

A Guide to Applying for Planning Permission to Build a House



Planning Leaflet **7**





A Guide to Applying for Planning Permission to Build a House

Building a new home can be both an exciting and challenging time for any household. This leaflet is intended as a practical guide to the main planning issues associated with building a house. It is not a definitive legal interpretation of planning law. For more information you should consult your local planning authority.

1. How do I apply for planning permission?

You lodge your application for planning permission with the planning authority for your area, which is one of the 31 local authorities in Ireland (i.e. city council or county council). Application forms and information are available from your planning authority either at their offices or on their website.

For information on what you need to submit with your planning application see Planning Leaflet 4 – “A Guide to Making a Planning Application”.

2. Are there different types of planning permission?

Yes. There are two types of planning permission. An application may be made for:

- permission, *or*
- outline permission.

The most common type of application is for permission, sometimes referred to as full permission. An application for full permission requires detailed plans and full particulars of the proposed development.

There are circumstances when you may want to apply for outline permission. For example, you may wish to see if the planning authority agrees with your proposals in principle before you incur the expense of preparing detailed plans. If you obtain outline permission, you will have to make a further

application for full permission consequent on the grant of outline permission, in order to get approval for the exact details of the proposed dwelling before work can commence. In most cases, an application for full planning permission must be made within three years of when the outline permission was granted.

3. How much will making a planning application cost?

The current fee for an application to build a house is €65 which must be paid when you lodge your application. A reduced rate applies to applications for outline permission. Full details of fees are listed in the explanatory notes accompanying the planning application form.

It may be a condition of any grant of planning permission that you pay a development contribution to the planning authority. This contributes to the cost of infrastructure (e.g. roads, surface water drainage, amenities, community facilities etc.) which facilitates your development. Development contributions are based on the Development Contribution Scheme made by your planning authority. They are separate from any fees you may pay for connection to services such as water and sewerage. Details of the Development Contribution Scheme are available on the planning authority’s website.

⋮ *You should consult with your planning authority for more information.*

You will also incur other costs for preparing the plans and particulars relating to the application.

4. How will the planning authority assess my planning application?

When considering applications for planning permission, planning authorities consider the development plan and wider national planning policies. The development plan for your area sets out preferred locations for housing. These include areas with the services and infrastructure required for housing, opportunities for infill development in towns and villages, as well as additional requirements applying to housing built in un-serviced rural areas.

The development plan will also indicate whether your site is in an area designated as being environmentally sensitive. These include areas of high amenity or Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) protected under EU law because of their particular qualities in terms of flora and fauna.

You can view the development plan for your area on your planning authority's website, during office hours at the offices of the planning authority, at local libraries or at www.myplan.ie.



Some key factors the planning authority considers when assessing your planning application for a new dwelling will generally include:

- the appropriateness of the location and design proposed, taking account of the local authority development plan;
- the relationship between the proposed design of house with its surroundings. Particularly in the case of urban and infill sites, the provision of open space/ garden area, parking, managing any overlooking and privacy of existing homes and minimising any overshadowing are important;
- infrastructural considerations, including whether safe access can be provided, availability of piped water supply, wastewater treatment and if the latter is not available, evidence as to the suitability for an on-site wastewater treatment system; (e.g. a septic tank and percolation area);
- the fit between the proposal and wider national planning policies, for example avoiding areas known to be at risk of flooding;
- suitability of the proposed development with respect to any local environmental and heritage sensitivities such as archaeology and the natural heritage of the area. This may necessitate determining whether the development itself or in combination with other developments in the vicinity would have a significant impact on a site protected under EU law;
- submissions received from persons who may make a submission on a planning application as well as certain bodies that planning authorities are required to consult with under planning legislation and regulations; *and*
- any pre-application consultation (see Question 5 below).

5. Can I consult the planning authority in advance?

Yes, you may consult with your local planning authority before lodging a planning application. However, there is no obligation to do so. Nevertheless, it is a good idea, particularly to find out more about local planning policies. Many development plans contain helpful guidance on good approaches to the location and design of new dwellings.

All planning authorities must provide access to pre-application consultations within a reasonable period of a request being made under the provisions of Section 247 of the Planning and Development Act 2000, as amended. It can be helpful to get the planning authority's advice on particular aspects of the development plan that may influence the decision on the planning application.

Every local authority office and website provides details of how to access this service and the terms and conditions which apply. This service is provided without prejudice to the planning authority's final decision.

6. What if I need a septic tank?

If there is no public sewerage scheme available to service your site, you will need an on-site wastewater treatment and disposal system such as a septic tank and percolation area. Your site must be large enough to accommodate this. However, not all sites or soil types are suitable for a conventional septic tank system.

For example, on heavy soils and in areas with a high water table, ponding of effluent can lead to serious public health hazards and pollution of watercourses. On fast draining soils or areas with fissured rock close to the surface, effluent may percolate to groundwater too quickly leading to pollution of wells and groundwater drinking supplies and creating serious risks to public health and water quality. **The Code of Practice for Wastewater Treatment and Disposal Systems Serving Single Houses**, published by the Environmental Protection Agency (EPA) in 2009, sets out the detailed requirements for on-site wastewater treatment and disposal systems applied by planning authorities.

The Code of Practice will require that you carry out site suitability assessments to determine the suitability of a site for an on-site system such as a septic tank or percolation area. The planning authority will generally require these assessments to be independently certified, or they will nominate someone to carry them out. You should check their requirements before submitting your planning application.

Depending on the results of such assessments, the design of the on-site wastewater treatment system will address site conditions, provided it is suitable in the first place. If the results of the EPA Code of Practice assessment are that a site is not suitable, then alternative locations are highly advisable.

7. Who else should I consult before making a planning application?

You should contact ESB Networks to find out if your proposed site can be supplied with electricity, and at what cost. It may not be enough that your site is near existing electricity lines. Other safety and technical requirements could affect the feasibility of your site.

It may also be in your interest to contact your new neighbours to advise them of your plans. It may be possible to alleviate any worries they have by modifying your proposals. This can help avoid objections being lodged to your application, or an appeal at a later stage.

You may also need to contact Irish Water or local Group Water Schemes before lodging your planning application to seek permission to connect to public water supply and wastewater collection and treatment systems. Connections to such systems incur separate charges, details are available from the water services provider.

8. Can I clear a site or demolish old buildings before planning permission is granted?

Planning permission is generally not required for basic site clearance unless the site is located near a site which is protected under EU law (see Question 4 above).

However, making or widening an access onto a public road, demolishing a structure that was last used as a residence, demolishing a building in a terrace or one which is attached to another building in separate ownership or demolishing any protected structure, does need planning permission.

9. Where can I find details about building regulations?

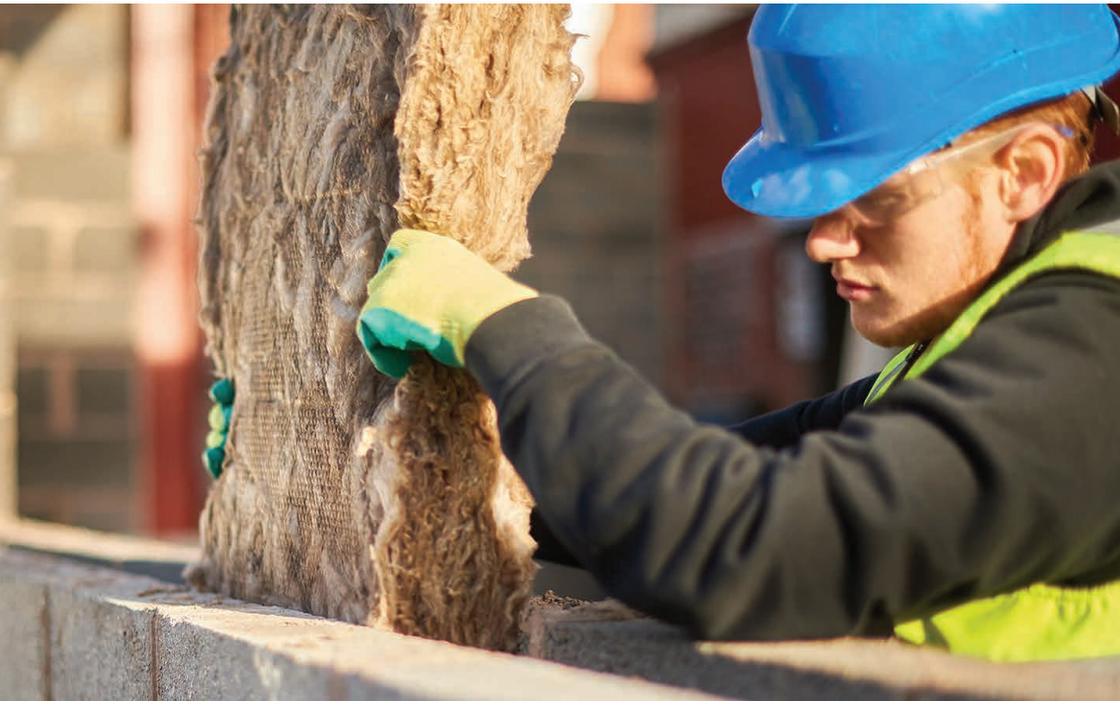
Details of the regulations and the rules regarding giving notice to the Building Control Authority (your local authority) that you intend to carry out building works which relate to the regulations – known as a Commencement Notice are available from your local authority. Details explaining building regulations are available at www.gov.ie/housing.



10. Where can I get further information about planning permission?

Further information can be obtained from your local planning authority.

The law governing the planning system is set out in the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended. You can purchase these from the Government Publications Sales Office, telephone (01) 6476834 or at publications@opw.ie or download them for free from the Department of Housing, Local Government and Heritage's website www.gov.ie/housing. Legislation is also available to view and download from: www.irishstatutebook.ie.



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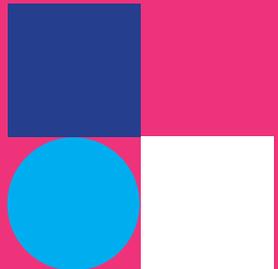
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