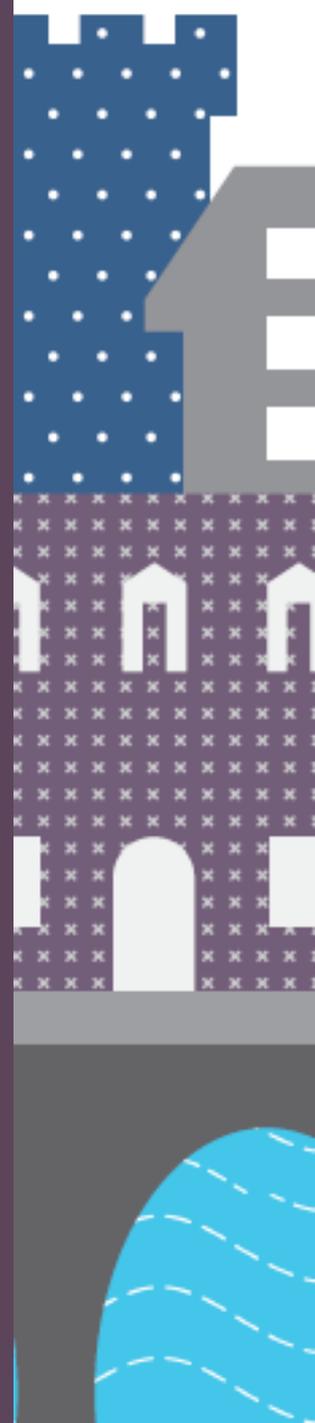


An  
Coimisiún  
Pleanála

# Guidelines on Information to be submitted with Substitute Consent and Section 37L Applications

Under the Planning and Development Act 2000 and  
the Planning and Development Regulations 2001 (as amended)



## About this guide

The purpose of this document is to assist applicants in the preparation of documents to support their applications for Substitute Consent and Section 37L (Further Development Applications). It is not intended as legal guide, and you are recommended to review the relevant legislation and consider the need to obtain professional advice.

### Data Protection

An Coimisiún Pleanála uses your personal data only to provide our services and to fulfil our legal duties. The personal data you supply will be circulated to other relevant parties and made available in the public domain about any matter before An Coimisiún Pleanála.

To view our full policy statements on Data Protection, please go to [www.pleanala.ie](http://www.pleanala.ie).

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## 1.0 Introduction

- 1.1 Substitute Consent applications arise where development has occurred that required an EIA or Appropriate Assessment, or both, and these assessments have not been carried out or have been found to be defective.
- 1.2 An application for substitute consent must include a Remedial EIAR (rEIAR) or Remedial NIS (rNIS) or both. In the case where the applicant considers only one such document applies, a Screening Report for the other document must be submitted to demonstrate why it is not required.
- 1.3 In the event that an applicant does not consider that a development that is seeking retention permission, does not require an rEIAR or rNIS, then the applicant can consider availing of Section 176A of the Planning and Development Act, 2000, for the planning authority to screen for an EIAR. The planning authority is obliged to screen for Appropriate Assessment at the same time. A determination made by the planning authority may be referred to An Coimisiún Pleanála for review, under Section 176C.
- 1.4 If the applicant is seeking to further develop the lands / development which are subject to a requirement to obtain Substitute Consent, or extend it onto adjoining land, an application can be made under Section 37L **within 6 weeks** of the Substitute Consent application being submitted. Both files will be decided by the Commission together.

## 2.0 Contents of the Substitute Consent application

- 2.1 **Form 7** in the Planning and Development Regulations 2001 as amended, is the application form to be used. All sections are to be completed, with N/A indicated if a field is not relevant to the development.
- 2.2 **Site Notice** – a copy of the Site Notice must be included (**Form 6** in the Regulations). The Site Notice must generally comply with the requirements of Article 19(1) of the Planning and Development Regulations, 2001, as amended.
- 2.3 **Newspaper Notice** - a copy of the Newspaper Notice must be included. The newspaper used for publication must come from the approved list of newspapers of the planning authority where the site is located.
- 2.4 The **fee** accompanying the application is calculated in accordance with Schedule 9 of the Regulations. We recommend that you attach a note to your fee calculation to explain how it has been calculated. For example, the fee calculation could be made from Class 6 (the mining of minerals), Class 4 (for the provision of buildings) and Class 8 (for the provision of plant or machinery).

S.177M(1) states that the fee in respect of an application for substitute consent shall be the same as the fee that would be payable under the permission regulations if the applicant were making an application for permission under s.34(1) rather than an application for substitute consent.

The Commission may seek some or all of the **costs** incurred by the Commission or the planning authority when granting Substitute Consent and may by notice direct the applicant to pay sums to both or either party. The applicant, within 2 weeks of receiving such a notice, may make submission to the Commission.
- 2.5 **Six hard copies** of the drawings and other particulars accompanying the application should be provided. An **electronic version** of all documents should also be provided. Should the electronic version of the documents not

match the hard copies, the application shall be returned to the applicant. A **letter** by the applicant, or applicant's agent, confirming that the digital version matches the hard copy should be provided.

- 2.6 Where the application is accompanied by a remedial EIAR then a receipt of submission to the EIAR Portal maintained by the Department of Housing, Local Government and Heritage should be included.
- 2.7 Where either an rEIAR or rNIS is not submitted with the application, a screening document for either EIA or AA should be included demonstrating why it is not required.
- 2.8 **Progression over time** should be indicated on drawings, where relevant. This can be presented in terms of a baseline (what the site was like prior to the development commencing) and the current situation. In the case of quarries, cross-sections that have been **colour coded** and use of aerial photographs to demonstrate the progress of development are particularly helpful.
- 2.9 A **letter of consent** from the owners or occupiers of the land, where relevant.
- 2.10 A **Statement of Exceptional Circumstances**. Planning permission can only be granted for Substitute Consent where **all** the following exceptional circumstances are met under S.177K. The applicant should address each of these points in a Statement of Exceptional Circumstances. This can be a stand alone document or contained within a planning report. The statement should address the following:
- Would the regularisation of the development circumvent the EIA or Habitats directive?
  - Would the applicant had or could have a reasonable belief that the development was not unauthorised?
  - Can an EIA/AA, which is open to public participation, be substantially impaired?

- What are the actual or likely effects resulting from the continuation of the development?
- To what extent that significant effects on the environment or adverse effects on the integrity of a European site be remediated?
- Has the applicant complied with other planning permissions or previously carried out unauthorised activities?
- Any other relevant matters.

2.11 The Commission will also consider matters relating to proper planning and sustainable development.

2.12 The Substitute Consent application generally only provides permission for development that has already taken place, unless it involves the completion of a development that has already been permitted. If the application contains works for the completion of a permitted development, the applicant should consider whether EIA or AA is required for the elements of the development to be completed. If the applicant consider that these documents are not required, then screening reports should be submitted to support this opinion.

2.13 If the applicant is looking to continue to undertake further development, on site or on adjoining lands, then a Section 37L application is required.

### 3.0 Contents of the Section 37L application

- 3.1 A Section 37L application is for the purpose of further development of land associated with a substitute consent application. For example, it can relate to physical expansion onto adjoining land or the deepening or lateral extension of an existing quarry. It may also deal with the completion of, extension to a development the subject of a substitute consent application.
- 3.2 **Form** – As per **Form 2** of the Regulations.
- 3.3 **Site Notice** – the site notice must be set out as per Form B (Form No. 10) as set out in the Planning and Development Regulations, 2001, as amended. The Site Notice(s) must be indicated on the Site Layout Plan.
- 3.4 **Fees** - the fees for applications for Section 37L are as set out in Section 2 of Schedule 9 of the Planning and Development Regulations, 2001 as amended.
- 3.5 We recommend that you attach a note to your fee calculation to explain how it has been calculated. For example, the fee calculation could be made from Class 6 (the mining of minerals), Class 4 (for the provision of buildings) and Class 8 for the provision of plant or machinery).
- 3.6 Six hard copies of the drawings and other particulars accompanying the application should be provided. An electronic version of all documents should also be provided. Should the electronic version of the documents not match the hard copies, the application shall be returned to the applicant. A letter by the applicant, or applicant's agent, confirming that the digital version matches the hard copy should be provided.
- 3.7 Where the application is accompanied by either an EIAR, then a receipt of submission to the EIAR Portal maintained by the Department of Housing, Local Government and Heritage should be included.
- 3.8 Where either an EIAR or NIS is not submitted with the application, a screening document for either EIA or AA should be included demonstrating why it is not required.

## 4.0 Validation for Substitute Consent Applications

- 4.1 Appendix 1 contains the checklists that the Commission will assess applications against. Applicants are recommended to check their documents against these checklists to increase the likelihood of a valid application. This checklist is not exhaustive and should be used as a guide only.
- 4.2 The Commission may request more information to enable it to validate the application.
- 4.3 The Commission may decide at a later date, for example, following a site visit, that the information submitted is substantially incorrect or significant omissions have been made in the application. The Commission at that time can still decide to invalidate the application.

## 5.0 Validation for Section 37L Applications

- 5.1 Appendix 2 contains the checklists that the Commission will assess applications against. Applicants are recommended to check their documents against these checklists to increase the likelihood of a valid application. This checklist is not exhaustive and should be used as a guide only.
- 5.2 The application must be lodged within **6 weeks** of the lodgement of the SC application.
- 5.3 The Commission may request more information to enable it to validate the application.
- 5.4 The Commission may decide at a later date, for example, following a site visit, that the information submitted is substantially incorrect or significant omissions have been made in the application. The Commission at that time can still decide to invalidate the application.

## 6.0 Pre-application Consultation

- 6.1 It is recommended that an applicant engages in the Pre-Application Consultation process before submitting an application and requests a meeting with the Commission.
- 6.2 The Commission has discretion whether to hold a meeting or not. However, consultations are advised particularly in respect of more complex cases.
- 6.3 The Pre-application meeting is not merits based. Its focus is the process and the relevant documentation that should accompany the application(s). There is no decision making in these Pre-application Consultation meetings.
- 6.4 A separate Pre-application Request should be made for the Section 37L application. While both requests will have separate case numbers, it is likely that the two meetings will be held on the same day with the same ACP team.
- 6.5 The applicant will be sent a record of the meeting for comment. However, the record of the meeting will not be changed

## Appendix 1: Substitute Consent Validation Meeting

File number \_\_\_\_\_

Date: \_\_\_\_\_

Inspector/ADP(s) \_\_\_\_\_

EO/SEO/SAO(s) \_\_\_\_\_

### Validation (all details to be checked in conjunction with Inspector)

Fee:(calculated from Schedule 9 of the Regulations): \_\_\_\_\_

Amount Submitted \_\_\_\_\_

Method of Calculation (Attach on separate page) \_\_\_\_\_

**Newspaper Notice (Article 224):** \_\_\_\_\_

1. Approved newspaper \_\_\_\_\_
2. States "Application to An Coimisiún Pleanála for Substitute Consent" \_\_\_\_\_
3. Name of applicant \_\_\_\_\_
4. Location/address \_\_\_\_\_
5. Description of development \_\_\_\_\_
6. If relevant, protected structure, EPA licence, SDZ \_\_\_\_\_
7. Remedial EIAR/Remedial NIS or both \_\_\_\_\_
8. If relevant, EIAR, NIS or both \_\_\_\_\_
9. State where the application can be inspected or purchased \_\_\_\_\_
10. Submissions and observations within 8 weeks of receipt of Commission of application  
\_\_\_\_\_

**Site Notice (Article 225 and Form no. 6 Schedule 3 of Regulations):**

1. As per or similar to Form no.6 \_\_\_\_\_
2. White background \_\_\_\_\_
3. Visible from public road \_\_\_\_\_
4. If not, visible from outside of site \_\_\_\_\_

**Application Form (Article 227 and Form no. 7 Schedule 3 of Regulations):**

1. Newspaper notice included \_\_\_\_\_
2. Site notice included \_\_\_\_\_
3. Confirmation of submission to EIAR Portal, if relevant \_\_\_\_\_
4. Searchable electronic copy of REIAR, if relevant \_\_\_\_\_
5. If no REIAR, document of features or measures, intended to avoid, prevent or reduce significant adverse effects on the environment (often referred to as Schedule 7A information) \_\_\_\_\_

**Maps (Article 227(b),(c) 6 copies and Article 23):**

Location map – scale (1:1000 or 1:2500 or any other scale as agreed) \_\_\_\_\_

- i) Boundary **RED** \_\_\_\_\_
- ii) Adjoining land owned by applicant or owner of the land- **BLUE** \_\_\_\_\_
- iii) Wayleaves **YELLOW** \_\_\_\_\_
- iv) Position of the site notice \_\_\_\_\_
- v) North point \_\_\_\_\_

Site Layout Plan – scale (1:500 or as otherwise agreed) \_\_\_\_\_

- i) Site boundary in red \_\_\_\_\_
- ii) Buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant tree stands and other features \_\_\_\_\_
- iii) Levels or contours relative to OS datum or benchmark \_\_\_\_\_
- iv) Distances of structures from the boundary \_\_\_\_\_

Other drawings (must show principal dimensions)

Existing drawings \_\_\_\_\_

Permitted drawings if relevant \_\_\_\_\_

(A single set of drawings coloured to distinguish between permitted and existing may suffice)

Distance from the structures to the boundaries \_\_\_\_\_

Contiguous elevation if relevant \_\_\_\_\_

Other drawings which may be relevant \_\_\_\_\_

Have drawings showing changes over time been provided? \_\_\_\_\_

Particulars

Letter confirming that hard and digital versions match? \_\_\_\_\_

Shapefile (geographical location of the site in digital form) \_\_\_\_\_

Digital Version supplied? \_\_\_\_\_

Other relevant reports \_\_\_\_\_

**Remedial EIAR/ & Remedial Non- technical summary (S177E(2)(b)):** all required topics covered (Inspector to confirm contents – See Appendix 2). \_\_\_\_\_

**EIA Portal Receipt**

**Remedial NIS (S177G):** \_\_\_\_\_

**Screening documents for either EIA or AA, if no Remedial Document provided (where relevant and specify):** \_\_\_\_\_

**Letter of Consent (where relevant):** \_\_\_\_\_

**Description of development:** \_\_\_\_\_

**Statement of Exceptional Circumstances:** \_\_\_\_\_

**Prescribed Bodies (Article 28(1): (Inspector to advise))**

<b>Circumstance</b>	<b>Prescribed Body</b>	<b>Contact</b>
All applications	Planning Authority (may be more than one)	
Where application close to county boundaries	Adjoining Planning Authority if proximate	
In area of special amenity or obstructs a protected view	An Comhairle Ealaíon, Failte Eireann, An Taisce	
Obstruct or detract from the value of a tourist amenity or tourist amenity works	Failte Eireann	
Protected Structure (PS) or Proposed PS or is in ACA or detracts from the appearance of a PS	An Comhairle Ealaíon, DAU, the Heritage Council, An Taisce	
Affect or close to a cave, site, feature or other object of archaeological, geological, scientific or ecological or historic interest	DAU, the Heritage Council, An Taisce, An Comhairle Ealaíon, Failte Eireann	
Monument or Place Record on the National Monuments	DAU, the Heritage Council, An Taisce, An Comhairle Ealaíon, Failte Eireann	
Historic monument or archaeological area in the Register of Historic Monuments	DAU, the Heritage Council, An Taisce, An Comhairle Ealaíon, Failte Eireann	
National monument owned by the Minister	DAU, the Heritage Council, An Taisce, An Comhairle Ealaíon, Failte Eireann	
Obstruct a scheme for improvements of the surroundings of, or means of access to the above	DAU, the Heritage Council, An Taisce, An Comhairle Ealaíon, Failte Eireann	
Contravene or inconsistent with Regional planning guidelines	Regional Authority	
Contravene a condition attached under S34(4)(m)	Any Planning Authority affected	
Abstraction of waters or addition of water either to or from surface or ground waters	EPA, IFI, Waterways Ireland (if relevant)	
Significant discharges of polluting matter to water or be likely to cause serious water pollution or danger of pollution	EPA, IFI, Waterways Ireland (if relevant)	
Involve the carrying out of works, in, over, along banks of such	IFI, Waterways Ireland (if relevant)	

waters which would materially affect them		
Interfere with navigation of aircraft	Irish Aviation Authority	
Interfere with the operation of an airport, annual traffic not less than 1 million passenger movements	Airport Operator	
Impact bus or rail based transport	CIE, NTA, TII	
Railway bridges and level crossings or bridge over railway, significantly add to traffic volumes utilising these	Railway Safety Commission, railway operator, Luas or Metro operator	
Proximity to a railway	Railway Safety Commission, railway operator, Luas or Metro operator	
Formation of an access, laying out or material widening of an access to a national road	TII	
Where activity requiring an IPC, IEL, Waste Licence, Wastewater Discharge Licence	EPA	
Nature conservation (SAC, SPA, NHA)	Heritage Council, DAU, An Taisce	
Gaeltacht area or linguistic and culture of Gaeltacht	Minister for Community, Rural and Gaeltacht, Údarás na Gaeltachta	
Of or in the vicinity of an explosives factory, storage magazine or local authority explosives store	Minister for Justice, Equality and Law Reform, HSA	
Salmon farming	Minister for Communication, Marine and Natural Resources, IFI	
Initial afforestation or replacement of broadleaf high forest by conifer	Minister for Agriculture and Food, the Heritage Council and An Taisce	
Significant effects on health	HSE	
Mining, quarrying, extraction of earth materials greater than 50,000 cubic metres or greater than 1 hectare	Minister for Communication, Marine and Natural Resources	
Foreshore	Coastal planning authority, MARA. Minister for Communications, Marine and Natural Resources	
Energy Infrastructure or impact on energy infrastructure	Commission for Energy Regulation	
Public water services	Uisce Eireann	

### Major Accidents Directive (Part 11 of the Regulations)

Is the application for an establishment i.e. a COMAH or SEVESO site? \_\_\_\_\_

If yes, have the public notices referred to this? \_\_\_\_\_

Article 137 Notice to HSA is required \_\_\_\_\_

Is the development of a category listed in Table 1 of Schedule 8? \_\_\_\_\_

Is the development located within the distance in column 2 of Table 2 of a COMAH/SEVESO site? \_\_\_\_\_

**Table 1: Development Categories**

1. Provision of hotel, hostel or holiday accommodation, or housing.
2. Provision of schools, crèches or other educational or childcare facilities, training centres, hospitals, convalescent homes, homes for the elderly or sheltered accommodation.
3. Retail developments greater than 250 square metres in gross floor space.
4. Structures for community and leisure facilities, greater than 100 square metres in gross floor space.
5. Provision of facilities or use of land for activities likely to attract more than 1,000 people at any one time.
6. Commercial or industrial development designed to accommodate 20 or more employees.
7. Provision of parking facilities for more than 200 motor vehicles.
8. Transport links, including public roads.
9. Any development adjoining, or separated only by a road from, an establishment and which poses a risk of fire or explosion.
10. Modifications to categories 2, 3, 4, 6 or 7 which would give rise to an increase in size or capacity of 20 per cent or more.



**Was a Pre-App held (If yes, provide case number)?** \_\_\_\_\_

**Any History File to be attached (Inspector to advise):** \_\_\_\_\_

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**Notes:**

Observers time limit – 8 weeks

Prescribed bodies - 8 weeks

Planning Authority time limits – 10 weeks after the receipt of a copy of the application for Substitute Consent. 177I.

S177P (1)(9)(b) – 18 weeks for decision after receipt of PA report.

**Site Notice for Substitute Consent Form 6 Article 227**

**APPLICATION TO AN COIMISIÚN PLEANÁLA FOR SUBSTITUTE CONSENT SITE NOTICE**

I, ..... 1 , intend to apply for substitute consent for development at this site ..... 2  
..... The development consists of.....  
..... 3

The application is accompanied by a remedial Environmental Impact Assessment Report and remedial Natura impact statement [delete as appropriate].

Submissions or observations may be made on the application, to An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1, D01 V902 ([www.pleanala.ie](http://www.pleanala.ie)) without charge. Submissions or observations must be in writing and made within the period of 8 weeks beginning on the date of receipt of the application by An Coimisiún Pleanála and such submissions and observations will be considered by An Coimisiún Pleanála in making a decision on the application. An Coimisiún Pleanála may grant the consent subject to or without conditions, or may refuse to grant it. The application for consent may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of An Coimisiún Pleanála, or the relevant planning authority during its public opening hours. Any enquiries relating to the application process should be directed to An Coimisiún Pleanála (Tel. 01-8588100).

Signed: .....

Date of erection of site notice .....

## Contents of a Remedial EIAR (S177F)

The full requirements of an EIAR are set out in Schedule 6 of the Regulations. In addition, for Remedial EIAR, under Section 177F of the Planning and Development Act as amended, a statement of the significant effects, if any, on the environment, which have occurred or which are occurring or which can reasonably be expected to occur because the development the subject of the application for substitute consent was carried out. This should include:

b) details of

- (i) any appropriate remedial measures undertaken or proposed to be undertaken by the applicant for substitute consent to remedy any significant adverse effects on the environment;
- (ii) the period of time within which any proposed remedial measures shall be carried out by or on behalf of the applicant;

(c) such information as may be prescribed under section 177N.

The Remedial EIAR must include a Non-Technical Summary of the contents; a reference list of sources used; a list of the experts who contributed to the report, identifying the parts of the report the expert is responsible for or contributed to, their competence and experience, including relevant qualifications and other information that demonstrates competence.

The REIAR must include the direct and indirect significant effects of the development seeking Substitute Consent on the following:

(I) population and human health;

(II) biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive;

(III) land, soil, water, air and climate;

(IV) material assets, cultural heritage and the landscape;

(V) the interaction between the factors mentioned in *clauses (I) to (IV)*, and such examination, analysis and evaluation of the expected direct and indirect significant effects on the environment derived from the vulnerability of the proposed development to risks of major accidents or disasters, or both major accidents and disasters, that are relevant to that development.

## Appendix 2: Validation Meeting

File number: \_\_\_\_\_

Date: \_\_\_\_\_

Inspector/ADP(s) \_\_\_\_\_

EO/SEO/SAO(s) \_\_\_\_\_

### Validation (all details to be checked in conjunction with Inspector)

Associated Substitute Consent File No. \_\_\_\_\_

Date of Lodgement of SC File: \_\_\_\_\_

On Time: (if S37L, **within 6 weeks of submission of SC file**) \_\_\_\_\_

Fee:(calculated from Schedule 9 of the Regulations) \_\_\_\_\_

Amount Submitted \_\_\_\_\_

Method of Calculation (Attach on separate page) \_\_\_\_\_

**Newspaper Notice (Article 264)** \_\_\_\_\_

1. Approved newspaper \_\_\_\_\_
2. States "Application to An Coimisiún Pleanála for permission in relation to a development of land; section 37L of the Planning and Development Act 2000" \_\_\_\_\_
3. Name of applicant \_\_\_\_\_
4. Location/address \_\_\_\_\_
5. Description of development \_\_\_\_\_
6. If relevant, protected structure, EPA licence, SDZ \_\_\_\_\_
7. If applicable, EIAR/NIS or both \_\_\_\_\_
8. State where the application can be inspected or purchased \_\_\_\_\_
9. Submissions and observations within 8 weeks of receipt of Commission of application \_\_\_\_\_

**Site Notice (Article 265 and Form 10 Schedule 3 of Regulations):** \_\_\_\_\_

1. As per or similar to Form no.10 \_\_\_\_\_
2. White background \_\_\_\_\_

- 3. Visible from public road \_\_\_\_\_
- 4. If not, visible from outside of site \_\_\_\_\_

**Application Form (Article 267 and Form No. 2 of Regulations) :** \_\_\_\_\_

- 1. Newspaper notice included \_\_\_\_\_
- 2. Site notice included \_\_\_\_\_
- 3. Confirmation of submission to EIAR Portal, if relevant \_\_\_\_\_
- 4. Searchable electronic copy of EIAR, if relevant \_\_\_\_\_
- 5. If no EIAR, document of features or measures, intended to avoid, prevent or reduce significant adverse effects on the environment (often referred to as Schedule 7A material) \_\_\_\_\_

**Maps (Article 267, 6 copies or 1 hard copy, if an electronic copy is submitted):**

Location map – scale (1:1000 or 1:25000 or any other scale as agreed) \_\_\_\_\_

- i) Boundary **RED** \_\_\_\_\_
- ii) Adjoining land owned by applicant or owner of the land- **BLUE** \_\_\_\_\_
- iii) Wayleaves **YELLOW** \_\_\_\_\_
- iv) Position of the site notice \_\_\_\_\_
- iv) North point \_\_\_\_\_

Site Layout Plan – scale (1:500 or as otherwise agreed) \_\_\_\_\_

- i) Site boundary in red \_\_\_\_\_
- ii) Buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant tree stands and other features \_\_\_\_\_
- iii) Levels or contours relative to OS datum or benchmark \_\_\_\_\_
- iv) Distances of structures from the boundary \_\_\_\_\_

Other drawings (must show principal dimensions)

Existing drawings (what is currently present on the site and the adjoining site) \_\_\_\_\_

Proposed development \_\_\_\_\_

Contiguous elevation if relevant \_\_\_\_\_

Other drawings which may be relevant \_\_\_\_\_

Particulars

Letter confirming that hard and digital versions match? \_\_\_\_\_

Shapefile (geographical location of the site in digital form) \_\_\_\_\_

Digital Version supplied? \_\_\_\_\_

Other relevant reports \_\_\_\_\_

**If EIAR/ & Non- technical summary (S171A) submitted:** all required topics covered (Inspector to confirm – See Appendix 2). \_\_\_\_\_

**NIS (S177R):** \_\_\_\_\_

**Screening documents for either EIA or AA, if no such document provided (where relevant and specify):** \_\_\_\_\_

**Letter of Consent (where relevant):** \_\_\_\_\_

**Description of proposed development:** \_\_\_\_\_

**Prescribed Bodies: (Inspector to advise)**

<b>Circumstance</b>	<b>Prescribed Body</b>	<b>Contact</b>
All applications	Planning Authority (may be more than one)	
Where application close to county boundaries	Adjoining Planning Authority if proximate	
In area of special amenity or obstructs a protected view	An Comhairle Ealaíon, Failte Eireann, An Taisce	
Obstruct or detract from the value of a tourist amenity or tourist amenity works	Failte Eireann	
Protected Structure (PS) or Proposed PS or is in ACA or detracts from the appearance of a PS	An Comhairle Ealaíon, DAU, the Heritage Council, An Taisce	
Affect or close to a cave, site, feature or other object of archaeological, geological, scientific or ecological or historic interest	DAU, the Heritage Council, An Taisce, An Comhairle Ealaíon, Failte Eireann	
Monument or Place Record on the National Monuments	DAU, the Heritage Council, An Taisce, An Comhairle Ealaíon, Failte Eireann	
Historic monument or archaeological area in the Register of Historic Monuments	DAU, the Heritage Council, An Taisce, An Comhairle Ealaíon, Failte Eireann	
National monument owned by the Minister	DAU, the Heritage Council, An Taisce, An Comhairle Ealaíon, Failte Eireann	
Obstruct a scheme for improvements of the surroundings of, or means of access to the above	DAU, the Heritage Council, An Taisce, An Comhairle Ealaíon, Failte Eireann	
Contravene or inconsistent with Regional planning guidelines	Regional Authority	

Contravene a condition attached under S34(4)(m)	Any Planning Authority affected	
Abstraction of waters or addition of water either to or from surface or ground waters	EPA, IFI, Waterways Ireland (if relevant)	
Significant discharges of polluting matter to water or be likely to cause serious water pollution or danger of pollution	EPA, IFI, Waterways Ireland (if relevant)	
Involve the carrying out of works, in, over, along banks of such waters which would materially affect them	IFI, Waterways Ireland (if relevant)	
Interfere with navigation of aircraft	Irish Aviation Authority	
Interfere with the operation of an airport, annual traffic not less than 1 million passenger movements	Airport Operator	
Impact bus or rail based transport	CIE, NTA, TII	
Railway bridges and level crossings or bridge over railway, significantly add to traffic volumes utilising these	Railway Safety Commission, railway operator, Luas or Metro operator	
Proximity to a railway,	Railway Safety Commission, railway operator, Luas or Metro operator	
Formation of an access, laying out or material widening of an access to a national road	TII	
Where activity requiring an IPC, IEL, Waste Licence, Wastewater Discharge Licence	EPA	
Nature conservation (SAC, SPA, NHA)	Heritage Council, DAU, An Taisce	
Gaeltacht area or linguistic and culture of Gaeltacht	Minister for Community, Rural and Gaeltacht, Údarás na Gaeltachta	
Of or in the vicinity of an explosives factory, storage magazine or local authority explosives store	Minister for Justice, Equality and Law Reform, HSA	
Salmon farming	Minister for Communication, Marine and Natural Resources, IFI	
Initial afforestation or replacement of broadleaf high forest by conifer	Minister for Agriculture and Food, the Heritage Council and An Taisce	
Significant effects on health	HSE	
Mining, quarrying, extraction of earth materials greater than 50,000 cubic metres or greater than 1 hectare	Minister for Communication, Marine and Natural Resources	
Foreshore	Coastal planning authority, MARA. Minister for Communications, Marine and Natural Resources	
Energy Infrastructure or impact on energy infrastructure	Commission for Energy Regulation	
Public water services	Uisce Eireann	

## Major Accidents Directive (Part 11 of the Regulations)

Is the application for an establishment i.e. a COMAH or SEVESO site? \_\_\_\_\_

If yes, have the public notices referred to this? \_\_\_\_\_

Article 137 Notice to HSA is required \_\_\_\_\_

Is the development of a category listed in Table 1 of Schedule 8? \_\_\_\_\_

Is the development located within the distance in column 2 of Table 2 of a COMAH/SEVESO site? \_\_\_\_\_

### Table 1: Development Categories

1. Provision of hotel, hostel or holiday accommodation, or housing.
2. Provision of schools, crèches or other educational or childcare facilities, training centres, hospitals, convalescent homes, homes for the elderly or sheltered accommodation.
3. Retail developments greater than 250 square metres in gross floor space.
4. Structures for community and leisure facilities, greater than 100 square metres in gross floor space.
5. Provision of facilities or use of land for activities likely to attract more than 1,000 people at any one time.
6. Commercial or industrial development designed to accommodate 20 or more employees.
7. Provision of parking facilities for more than 200 motor vehicles.
8. Transport links, including public roads.
9. Any development adjoining, or separated only by a road from, an establishment and which poses a risk of fire or explosion.
10. Modifications to categories 2, 3, 4, 6 or 7 which would give rise to an increase in size or capacity of 20 per cent or more



**Was a Pre-App held (If yes, provide case number)?** \_\_\_\_\_

**Any History File to be attached (Inspector to advise):** \_\_\_\_\_

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**Notes:**

Observers time limit – 8 weeks

Prescribed bodies - 8 weeks

Planning Authority time limits – 6 weeks after the making of request. Note that SC must be decided within 18 weeks of receipt of report from PA< Will consider sending the request after all observations from the public and prescribed bodies have been received, to enable PA comment on same.

**Form 10 Site Notice for S37L Article 265**

SITE NOTICE

APPLICATION TO AN COIMISIÚN PLEANÁLA FOR PERMISSION FOR DEVELOPMENT OF LAND UNDER SECTION 37L OF THE ACT

I, ..... 1 intend to apply for permission under section 37L of the Planning and Development Act 2000 for development at this site.

..... 2

The development consists of..... 3

The application is accompanied by an Environmental Impact Assessment Report 4 :

Yes No

The application is accompanied by a Natura Impact Statement 4 :

Yes No

Submissions or observations may be made on the application, to An Coimisiún Pleanála, 64 Marlborough Street, Dublin 1, D01V902 ([www.pleanala.ie](http://www.pleanala.ie)) free of charge. Submissions or observations must be in writing and made within the period of 8 weeks beginning on the date of receipt of the application by An Coimisiún Pleanála and such submissions and observations will be considered by An Coimisiún Pleanála in making a decision on the application. An Coimisiún Pleanála may grant the consent subject to or without conditions, or may refuse to grant it.

The application for permission may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of An Coimisiún Pleanála, or the relevant planning authority during its public opening hours. Any enquiries relating to the application process should be directed to An Coimisiún Pleanála (Tel. 01-8588100).

Signed: ..... 5

Date of erection of site notice ..... 6

## **Contents of EIAR**

The full requirements of an EIAR are set out in Schedule 6 of the Regulations. It must include a Non-Technical Summary of the contents, a reference list of sources used; a list of experts who contributed to the report, identifying the parts of the report the expert is responsible for or contributed to, their competence and experience, including relevant qualifications and other information that demonstrates their competence and experience.

The EIAR must include the direct and indirect significant effects of the proposed development on the following:

(I) population and human health;

(II) biodiversity, with particular attention to species and habitats protected under the Habitats Directive and the Birds Directive;

(III) land, soil, water, air and climate;

(IV) material assets, cultural heritage and the landscape;

(V) the interaction between the factors mentioned in *clauses (I) to (IV)*, and such examination, analysis and evaluation of the expected direct and indirect significant effects on the environment derived from the vulnerability of the proposed development to risks of major accidents or disasters, or both major accidents and disasters, that are relevant to that development.