

Form No. 2

Planning Application Form

Article 22

Commented [i851]: Form No. 2 is substituted by Article 99(b) of S.I. No. 296/2018 European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018

PLANNING APPLICATION FORM

BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING

Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information will lead to the invalidation of your application. Therefore please ensure that each section of this application form is fully completed and signed, entering n/a (not applicable) where appropriate, and that all necessary documentation is attached to the application form.

ADDITIONAL INFORMATION

It should be noted that each planning authority has its own development plan, which sets out local development policies and objectives for its own area. The authority may therefore need supplementary information (i.e. other than that required in this form) in order to determine whether the application conforms with the development plan and may request this on a supplementary application form.

Failure to supply the supplementary information will not invalidate your planning application but may delay the decision-making process or lead to a refusal of permission. Therefore applicants should contact the relevant planning authority to determine what local policies and objectives would apply to the development proposed and whether additional information is required.

OTHER STATUTORY CODES

An applicant will not be entitled solely by reason of a planning permission to carry out the development. The applicant may need other consents, depending on the type of development. For example, all new buildings, extensions and alterations to, and certain changes of use of existing buildings must comply with building regulations, which set out basic design and construction requirements. Also any works causing the deterioration or destruction of the breeding and resting places of bats, otters, natterjack toads, Kerry slugs and certain marine animals constitute a criminal offence unless covered by a derogation licence issued by the Minister for Culture, Heritage and the Gaeltacht (pursuant to Article 16 of the Habitats Directive).

DATA PROTECTION

It is the responsibility of persons or entities wishing to use any personal data on a planning application form for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1988 to 2018. The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution.

PLANNING APPLICATION FORM

1. NAME OF RELEVANT PLANNING AUTHORITY:

Kildare County Council

2. LOCATION OF DEVELOPMENT:

*Postal Address or Townland or Location
(as may best identify the land or structure
in question)*

New Paddocks, Blessington, Co Wicklow
W91 CH68 within the townlands of
Athgarrett, Philipstown and Redbog, Co
Kildare.

*Ordnance Survey Map Ref. No. (and the
Grid Reference where available)¹*

4461, 4462, 4404, 4403, 4461-D, 4462-A,
4462-B, 4462D

3. TYPE OF PLANNING PERMISSION (PLEASE TICK APPROPRIATE BOX):

Permission

Permission for retention

Outline Permission

Permission consequent on Grant of Outline Permission

4. WHERE PLANNING PERMISSION IS CONSEQUENT ON GRANT OF OUTLINE PERMISSION:

Commented [i852]: Planning Application Form is substituted by Article 99(b) of S.I. No. 296/2018 European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018

Outline Permission Register Reference Number:.....	
Date of Grant of Outline Permission:/...../.....	
5. APPLICANT²:	
<i>Name(s)</i>	Hudson Brothers Limited
	Contact details to be supplied at the end of this form. (Question: 24)
6. WHERE APPLICANT IS A COMPANY (REGISTERED UNDER THE COMPANIES ACT):	
<i>Name(s) of company director(s)</i>	Sean Hudson, Tom Hudson, Peter Hudson Jnr, John Hudson, and Devin Hudson
<i>Registered Address (of company)</i>	11, Gorthlum, Brittas, Co. Dublin
<i>Company Registration number</i>	34026
7. PERSON/AGENT ACTING ON BEHALF OF THE APPLICANT (IF ANY):	
<i>Name</i>	Eamonn Prenter – Cunnane Stratton Reynolds
	Address to be supplied at the end of this form. (Question 25)
8. PERSON RESPONSIBLE FOR PREPARATION OF DRAWINGS AND PLANS³	
<i>Name</i>	Kevin McGillicuddy
<i>Firm/Company</i>	WSP Limited, Town Centre House, Dublin Road, Naas, Co. Kildare, W91 TD0P

9. DESCRIPTION OF PROPOSED DEVELOPMENT:		
<i>Brief description of nature and extent of development^d</i>	PLEASE SEE ATTACHED COVER LETTER AND STATUTORY NOTICES	
10. LEGAL INTEREST OF APPLICANT IN THE LAND OR STRUCTURE:		
Please tick appropriate box. <i>Where legal interest is 'Other', please expand further on your interest in the land or structure</i>	<i>A. Owner</i> <input checked="" type="checkbox"/>	<i>B. Occupier</i> <input type="checkbox"/>
	<i>C. Other</i> <input checked="" type="checkbox"/>	
<i>If you are not the legal owner, please state the name and address of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation</i>	See letters of consent.	
11. SITE AREA:		
<i>Area of site to which the application relates in hectares</i>	64.0ha	
12. WHERE THE APPLICATION RELATES TO A BUILDING OR BUILDINGS:		

Gross floor space ⁵ of any existing building(s) in m ²	N/A S37L application for extraction purposes only
Gross floor space of proposed works in m ²	N/A
Gross floor space of work to be retained in m ² (if appropriate)	N/A
Gross floor space of any demolition in m ² (if appropriate)	N/A

13. IN THE CASE OF MIXED DEVELOPMENT (E.G. RESIDENTIAL, COMMERCIAL, INDUSTRIAL, ETC), PLEASE PROVIDE BREAKDOWN OF THE DIFFERENT CLASSES OF DEVELOPMENT AND BREAKDOWN OF THE GROSS FLOOR AREA OF EACH CLASS OF DEVELOPMENT:

Class of Development	Gross floor area in m ²
N/A	N/A

14. IN THE CASE OF RESIDENTIAL DEVELOPMENT PLEASE PROVIDE BREAKDOWN OF RESIDENTIAL MIX: N/A

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4+ Bed	Total
Houses							
Apartments							

<i>Number of car-parking spaces to be provided</i>	N/A	Total:
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15. WHERE THE APPLICATION REFERS TO A MATERIAL CHANGE OF USE OF ANY LAND OR STRUCTURE OR THE RETENTION OF SUCH A MATERIAL CHANGE OF USE:		
<i>Existing use⁶ (or previous use where retention permission is sought)</i>	Agriculture	
<i>Proposed use (or use it is proposed to retain)</i>	Proposed continuation and extension of quarrying activities, including: Extraction of sand and gravel, and rock to the west; Extraction of sand and gravel to the north; Processing of sand and gravel, and rock; and Storage of overburden for future restoration of the site.	
<i>Nature and extent of any such proposed use (or use it is proposed to retain)</i>	Proposed continuation and extension of quarrying activities to be within the ca. 64.0ha Application site.	

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16. SOCIAL AND AFFORDABLE HOUSING:		
<i>(Please tick appropriate box)</i>	<i>Yes</i>	<i>No</i>
<i>Is the application an application for permission for development to which Part V of the Planning and Development Act 2000 applies?⁷</i>		✓
If the answer to the above question is “yes” and the development is not exempt (see below), you must provide, as part of your application, details as to how you propose to comply with section 96 of Part V of the Act including, for example, (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	N/A	N/A

<p>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</p> <p>(ii) details of the calculations and methodology for calculating 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.</p> <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>If the answer to the above question is "yes" but you consider the development to be exempt by virtue of section 97 of the Planning and Development Act 2000⁸, a copy of the Certificate of Exemption under section 97 must be submitted (or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the application should be submitted).</p> <p>If the answer to the above question is "no" by virtue of section 96(13) of the Planning and Development Act 2000⁹, details indicating the basis on which section 96(13) is considered to apply to the development should be submitted.</p>		
<p>17. DEVELOPMENT DETAILS:</p>		

Commented [i853]: Inserted by article 7(a) of S.I. No. 588/2021 Planning and Development (Amendment) (No. 3) Regulations 2021

Please tick appropriate box	Yes	No
<i>Does the proposed development consist of work to a protected structure and/or its curtilage or proposed protected structure and/or its curtilage?</i>		✓
<i>Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?</i>		✓
<i>Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act 1994¹⁰?</i>		✓
<i>Does the proposed development require the preparation of an Environmental Impact Assessment Report¹¹?</i>	✓	
<i>Does the application relate to work within or close to a European Site (under S.I. No. 94 of 1997) or a Natural Heritage Area¹²?</i>	✓	
<i>Does the application relate to a development which comprises or is for the purposes of an activity requiring a licence from the Environmental Protection Agency other than a waste licence?</i>		✓
<i>Does the application relate to a development which comprises or is for the purposes of an activity requiring a waste licence?</i>		✓
<i>Do the Major Accident Regulations apply to the proposed development?</i>		✓
<i>Does the application relate to a development in a Strategic Development Zone?</i>		✓

Commented [i854]: Substituted by article 7(b) of S.I. No. 588/2021 Planning and Development (Amendment) (No. 3) Regulations 2021

<i>Does the proposed development involve the demolition of any structure?</i>		✓
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18. SITE HISTORY:

Details regarding site history (if known)

Has the site in question ever, to your knowledge, been flooded?

Yes [] No [✓]

If yes, please give details e.g. year, extent.

N/A

Are you aware of previous uses of the site e.g. dumping or quarrying?

Yes [✓] No []

If yes, please give details.

PLEASE SEE SUPPORTING DOCUMENTATION

Are you aware of any valid planning applications previously made in respect of this land/structure?

Yes [✓] No []

If yes, please state planning reference number(s) and the date(s) of receipt of the planning application(s) by the planning authority if known:

Reference No. VARIOUS – PLEASE SEE ATTACHED COVER LETTER. Date:
N/A.....

If a valid planning application has been made in respect of this land or structure in the 6 months prior to the submission of this application, then the site notice must be on a yellow background in accordance with article 19(4) of the Planning and Development Regulations 2001 as amended.

Is the site of the proposal subject to a current appeal to An Bord Pleanála in respect of a similar development ¹³?

Yes [] No [✓]

An Bord Pleanála Reference No.:.....

19. PRE-APPLICATION CONSULTATION:

Has a pre-application consultation taken place in relation to the proposed development¹⁴?

Yes [] No [✓]

If yes, please give details:

Reference No. (if any):.....

Date(s) of consultation:/...../.....

Persons involved:

20. SERVICES:

Proposed Source of Water Supply

Existing connection <input type="checkbox"/> New connection <input type="checkbox"/> N/A	
Public Mains <input type="checkbox"/> Group Water Scheme <input type="checkbox"/> Private Well <input type="checkbox"/>	
Other (please specify):.....	
Name of Group Water Scheme (where applicable).....	
<i>Proposed Wastewater Management/Treatment</i>	
Existing <input type="checkbox"/> New <input type="checkbox"/> N/A	
Public Sewer <input type="checkbox"/> Conventional septic tank system <input type="checkbox"/>	
Other on-site treatment system <input type="checkbox"/> Please specify.....	
<i>Proposed Surface Water Disposal</i>	
Public Sewer/Drain <input type="checkbox"/> Soakpit <input type="checkbox"/>	
Watercourse <input type="checkbox"/> Other <input type="checkbox"/> Please specify PLEASE SEE SUBMITTED EIAR	
21. DETAILS OF PUBLIC NOTICE:	
Approved newspaper¹⁵ in which notice was published	IRISH DAILY STAR
<i>Date of publication</i>	27/02/2024
<i>Date on which site notice was erected</i>	29/02/2024

22. APPLICATION FEE:	
<i>Fee Payable</i>	€32,000
<i>Basis of Calculation</i>	PLEASE SEE ATTACHED FEE SCHEDULE

23. DECLARATION:	
<p><i>I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the Planning and Development Act 2000, as amended, and the Regulations made thereunder. Where an application is made in electronic form with the consent of the Planning Authority under article 22(3) of the Principal Regulations valid login credentials will replace the need for a signature and satisfy the declaration.</i></p>	
<i>Signed</i> <i>(Applicant or Agent as appropriate)</i>	
<i>Date</i>	28/02/2024

Commented [i855]: Inserted by article 7(c) of S.I. No. 588/2021 Planning and Development (Amendment) (No. 3) Regulations 2021

CONTACT DETAILS — NOT TO BE PUBLISHED

24. APPLICANT ADDRESS/CONTACT DETAILS:	
<i>Address</i>	11 Gorthlum, Brittas, Co Dublin
<i>Email address</i>	reception@hudsonbrothers.ie
<i>Telephone number (optional)</i>	045 865 880
25. AGENT'S (IF ANY) ADDRESS/CONTACT DETAILS:	

<i>Address</i>	Cunnane Stratton Reynolds Limited, Gainsboro House, 24 Suffolk Street, Dublin 2, D02 KF65
<i>Email address</i>	info@csrlandplan.ie
<i>Telephone number (optional)</i>	01 661 0419
<p>Should all correspondence be sent to the agent's address (where applicable)? Please tick appropriate box. (Please note that if the answer is 'No', all correspondence will be sent to the applicant's address)</p> <p>Yes [<input checked="" type="checkbox"/>] No [<input type="checkbox"/>]</p>	

A contact address must be given, whether that of the applicant or that of the agent.

This form should be accompanied by the following documentation:

Please note that if the appropriate documentation is not included, your application will be deemed invalid.

ALL Planning Applications

- The relevant page of newspaper that contains notice of your application
- A copy of the site notice
- 6 copies of site location map¹⁶
- 6 copies of site or layout plan¹⁶⁺¹⁷

- 6 copies of plans and other particulars required to describe the works to which the development relates (include detailed drawings of floor plans, elevations and sections — except in the case of outline permission)
- The appropriate Planning Fee

Where the applicant is not the legal owner of the land or structure in question:

- Other than where article 22(2)(g)(ii) or article 22(2)(g)(iii) applies, the written consent of the owner to make the application

Commented [i856]: Inserted by article 3 of S.I. No. 565/2022 Planning and Development (Amendment)(No. 2) Regulations 2022

Commented [i857]: Amended by article 2(b) of S.I. No. 9 of 2021 Planning and Development (Amendment) Regulations 2021

Where the application is for residential development that is subject to Part V of the 2000 Act:

- Details of the manner in which it is proposed to comply with section 96 of Part V of the Act including, for example.
 - (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 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
 - (ii) details of the calculations and methodology for calculating 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

or

- A certificate of exemption from the requirements of Part V

or

- A copy of the application submitted for a certificate of exemption.

Where the application is for residential development that is not subject to Part V of the 2000 Act by virtue of section 96(13) of the Act:

- Information setting out the basis on which section 96(13) is considered to apply to the development.

Where the disposal of wastewater for the proposed development is other than to a public sewer:

- Information on the on-site treatment system proposed and evidence as to the suitability of the site for the system proposed.

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):

- Photographs, plans and other particulars necessary to show how the development would affect the character of the structure.

Applications that refer to a material change of use or retention of such a material change of use:

- Plans (including a site or layout plan and drawings of floor plans, elevations and sections which comply with the requirements of article 23) and other particulars required describing the works proposed.

Where an application requires an Environmental Impact Report:

- An Environmental Impact Assessment Report, and
- A copy of the confirmation notice received from the EIA portal in accordance with article 97B(2) of the permission regulations

Applications that are exempt from planning fees:

- Proof of eligibility for exemption¹⁸

Directions for completing this form

Commented [i858]: Directions for Form No. 2 are substituted by Article 99(b) of S.I. No. 296/2018 European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018

1. Grid reference in terms of the Irish Transverse Mercator.
2. “The applicant” means the person seeking the planning permission, not an agent acting on his or her behalf.
3. Where the plans have been drawn up by a firm/company the name of the person primarily responsible for the preparation of the drawings and plans, on behalf of that firm/company, should be given.
4. A brief description of the nature and extent of the development, including reference to the number and height of buildings, protected structures, etc.

(4A) Where the application is accompanied by an opinion on unconfirmed details, the application shall include an indication of that fact.

Commented [i859]: Direction (4A) is inserted by article 8 of S.I. No. 655/2023 Planning and Development (Amendment) (No. 3) Regulations 2023

5. Gross floor space means the area ascertained by the internal measurement of the floor space on each floor of a building, that is, floor areas must be measured from inside the external wall.

6. Where the existing [land or structure is not in use] please state most recent authorised use of the land or structure.

Commented [i860]: Substituted by article 6 of S.I. No. 387 of 2015 Planning and Development (Amendment)(No. 3) Regulations 2015

7. Part V of the Planning and Development Act 2000 applies where—

- [there is an application for the development of houses on land]

Commented [i861]: Substituted by article 7(d) of S.I. No. 588/2021 Planning and Development (Amendment) (No. 3) Regulations 2021

[] , and

Commented [i862]: Some text here was deleted by article 7(d) of S.I. No. 588/2021 Planning and Development (Amendment) (No. 3) Regulations 2021

- the proposed development is not exempt from Part V

8. Under section 97 of the Planning and Development Act 2000, applications involving development of [4 or fewer] houses or development on land of less than 0.1 hectare may be exempt from Part V.

Commented [i863]: Amended by article 6 of S.I. No. 387 of 2015 Planning and Development (Amendment)(No. 3) Regulations 2015; and subsequently amended by article 7(e) of S.I. No. 588/2021 Planning and Development (Amendment) (No. 3) Regulations 2021

9. Under section 96(13) of the Planning and Development Act 2000, Part V does not apply to certain housing developments by approved voluntary housing bodies, certain conversions, the carrying out of works to an existing house or the development of houses under an agreement made under section 96 of the Act.

10. The Record of Monuments and Places, under section 12 of the National Monuments Amendment Act 1994, is available, for each county, in the local authorities and public libraries in that county. Please note also that if the proposed development affects or is close to a national monument which, under the National Monuments Acts 1930 to 2004, is in the ownership or guardianship of the Minister for Culture, Heritage and the Gaeltacht or a local authority, or is the subject of a preservation order or a temporary preservation order, a separate statutory consent is required, under the National Monuments Acts, from the Minister for Culture, Heritage and the Gaeltacht. For information on whether national monuments are in the ownership or guardianship of the Minister for Culture, Heritage and the Gaeltacht or a local authority or are the subject of preservation orders, contact the National Monuments Section, Department of Culture, Heritage and the Gaeltacht.

11. An environmental impact assessment report (EIAR) and the confirmation notice from the EIA portal are required to accompany a planning application for development of a class set out in Schedule 5 of the Planning and Development Regulations 2001-2018 which equals or exceeds, as the case may be, a limit, quantity or threshold set for that class of development. An EIAR and confirmation notice from the EIA portal will also be required by the planning authority in respect of sub-threshold development where the authority considers that the development would be likely to have significant effects on the environment (article 103).
12. An appropriate assessment of proposed development is required in cases where it cannot be excluded that the proposed development would have a significant effect on a European site. It is the responsibility of the planning authority to screen proposed developments to determine whether an appropriate assessment is required and where the authority determines that an appropriate assessment is required, the authority will normally require the applicant to submit a Natura impact statement (NIS). Where the applicant considers that the proposed development is likely to have a significant effect on a European site it is open to him/her to submit a NIS with the planning application.
13. The appeal must be determined or withdrawn before another similar application can be made.
14. A formal pre-application consultation may only occur under Section 247 of the Planning and Development Act 2000. An applicant should contact his or her planning authority if he/she wishes to avail of a pre-application consultation. In the case of residential development to which Part V of the 2000 Act applies, applicants are advised to avail of the pre-application consultation facility in order to ensure that a Part V agreement in principle can be reached in advance of the planning application being submitted. In the case where a mandatory section 247 consultation is prescribed in the Planning and Development Act 2000, this consultation must be completed prior to lodging a planning application.
15. The list of approved newspapers, for the purpose of giving notice of intention to make a planning application, is available from the planning authority to which the application will be submitted.
16. All plans, drawings and maps submitted to the planning authority should be in accordance with the requirements of the Planning and Development Regulations 2001-2018.

Commented [i864]: Inserted by article 7(f) of S.I. 588/2021 Planning and Development (Amendment) (No. 3) Regulations 2021

17. The location of the site notice(s) should be shown on site location map.

18. See Schedule 9 of Planning and Development Regulations 2001. If a reduced fee is tendered, details of previous relevant payments and planning permissions should be given. If exemption from payment of fees is being claimed under article 157 of the 2001 Regulations, evidence to prove eligibility for exemption should be submitted.