (1:1000 Urban Areas) with location of works clearly marked in red
- A Site Layout Plan (Scale 1:500)
- Drawings of the development (Scale 1:50)
- All drawings to differentiate between the original building, all extensions and proposed development
- Copy of Planning Permission, Fire Safety Certificate or any other statutory approval already obtained, where applicable
- Prescribed Fee of €80.00 Euro

COMPLETED APPLICATIONS TO BE RETURNED TO:

Kilkenny County Council
Planning Department
County Hall
John Street
Kilkenny