



# Requirements for a Valid Planning Application



It is important to note that this is for information purposes and is to be used to outline validation requirement and assist applicants in meeting these requirements. The onus remains with the applicant to ensure that applications are in full accordance with the **Planning and Development Regulations 2001 (As amended)**. Tipperary County Council must consider whether the applicant has complied with the requirements of the regulations.

Requirements for a Valid Planning Application	
Planning and Development Regulations 2001, as amended	
Newspaper Notice	
The newspaper notice must be published within 2 weeks prior to lodgement (day 1 being date of publication).	Article 17 (1)(a)
Note: Where the last day of the 2 week period is a Saturday, Sunday, a public holiday or any other day on which the offices of the planning authority are closed, the application shall be valid if received on the next following day on which the offices of the planning authority are open.	Article 17 (2)
The newspaper notice must be published in an approved newspaper. A list of Council approved newspapers is attached.	Article 18 (2)(a)
<p>Newspaper notice must contain:</p> <ul style="list-style-type: none"> <li>• As a heading "Tipperary County Council".</li> <li>• Name of the applicant.</li> <li>• The location, townland or postal address of the land or structure to which the application relates.</li> <li>• Type of application (Permission/ Permission for Retention, Outline permission, or permission consequent on the grant of outline). Planning reference number for relevant outline permission must be stated where application for Permission Consequent is made.</li> <li>• A brief description of the nature and extent of the development. Including (only where applicable): <ul style="list-style-type: none"> <li>- No. of Houses/Units to be provided.</li> <li>- The nature of the proposed use of the structure and period for which it is proposed to retain same (applicable where permission for retention is sought).</li> <li>- An indication that the development comprises carrying out of works to a protected structure or proposed protected.</li> <li>- An indication that the application relates to development requiring an integrated pollution prevention and control licence or a waste licence.</li> <li>- An indication that the site is in a strategic development zone.</li> <li>- An indication that application is for a Large Scale Residential Development (LRD) and include for website address.</li> </ul> </li> <li>• The following wording: <ul style="list-style-type: none"> <li>• the planning application may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning</li> </ul> </li> </ul>	Article 18 (1) (a)- (e) Article 20A

<p>authority during its public opening hours and that a submission or observation in relation to the application may be made to the 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.</p>	
<p>Where a planning application is to be accompanied by an Environmental Impact Assessment Report (EIAR) the newspaper notice must state:</p> <ul style="list-style-type: none"> <li>• that an EIAR will be submitted to the planning authority with the application, and</li> <li>• that the EIAR will be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy during office hours at the offices of the relevant planning authority</li> </ul>	<p>Article 98</p>
<p>Where a planning application is to be accompanied by a NIS the newspaper notice must state:</p> <ul style="list-style-type: none"> <li>• that a Natura Impact Statement (NIS) will be submitted to the planning authority with the application, and</li> <li>• that the NIS will be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy during office hours at the offices of the relevant planning authority</li> </ul>	<p>Article 239</p>
<h2 style="background-color: #d9e1f2; padding: 5px;">Site Notice</h2>	
<p>The site notice must be erected within 2 weeks prior to lodgement (day 1 being date site notice is put in place). Note commentary above under Newspaper Notice regarding 2 week period.</p>	<p>Article 17 (1) (b) Article 17 (2).</p>
<p>Site Notice must be:</p> <ul style="list-style-type: none"> <li>• in the form set out at Form No. 1 of Schedule 3 of the Planning and Development Regulations 2001 as amended, or a form substantially to the like effect. (Link to site notice form at end of document).</li> <li>• affixed on rigid, durable material and secured against damage from bad weather and other causes</li> <li>• 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</li> <li>• 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.</li> </ul> <p>The information on the site notice regarding the applicant and development must be consistent with the information on the newspaper notice (e.g. applicant name, address, development description, development involves works to protected structure etc).</p>	<p>Article 19 (1)-(3)</p>

<p>Site notice to be printed on a WHITE background except where the following arises:</p> <ul style="list-style-type: none"> <li>• Where a valid planning application was made within the last 6 months and a subsequent application is made in respect of land substantially consisting of the site or part of the site to which the first-mentioned application related the site notice must be printed on a YELLOW background.</li> </ul>	Article 19 (4)
<h2 style="color: #0056b3; margin: 0;">Application Requirements- Form, Documents, Reports</h2>	
<p>Application form must be submitted with application. Same must be as per Form No. 2 of Schedule 3 of the Planning and Development Regulations 2001 as amended or a form substantially to the like effect. (Link below to Tipperary County Council planning application form).</p> <p>Details on form regarding the applicant, address, development etc must be consistent with the newspaper and site notices and form to be fully completed. Form to be fully completed.</p>	Article 22(1)
<p>Application must include:</p> <ul style="list-style-type: none"> <li>• relevant page of the newspaper, or a copy of the relevant page, including the date and title of the newspaper.</li> <li>• copy of the site notice.</li> </ul>	Article 22 (2) (a)
<p>Where application proposes to dispose of wastewater from the proposed development other than to a public sewer, information must be provided on the on-site treatment system proposed and evidence as to the suitability of the site for the system proposed .</p>	Article 22 (2) (c)
<p>Where the application is for development of houses that is subject to Part V of the 2000 Act same must include details of the manner in which it is proposed to comply with Section 96 of Part V of the Act including:</p> <p>(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 else where 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</p> <p>(ii) details of the calculations and methodology for calculating values of land, site casts, 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</p>	Article 22(2)(e)

<p>If the answer to the above question is “yes” but you consider that paragraph (j) of section 96(3) would be applicable, evidence of when the site was purchased should be submitted.</p>	
<p>Where appropriate, a certificate issued by the planning authority in accordance with section 97 or a copy of the application for such a certificate</p> <p>Note: Regarding the requirements of Article 22 (2) (e) and (f) where Section 96(13) of the Planning and Development Act 2000 (as amended) applies, details indicating the basis on which Section 96(13) is considered to apply to the development should be submitted i.e. by reason of conversion or re-construction to create residential dwellings.</p>	<p>Article 22(2)(e)</p>
<p>Where the applicant is not the legal owner of the land or structure to which the application relates the application must include–</p> <ul style="list-style-type: none"> <li>• the written consent of the owner to make the application, or</li> <li>• in the case of a proposed development, or part of a proposed development, that is in, on, over or under a public road, written confirmation that the proposed development concerned is to be undertaken by a statutory undertaker having a right or interest to provide services in connection with the proposed development.</li> </ul>	<p>Article 22(2)(g)</p>
<p>The appropriate planning fee. (Link to schedule of fees included at end of document).</p>	<p>Article 22(2)(h)</p>
<p>An application that requires an EIA must be accompanied by an EIAR.</p> <p>Where the application is accompanied by an EIAR, a copy of the confirmation notice must be submitted.</p> <p>NOTE: Before lodging an applicant must notify the Department of Housing, Local Government and Heritage by submitting details of the proposed development for inclusion on the EIA Portal. The confirmation notice received via email from the EIA Portal must be submitted with the planning application.</p>	<p>Article 93</p> <p>Article 22(2)(ga)</p>
<p>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) in addition to meeting normal validation requirements for plans, maps and drawings the application must include photographs, plans and other information necessary to show how the development would affect the character of the structure.</p>	<p>Article 23(2)</p>
<p>A planning application for any development 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 a statement of the existing use and of the use</p>	<p>Article 22(4)(b)</p>

<p>proposed together with particulars of the nature and extent of any such proposed use.</p>	
<h2 style="color: #0056b3; margin: 0;">Application Requirements- Maps, Plans and Drawings</h2>	
<p>6 copies (1 copy only required to be uploaded if application is made online) of site location map to a scale not less than 1: 1000 in built up areas or 1:2500 in rural areas. Site to be outlined in red, wayleaves in yellow, the position of site notice to be shown on this drawing.</p> <p>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 must be outlined in blue.</p>	<p>Article 22(2) (b)</p>
<p>Layout plans, drawings (floor plan, elevation and section) and maps accompanying a planning application shall all be in metric scale. The relevant scale must be indicated clearly on the plans, drawings and maps provided. 6 copies of plans and drawings to be provided (1 copy only required to be uploaded if application is made online).</p> <p>The layout plans and drawings must describe the works to which the application relates. Details on the plans and drawings must be consistent with the newspaper and site notices and application form in this regard.</p>	<p>Article 23(1)</p>
<p>A site or layout plans must be provided and drawn to a scale of not less than 1:500 or such other scale as may be agreed with the planning authority. 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.</p>	<p>Article 23(1)(a)</p>
<p>Other plans, elevations and sections shall be drawn to a scale of not less than 1:200 or such other scale as may be agreed with the planning authority.</p>	<p>Article 23(1)(b)</p>
<p>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.</p>	<p>Article 23(1)(c)</p>
<p>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 development would involve work to a protected structure or proposed protected structure, shall show the</p>	<p>Article 23(1)(d)</p>

main features of any buildings within the curtilage of the structure which would be materially affected by the proposed development.	
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.	Article 23(1)(e)
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.	Article 23(1)(f)
Any map or plan which is based on an Ordnance Survey map shall indicate the relevant Ordnance Survey sheet number.	Article 23(1)(g)
The north point shall be indicated on all maps and plans other than drawings of elevations and sections and maps or plans.	Article 23(1)(h)

### Limitations with Outline Permission

<p>Application for Outline Permission cannot be made for:</p> <ul style="list-style-type: none"> <li>• Works to Protected Structure/ Proposed Protected Structure.</li> <li>• Retention of development.</li> <li>• Development that requires IPC/Waste Licence</li> <li>• Development that relates to Major Accident Directive</li> <li>• Development requiring a Natura Impact Statement (NIS)</li> <li>• Development requiring an EIAR</li> </ul>	Articles 21, 96, 134, 261
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### Requirements where Demolition is Proposed

Drawings of floor plans are not required to be submitted in respect of a structure, other than a protected structure or a proposed protected structure, that is proposed to be demolished.	Article 22 (5)
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### Requirements for Application for Electricity Undertaking

<p>Note the requirements for applications for an electricity undertaking differ from the above:</p> <ul style="list-style-type: none"> <li>• Requirements of Article 22(4) do not apply to application for development consisting of the construction or erection by an electricity undertaking of overhead transmission or distribution lines for conducting electricity</li> <li>• In addition to the requirements of article 22(2) application for electricity undertaking shall be accompanied by 6 copies of such plans and drawings drawn to a scale of not less than 1:100, as are necessary to describe any form of structure or apparatus which will support, or form part of, the lines referred to in the said sub-article</li> <li>• Requirements of Article 23(1), other than (g) and (h) shall not apply to a planning application for overhead transmission or distribution lines</li> </ul>	Article 25
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<b>Planning and Development Act 2000, as amended (Points to Note)</b>	
If an application is made for the same development as an application that is the subject of a live appeal the application cannot be considered by the Planning Authority.	Section 35(7)
A Planning Authority shall refuse to consider an application for permission for large scale residential development (LRD) unless applicant holds a LRD opinion provided not more than 6 months before the date of application.	Section 32(A)
A Planning Authority shall refuse to consider an application to retain unauthorised development of land where the authority decides that if an application for permission had been made in respect of the development concerned before it was commenced the application would have required that one or more than one of the following was carried out—  (a) an environmental impact assessment, (b) a determination as to whether an environmental impact assessment is required, or (c) an appropriate assessment	Section 34 (12)
<b>Copies of Application</b>	
A planning application can be made electronically to Tipperary County Council at <a href="https://planning.localgov.ie">https://planning.localgov.ie</a>	
One copy of all of maps/documents etc is require in respect of an online application.	
Otherwise a paper planning application must include: <ul style="list-style-type: none"> <li>• 6 copies of map showing information required under Article 22(2)(b)</li> <li>• 6 copies of plans, site layout plan, floor plans, elevations and sections as necessary to describe the works to which the application relates</li> </ul>	Article 22(2) (b), Article 22(4),
Where an EIAR is submitted / required, the application must include 10 copies and 1 electronic copy of the EIAR. The electronic copy shall be searchable be electronic means.	Article 97
Where a NIS is submitted / required, the application must include 10 copies and 1 electronic copy of the NIS. The electronic copy shall be searchable be electronic means.	Article 238
In addition to the requirements of article 22, where a planning application relates to the provision of, or modifications to, an establishment to which the Major Accidents Directive relates, the planning application shall be accompanied by 4 copies of the information specified in the Third Schedule of the Major Accident Regulations	Article 135
<b>Large Scale Residential Development</b>	
Newspaper Notice must indicate the fact that application relates to an LRD and must include LRD website address	Article 18 (1)(d)
The applicant for an LRD shall make a copy of an LRD application available for inspection on the Internet at a web address set up for	Article 20A(2)

the purpose for the period commencing on the date of making the LRD application and expiring 8 weeks following the sending by the planning authority to the applicant of a copy of its decision on the LRD application.	
LRD application must also include a copy of Form no. 19 of Schedule 3, or a form substantially to the like effect	Article 22(1A)
Where it is proposed to connect the development to a public water or wastewater network, or both, the LRD application must include 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	Article 22(2A)(a)
Where Planning Authority issue an LRD opinion that the documents enclosed with the request for the LRD meeting do not constitute a reasonable basis on which to make the LRD application, the LRD application shall be accompanied by a statement of response to the issues set out in the LRD opinion,	Article 22(2A)(b)
LRD applications must include a schedule of accommodation that details the number and type of housing units proposed, unit floor areas, bedrooms and bed spaces for the individual units, the private amenity space associated with each unit, the storage space associated with each unit, the principal dimensions and the aggregate floor area of each room and in the case of apartments whether the unit is dual or single aspect	Article 22(2A)(c)
Information specified in LRD Opinion to be included with the application	Article 22(2A) d)

## PLANNING APPLICATION FORM

The link below is to where you can view and download a copy of the Tipperary County Council planning application form and supplementary forms. Please ensure that each section of the form is **fully completed** and that all necessary documentation is attached to the form.

<https://www.tipperarycoco.ie/planning/apply-planning-permission>

## LRD FORM

The link below is to where you can view and download a copy of the Tipperary County Council application form for LRD developments. This is an additional form that must be submitted with the planning application.

<https://www.tipperarycoco.ie/planning/apply-planning-permission>

## SITE NOTICE

The link below is to where you can view and download a copy of the Tipperary County Council site notice. Please read carefully the directions for completing the notice (on reverse of notice) before completing same. <https://www.tipperarycoco.ie/planning/apply-planning-permission>

## PLANNING APPLICATION FEES

The link below is to where you can view and download a document showing planning application fees, as set by the Department of the Environment, Heritage and Local Government. Generally speaking, the maximum planning fee is €38,000, or in the case of retention, €125,000. The minimum fee payable is €34. The fee for an outline application is  $\frac{3}{4}$  of the full fee, subject to the minimum fee for that class. The maximum fee for outline permission is €28,500. <https://www.tipperarycoco.ie/planning/apply-planning-permission>

## DEVELOPMENT CONTRIBUTIONS

The link below is to where you can view and download a copy of the Tipperary County Council Development Contribution Scheme 2020. A development contribution condition (required under Section 48 of the Planning and Development Act 2000 (as amended)) will be attached to grants of permission, where applicable. Please refer to

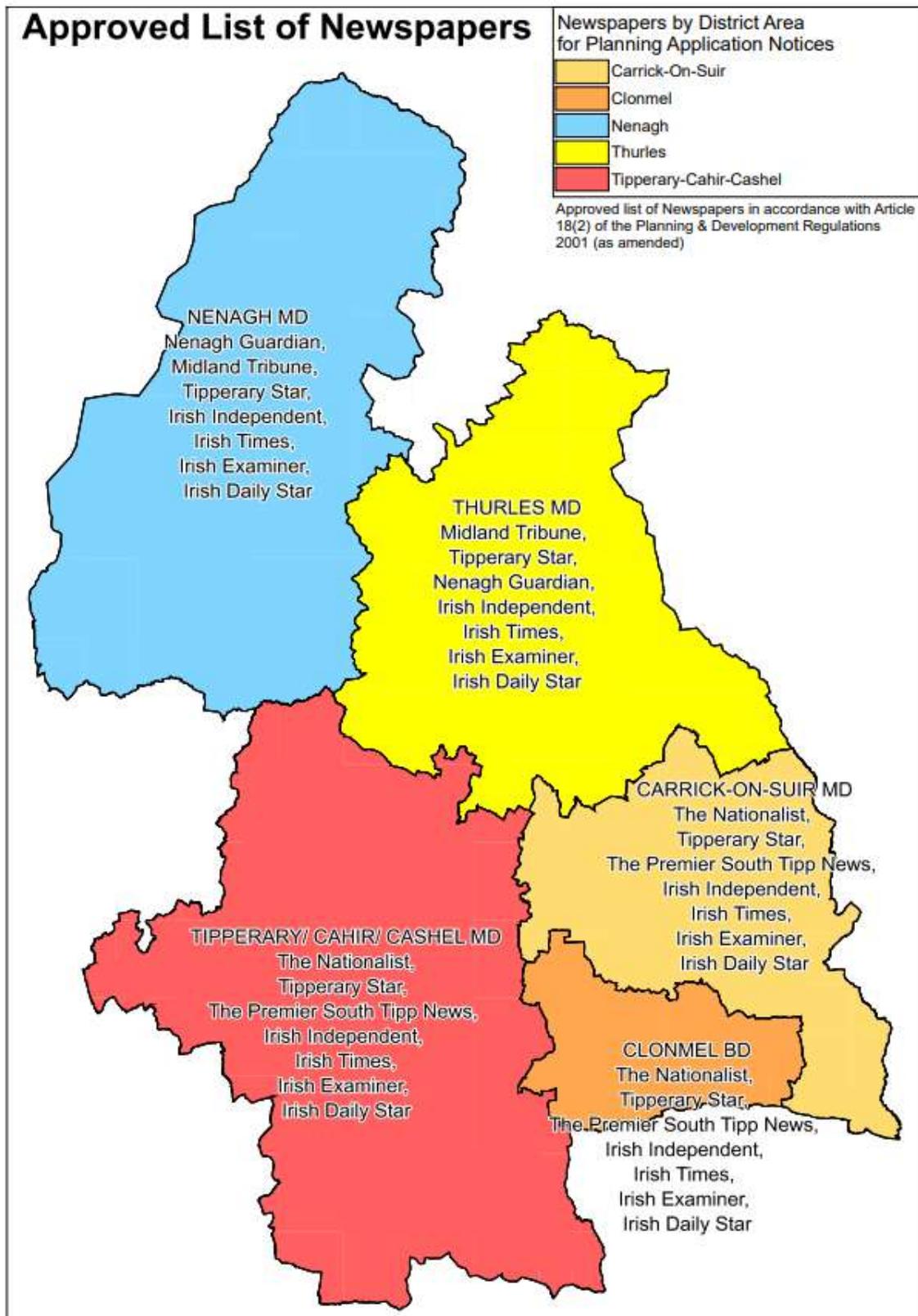
<https://www.tipperarycoco.ie/planning/development-contribution-schemes>

for the most recent development contribution scheme which shows applicable rates. Development contributions are not payable at planning application stage.

The contributions in the scheme do not cover connection to the public watermain or wastewater sewer or connection to ESB, gas, telephone or broadband, etc.

## LIST OF APPROVED NEWSPAPERS

Included below is an image showing the Tipperary County Council list of approved newspapers by Municipal District Area in which notice of the making of a planning application within the respective areas can be advertised.



## APPLICATION TIMESCALE AND ACTION

The Table below provides an outline of the timescale involved in processing a planning application. The timescales are set by law. The Table below is for information purposes and is not a definitive or legal interpretation of the timescales and should not be read as such.

<b>Timescale</b>	<b>Action</b>
<b>Start</b>	Notice published in newspaper and site notice erected.
<b>Not more than two weeks from the public notices</b>	The planning application must be lodged with the planning authority within two weeks of publication of the newspaper notice and the erection of the notice on site.
<b>Within five weeks of submitting a valid application</b>	Upon receiving the planning application, the planning authority will acknowledge receipt and check that it is valid. If an application does not contain the required fee, public notices, forms and particulars the planning application will be invalid and returned to the applicant. Members of the public have five weeks from the date of the making of a valid application to make a submission. The planning authority cannot make a decision in respect of the application before the five weeks expires.
<b>Between five weeks and up to eight weeks of the date of a valid application</b>	The planning authority issues notice of its decision on the application. Alternatively, where the planning authority requires certain information to enable it to make a decision it may request it. Where further information is sought, this stops the clock from the date of the request. The applicant then has six months to respond. If no response is lodged within six months, the application is declared to be withdrawn.
<b>Four weeks after issue of notification of a decision</b>	When the planning authority issues a notification of decision, a four week period follows, during which the applicant or a third party can appeal the decision to An Bord Pleanála. If no appeal is lodged within the four week period, the planning authority issues a grant of permission, or outline permission, except where they have already indicated a decision to refuse.



**Comhairle Contae Thiobraid Árann**  
Tipperary County Council

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