

***Office Use Only***

**Pre Planning Ref. No.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Áras Chill Dara, Devoy Park, Naas, Co. Kildare**

**Telephone: 045-980845; Fax. 045-980834; Email: preplanning@kildarecoco.ie**

**Guidance Notes for a Pre-Planning Meeting for a**

**Development OTHER THAN a Single Dwelling**

**The applicant is advised that any advice is given in good faith and without prejudice to the formal consideration of any subsequent planning application.**

**In accordance with Section 247 (3) of the Planning & Development Act 2000 (as amended), “The carrying out of consultations shall not prejudice the performance by a Planning Authority of any other of its functions under this Act, or any regulations made under this Act and cannot be relied upon in the formal planning process or in legal proceedings”.**

The applicant is advised to familiarise themselves with the policies, objectives and development standards of the current Kildare County Development Plan and any relevant Local Area Plans PRIOR to requesting a pre-planning meeting.

Requirements for pre-planning meeting.

A pre-planning meeting will not be arranged where the following information is not submitted with this application form:

**1.** Site Location map to a scale of 1:2500. The site must be easily identifiable and outlined

in red.

**2.** Sketch of proposed layout.

**3.** Photographs of the proposed site. The location where photographs have been taken

shall be clearly indicated on the site layout.

**4.** Sketch of proposed development.

**5.** Indicate any areas for concern you envisage in your proposal as submitted.

**6.** Relevant sections of the County Development Plan or relevant Local Area Plan under which the proposal will be assessed, and indicated objectives/standards and policies, which are applicable to the proposed development.

Upon receipt of a completed request form with the above-mentioned documentation attached, you will be notified of a date and time for a pre-planning meeting.

The detailed requirements in relation to pre-planning meetings are detailed in Chapter 2 of the document “Development Management - Guidelines for Planning Authorities” (June 2007) published by the Stationary Office, Dublin and available online at www.environ.ie



**Áras Chill Dara, Devoy Park, Naas, Co. Kildare**

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**Application Form for a Pre-Planning Meeting for a**

**Development OTHER THAN a Single Dwelling**

|  |  |
| --- | --- |
| **Name of Applicant(s)** |  |
| **Address of Applicant(s)** |  |
| **Contact Number** |  |
| **E-Mail Address** |  |

|  |  |
| --- | --- |
| **Name of Agent**  **(*if applicable*)** |  |
| **Address of Agent** |  |
| **Contact Number** |  |
| **E-Mail Address** |  |

**Correspondence to issue to:**

Agent or Applicant

|  |  |  |
| --- | --- | --- |
| **Type of Development** | Housing Development  Strategic Housing Development  Strategic Infrastructure Development  Retail  Industrial  Agricultural  Medical  School / Educational  Other, please specify | **[ ]**  **[ ]**  **[ ]**  **[ ]**  **[ ]**  **[ ]**  **[ ]**  **[ ]**  **[ ]** |

|  |  |
| --- | --- |
| **Location / Address of proposed development** |  |
| **Ordnance Survey Sheet No.** |  |
| **Current Zoning on Land** |  |
| **Detailed description of proposed development** |  |

**Full details of your legal interest in the site: (Note that sites for auction cannot be considered for a pre-planning meeting under Section 2.5 of the Guidelines referred to on the first page of this form. Sites for sale must include a letter from the current landowner consenting to a pre-planning meeting):**

Owner **[ ]**

Option to Purchase  **[ ]**

Other **[ ]**

**If other, please specify:**

**Planning History**

|  |  |
| --- | --- |
| Has the applicant previously attended a pre-planning meeting in relation to this site?  If yes, please provide pre-planning ref. no. | Yes **[ ]**  No **[ ]** |
| Has planning permission previously been sought on the site / landholding (either by the applicant or another person)? | Yes **[ ]**  No **[ ]** |
| If planning was previously sought, please provide the planning reference number and indicate the decision made | Planning Ref. No.  Grant **[ ]**  Refusal **[ ]** |
| If the decision was a refusal, please indicate how you intend to overcome the reason(s) for refusal |  |
| Was the decision appealed to An Bord Pleanála? If yes, please provide reference number and decision |  |

|  |
| --- |
| In relation to housing developments on zoned land, please provide a proposal below  on how you intend to comply with any condition that may be imposed under Section  96 (Part V) of the Planning and Development Act 2000. (Please note that if the applicant does not provide a proposal for compliance with Part V (where applicable), a pre-planning meeting will not be arranged). |
|  |

***Checklist***

**Are the following documents enclosed?**

**[ ]** Site Location map to a scale of 1:2500

**[ ]** Sketch of proposed layout

**[ ]** Photographs of the proposed site

**[ ]** Sketch of proposed development

|  |  |  |
| --- | --- | --- |
| **Part V Pre Planning Guidance** | **Kildare County Council**  **Comhairle Contae Chill Dara** | **[crst50pc.jpg (14482 bytes)](http://www.kildare.ie/)** |

1. **Legislation**

Planning applications for residential development of 10 units or more on zoned land must satisfy the requirements of Part V of the Planning and Development Act, 2000 (as amended), for the provision of social/affordable housing. Where an application for permission for development to which Part V of the Planning and Development Act 2000 (as amended) applies the application must be accompanied with details as to how it is proposed to comply with Section 96 of Part V of the Act. Failure to do so may result in the application being deemed invalid or a request for additional information.

If the proposal is considered exempt under 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 to be decided, a certified copy of the application must be submitted). If it is considered that under Section 96(13) of the Planning and Development Acts (as amended), that the planning application is for a development to which Part V Acts (as amended) does not apply details indicating the basis for such opinion must be submitted.

1. **Pre Planning Contact Details**

Applicants are strongly advised to avail of the pre-planning process to complete a pre-planning Part V proposal with the Housing Department. Failure to complete this process prior to the lodgement of an application may result in Part V proposals being sought by way of requests for further information.

Please contact the following with any queries you have - Adrienne Cassidy (045 980325) or Siobhán Scully (045 980612)

1. **Requirements for Valid Planning Applications**

One of the following **must** be submitted:

1) Where Section 96 of Part V of the Planning and Development Act 2000 (as amended) applies the following must be included, with your application form

1. 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
2. Given that at the planning application stage the detailed design cannot be finally determined and authorised until a grant of planning permission, an applicant for a housing development must only provide details of the calculations and methodology for estimating values of land, site costs, 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.

Six Options under (i) above include:

1. Transfer of land, with a map, to the same scale as the site location map, indicating the part or parts of the site proposed for transfer to the planning authority.
2. Transfer of Housing on the application site with a list of the units and types of housing including floor plans and areas within the proposed development that are proposed to be transferred.
3. Transfer of Housing off-Site, with a list of the units and types of housing elsewhere in the functional area of the planning authority that are proposed to be transferred, and the indicative location of such units.
4. Lease of Housing (on or off-site) with a list of the units and types of housing, including floor plans and areas, within the proposed development or elsewhere in the functional area of the planning authority that it is proposed to lease.
5. Combination of Option 1 and any other options or options.
6. Combination of any of Options 2 - 4.

2) 1 x Social Housing Exemption Certificate or

3) 1 x Social Housing Exemption Certificate application accompanied by a statutory declaration and 2 Site Location Maps

(Scale of 1:1000), or

4)Where Section 96(13) of the Planning and Development Act 2000 (as amended) applies, details and evidence indicating the basis on which Section 96(13) is considered to apply should be submitted.

1. **General Requirement**

The type of units required will depend on the location and demand for housing need in the vicinity of the subject site. The type of units required will be discussed at the pre-planning meeting. It is desirable that where Part V compliance is by means of on-site transfer of completed units, that the units are dispersed throughout the development. Please refer to the County Development Plan, the policy document 'Quality Housing for Sustainable Communities' and 'Sustainable Urban Housing: Design Standards for New Apartments' in relation to minimum design guidelines.



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/**](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.



**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.



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.lgma.ie/sites/default/files/2002\_national\_retention\_policy\_for\_local\_authority\_records\_2.pdf**](http://www.lgma.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:



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

**Emailing us at** [customercare@kildarecoco.ie](mailto: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/**](http://kildare.ie/CountyCouncil/DataProtection/) , use one of the forms at our Counter or contact us.  
  
**Kildare County Council - Access to Information Officer**

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| **Phone** | 045 982 200 |  |
| **E-mail** | [dataprotection@kildarecoco.ie](mailto:dataprotection@kildarecoco.ie) or [customercare@kildarecoco.ie](mailto: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**](http://www.dataprotection.ie/)or you can contact their Office at:



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| **Lo Call Number** | 1890 252 231 |  |
| **E-mail** | [info@dataprotection.ie](mailto:info@dataprotection.ie) |  |
| **Postal Address** | Data Protection Commissioner  Canal House Station Road Portarlington, 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.