



OPR Case Study Paper CSP04

Pre-Application (S247) Consultation Services



**Oifig an
Rialaitheora Pleanála**
Office of the
Planning Regulator

An Analysis of Practice across the Local
Government Sector



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OPR Case Study Papers (CSP) provide investigative research and analysis on specific areas of the planning system for practitioners, elected members and the public. The intention of the Case Study Papers is to support planning authorities in the performance of their duties. For the avoidance of doubt, Case Study Papers do not have the status of Ministerial Guidelines under Section 28 of the Planning and Development Act 2000, as amended.* They are issued to promote shared learning and highlight best practice, in accordance with the OPR's statutory remit to engage in education, training and research activities. Case Study Papers cannot be relied upon as containing, or as a substitute for, legal advice. Legal or other professional advice on specific issues may be required in any particular case. Any comments/feedback in relation to this Case Study Paper may be sent to research@opr.ie.

*hereinafter referred to as the '2000 Act'.

Acronym List

- > **ABP:** An Bord Pleanála
- > **AA:** Appropriate Assessment
- > **CCMA:** County and City Management Association
- > **CSP:** Case Study Paper
- > **DHLGH:** Department of Housing, Local Government and Heritage
- > **DAU:** Development Applications Unit of the Department of Housing, Local Government and Heritage
- > **DM:** Development Management
- > **EMRA:** Eastern and Midland Regional Assembly
- > **EIA:** Environmental Impact Assessment
- > **EIAR:** Environmental Impact Assessment Report
- > **FRA:** Flood Risk Assessment
- > **GIS:** Geographic Information System
- > **HNDA:** Housing Need and Demand Assessment
- > **ICT:** Information and Communications Technology
- > **LSRD:** Large Scale Residential Development
- > **LGMA:** Local Government Management Agency
- > **NPAD:** National Planning Application Database
- > **NWRA:** Northern and Western Regional Assembly
- > **OPR:** Office of the Planning Regulator
- > **PA:** Planning Authority
- > **SDCC:** South Dublin County Council
- > **SRA:** Southern Regional Assembly
- > **SHD:** Strategic Housing Development

1.0 Introduction

This Case Study Paper (CSP04) follows on from, and expands upon, preliminary review work undertaken in Case Study Paper 02 - **Online Planning Services – A survey of the online availability of local authority planning documentation (CSP02)**. Findings in CSP02 indicated that the pre-application consultation services vary considerably from local authority to local authority and these variations are examined in this Case Study Paper (CSP).

For clarity this study did not examine the timelines associated with the delivery of the pre-application consultation service, as this was considered unreasonable within the context of the COVID-19 pandemic and as there are many qualitative variables which would not be reflected accurately in such a comparison. The focus was therefore placed on identifying positive learnings to improve systems and procedures at a structural level, which in turn should have a positive impact on timelines and service delivery.

Many other planning regimes charge a fee for pre-application services, and as part of this research we sought the opinion of planning authorities in relation to the introduction of fees for the pre-application service.

There is provision for legislative and regulatory change contained in Section 246 (1)(d)(ii)¹ of the 2000 Act (whereby the Minister may make regulations providing for prescribed fees in relation to any consultation or advice under Section 247) but this is ultimately a matter for the government.

The research undertaken in the context of preparing this CSP highlights that there is scope for '*knowledge and skill sharing*' to enhance the quality of Section 247 consultations, which in turn enhance the efficiency and effectiveness of local authorities in their assessment of planning applications.

¹ Substituted Planning and Development (Amendment) Act 2018 (16/2018), s. 41(a),(b), S.I. No. 436 of 2018).

Context

The granting of planning permission under the 2000 Act involves permitting development that can contribute to significant changes to our environment. These changes are generally, irreversible and the development once built, will be there for a very long time.

It follows that there must be proper processes for submitting details to the local planning authority, for public notices and consultation and engagement with relevant bodies before key decisions are made.

Making an application for planning permission to a local authority can be a complex and demanding process that involves time, preparation and costs.

For members of the public, interactions with the planning process are typically infrequent and so to ensure that citizens have good opportunities to understand how the process works, planning legislation in Ireland enables engagement and consultation between prospective applicants and local authorities on potential applications before they are made.

Pre-application consultation processes can be an important '*shop-window*' for the operation of wider planning processes in the minds of many citizens. Given that there are 31 local authorities (city and/or county councils) in Ireland and their approaches to the pre-application consultation process vary, the OPR considered it timely to prepare this CSP to highlight good practice and enable learning and knowledge transfer and enhance the service as a whole.

We consulted with each local authority in relation to how their pre-application consultation process operates.

A questionnaire was circulated to each local authority and the responses indicate the following:

- > There is a significant degree of variation in the level of service offered from essentially on-line self-service type approaches to in-person meetings, which in recent times understandably have been curtailed for pandemic and public health related reasons;
- > Most local authorities provide a tailored or level-based approach with the larger or more complex proposals involving bespoke consultation arrangements;
- > While most local authorities will draw in relevant internal technical expertise, the majority do not seek outside agency inputs, from say infrastructure providers within the pre-application consultation stage;
- > Most local authorities provide a level of service and detailed feedback beyond the strict legislatively defined scope for pre-application consultations;
- > There are varying degrees and levels of recording the outcome of pre-application consultations; and
- > Two thirds of local authorities indicate that they place pre-application consultation records on the planning application file when validated. The remaining local authorities indicated that they make the record of pre-application consultations available once the decision is made; subject to request only; or, not at all.

This CSP presents an overview of the different systems and procedures employed by various local authorities in their delivery of pre-application consultation services.

The aim of the CSP is to promote a greater exchange of knowledge and expertise across the sector and to encourage more harmonisation towards the higher end of levels of services offered by local authorities. This CSP also presents an opportunity to highlight the statutory provisions and Ministerial guidelines and to encourage consistent implementation of these across all planning authorities.

We identify, in Section 3.0, the characteristics of good quality pre-application consultation systems and seven guiding principles that can be used for self-assessment. At the end of the CSP, suggestions for service enhancement and learnings are also made.

For the avoidance of doubt, pre-application consultations undertaken by An Bord Pleanála (ABP) have not been included in the scope of this review.

Furthermore, the scope of this CSP does not include non-Section 247 written queries such as general queries, where local authorities provide assistance over the counter or by phone and email channels to the public.

The OPR would like to acknowledge and sincerely thank all those staff working in local authorities who contributed to the preparation of this CSP.



2.0 Pre-Application Consultation Services at a Glance

Consultations in relation to proposed development between a prospective applicant, who has an interest in land, and the planning authority are provided for under Section 247 of the 2000 Act.

These consultations are formally referred to as '*pre-application consultations*' and more commonly '*pre-planning*'.

Local authorities have certain discretion as to whether to enter into these consultations, however, provisions made under the **Planning and Development (Housing) and Residential Tenancies Act 2016** and the **Planning and Development (Amendment) Act 2018** require consultations to be held within four weeks of the date of receipt of the request by the planning authority in respect of:

- > Residential development of more than 10 housing units or non-residential development of more than 1000 square metres gross floor space; and
- > Strategic Housing Developments (SHDs).

Further amendment to the Section 247 consultation process, as a result of provisions inserted by the **Aircraft Noise (Dublin Airport) Regulation Act 2019** (Act of 2019), requires the planning authority to consult with and facilitate the competent authority (within the meaning of the Act of 2019) in engaging in the consultation.

In this instance the Act of 2019 applies only to Dublin Airport and Fingal County Council is the pertinent planning authority.

It is anticipated that further amendments to the pre-application consultation regime will result from forthcoming legislative changes relating to arrangements for dealing with Large Scale Residential Developments (LSRDs). It is proposed that the new system for dealing with LSRDs will supersede the SHD process, due to lapse on the 25th February 2022.

From our research we have identified that the format of Section 247 consultations is typically either an arranged meeting and/or series of meetings with relevant staff of the planning authority and the prospective applicant or alternatively at an arranged '*planning clinic*'.

The 2000 Act allows planning authorities to meet their obligations in relation to Section 247 consultations by means of a planning clinic. Where a planning authority decides to hold a '*planning clinic*' it must at least once a year, publish notice of the times and locations at which consultations are held in one or more newspapers circulating in the area of that local authority.² However, the holding of planning clinics is optional.

² Section 247(4).

A record of all pre-application consultations must be taken and a file maintained, in accordance with Section 247(5):

“The planning authority shall keep a record in writing of any consultations [or request for consultations] under this section that relate to a proposed development, including the names of those who participated in the consultations [or request for consultations], and a copy of such record shall be placed and kept with the documents to which any planning application in respect of the proposed development relates”.

The amendments to Section 247 inserted under provisions in the Planning and Development (Amendment) Act 2018 require the planning authority to keep a record in writing of any consultations or request for consultations that relate to a proposed development.

At a policy level, pre-application consultations have been addressed at Ministerial Planning Guideline level in Chapter 2 of the publication **Development Management Guidelines for Planning Authorities 2007**.

The policy guidance includes general systems and procedures to follow in relation to:

- > Making information available to potential applicants (Section 2.2);
- > Submission of details in advance of consultations (2.6);
- > Pre-application meetings: who should attend? (2.7);
- > How should a pre-application meeting be structured? (2.8); and
- > Keeping a record of what was discussed (2.9).

Taking on board the legislation and policy as well as practice in this area, there are three essential parts to how the pre-application consultation system works (the three ‘r’s), diagrammatically represented in Figure (1) below and which include:

1. The initial request by the applicant;
2. The planning authority’s response to the request; and
3. The systems for recording and monitoring Section 247 consultations.

> Figure 1:



3.0 Characteristics of Good Quality Pre-Application Consultation Systems

Planning legislation and supporting Ministerial planning guidelines signal clearly that it is in the interests of the planning authority and the applicant that the latter has the maximum amount of relevant information on the application process itself, the development plan objectives and other relevant considerations prior to making a planning application.

The characteristics of good quality pre-application consultation systems are:

- (a)** They are well advertised, accessible, and prompt;
- (b)** Prospective applicants receive clear advice for them to act on to ensure sustainable development; and
- (c)** They operate in a way that makes the most efficient and effective use of local authority resources.

From the background work in preparing this CSP several local authorities have demonstrated good approaches.

In particular, a number of local authorities are innovating with new on-line and self-service tools that citizens can use to simply and clearly understand how the planning application process works and areas to watch out for and integrate into their agents' preparation of documentation.

Section 4.0 provides an overview of some of these local authority pre-application systems.

As the OPR undertakes its parallel reviews programme in relation to the systems and procedures used by local authorities in the delivery of their statutory planning functions, we will be encouraging more harmonisation towards these higher end examples of services outlined in Section 4.0.

Through the research undertaken, we identified '*Seven Guiding Principles*' that can both serve as a checklist for self-evaluation of the pre-application consultation service offered by planning authorities and for use by the OPR in examining the delivery of planning services by local authorities in our reviews function under Section 31AS of the 2000 Act.

Guiding Principles

Does the planning authority...

Request



01 Promote the service



Making clear, readily accessible information available about the pre-application services that are offered.

Those seeking information will, in the main, go to the local authority's website for information. Good practices include:

- > A dedicated link and webpage to pre-application consultations on the local authority's website highlighting the pre-application service as a clear and readily accessible section.

- > The option of providing a self-service pre-planning report generation facility, while at the same time making available planning guidance documents and hyperlinks to relevant policy documents.

(See Appendix A for examples of local authority websites where pre-application services are set out clearly showing a range of services offered to the prospective applicant).

02 Set out the range of services



How to access such services and what information is required from the prospective applicant.

Pre-application services range from standard advice notes to assistance with common queries, pre-application advices by email or telephone and to carrying out in person pre-application consultation meetings. Good practices include:

- > A customer service charter that provides information on how to access the service and the timescale(s) for a meeting to be arranged or response provided (See Appendix B).
- > Clear advice for the prospective applicant about the information he/she is required to provide in advance,³ proportionate to the scale of the proposal, to make the best use of consultations.

³ See Section 2.6 Development Management Guidelines for Planning Authorities (June 2007).

03 Establish clear ground-rules



So that prospective applicants are clear on what can be expected from pre-application consultations, what the outputs from same represent or not as the case may be.

It is helpful if information on pre-application services includes ground-rules or terms that will be entered into. It is important that:

- > They are applied in a consistent and fair manner;
- > They are aimed at offering direct, consistent and clear advice, including identifying any likely problems and suggesting alternatives;
- > They set out that notwithstanding any advice given, the planning authority is obliged to take into account, in determining any subsequent application, submissions that may be received from third parties and prescribed bodies;
- > They confirm that consultations entail maintaining a record, which will be placed with and kept with documents to which any subsequent planning application relates and will be publicly viewable; and
- > In addition to the above, advices cannot prejudice the performance by a planning authority of its statutory planning functions.

Response

04 Identify who from the local authority or relevant organisations should attend

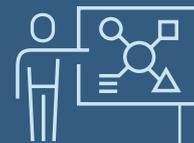
It is very important that those holding pre-application consultations have the requisite skills and knowledge to participate meaningfully in the consultation process, supported by any wider local authority staff (e.g. from the housing, environment, transport or other sections).

Due to the nature or scale of a proposal, especially large scale developments or proposals on sensitive sites, it may be expedient in some cases to include external organisations (Irish Water,⁴ the Development Applications Unit (DAU)⁵ of the Department of Housing, Local Government and Heritage (DHLGH)) etc. For minor or straightforward proposals it may not always be expedient/necessary to include representatives from external agencies at the pre-application consultation.

⁴ See Water Services draft Guidelines for Planning Authorities available at <https://www.opr.ie/wp-content/uploads/2019/08/2018-Water-Services-Consultation-Draft-1.pdf>. Furthermore, initial contact can be made before any application for planning permission has been made to the relevant Planning Authority see <https://www.water.ie/connections/pre-connections/>.

⁵ The Development Applications Unit (DAU) note that pre-application consultations are more effective when the authority or prospective applicant liaises with its consultants or agents in advance and provides one point of contact for DAU. <https://www.npws.ie/development-consultations#Pre-application%20consultation/engagement>

05 What a good pre-application consultation engagement should address



The 2000 Act provides that in a Section 247 consultation the planning authority must advise on:

- > The procedures involved in considering a planning application;
- > Any requirements of the permission regulations e.g. site and newspaper notices, documentation to be included i.e. maps, drawings, screening for Environmental Impact Assessment (EIA)/Appropriate Assessment (AA)/ Flood Risk Assessment (FRA) and scoping for an Environmental Impact Assessment Report (EIAR), where required; and
- > The relevant objectives of the development plan which may have a bearing on the decision of the planning authority.

Interpreted very literally, the Section 247 provisions can be taken as meaning that to fulfil the requirement, the planning authority would simply state the application process, the content of its development plan and so on, rather than fulfilling the spirit of the legislation.

In practice, as the background research for this CSP indicates, it is usually necessary and appropriate for planning authorities to go further, for example offering advice as to how a given emerging or outline development proposal could better support or take on board specific objectives of the

development plan and identifying the information needed for a valid application.⁶ In certain circumstances planning authorities also undertake site inspections to enable bespoke and meaningful pre-application advice to prospective applicants.

However, the advice given by a planning authority at the pre-application consultation stage should not be taken to mean that permission for a proposal will be granted as this would be prejudicial to the planning authority's statutory function and third party engagement. As highlighted in Section 2.9 of the **Development Management Guidelines for Planning Authorities (June 2007)** a material departure from the approach adopted by the planning authority at the pre-application consultation might be required if the subsequent application is *"substantially different from that originally discussed, or if the planning authority need to respond to valid issues raised by the public or by statutory consultees following submission of the application."* Therefore a balance must be struck at all times in offering pre-application consultations between broad advice on the process as well as pertinent planning issues and upholding the independent decision-making function of the local authority and third-party rights.

⁶ The OPR's forthcoming Case Study Paper CSP06 'Analysis of Local Authority Validation Processes' will provide further learnings and guidance on the systems and work practices for the validation process.

Recording

06 Keep a record of what was discussed

Keeping a record of what was discussed is important for a variety of reasons, including taking into account the possibility of staff turnover, to ensure the pre-application consultation advices transmit to the Development Management (DM) team handling any eventual application.

The **Development Management Guidelines for Planning Authorities (June 2007)** outline that *“(i)t will be necessary for the planning authority to have in place for records of pre-application consultation an appropriate filing system, that may be easily queried/ searched when a planning application is received”* (para.2.9) and sets out the key information which should be recorded.

In undertaking research for this CSP it was found that there was lack of consistency in practices and procedures for placing pre-application consultation records on planning applications.

However, to ensure consistency with the 2000 Act and the Development Management Guidelines, best practice⁷ is to place the pre-application consultation records on the file and make these available for public inspection, as soon as possible, after the application is received.

As such, it is necessary that:

- > A record is kept of all pre-application advice containing key information (as per Section 2.9 of the Development Management Guidelines); and
- > the record is linked with the site address to ensure that:
 - consistent advice is given and can be taken into account when an application is submitted;
 - it informs subsequent planning history searches; and
 - it will facilitate the making available of the pre-application information to the public when the application is submitted to provide transparency.

(See Appendix C for examples of local authority pre-application consultation record templates).

⁷ Informed by the Independent Planning Review of the Performance of Planning Functions: having regard to Specific Issues raised in respect of Six Planning Authorities Report, by MacCabe Durney Barnes (July 2015) and the subsequent Response of the Department of the Environment, Community and Local Government (December 2015).

07 A robust system of monitoring⁸ and feedback from prospective applicants



The benefits of a pre-application consultation process are that it can improve consistency, certainty and speed for users of the planning system.

It is therefore critical that planning authorities monitor capacity to deliver the service promised and monitor the performance of the service to ensure consistency and quality advices.

So that planning authorities can constantly review their pre-application services, good practices include:

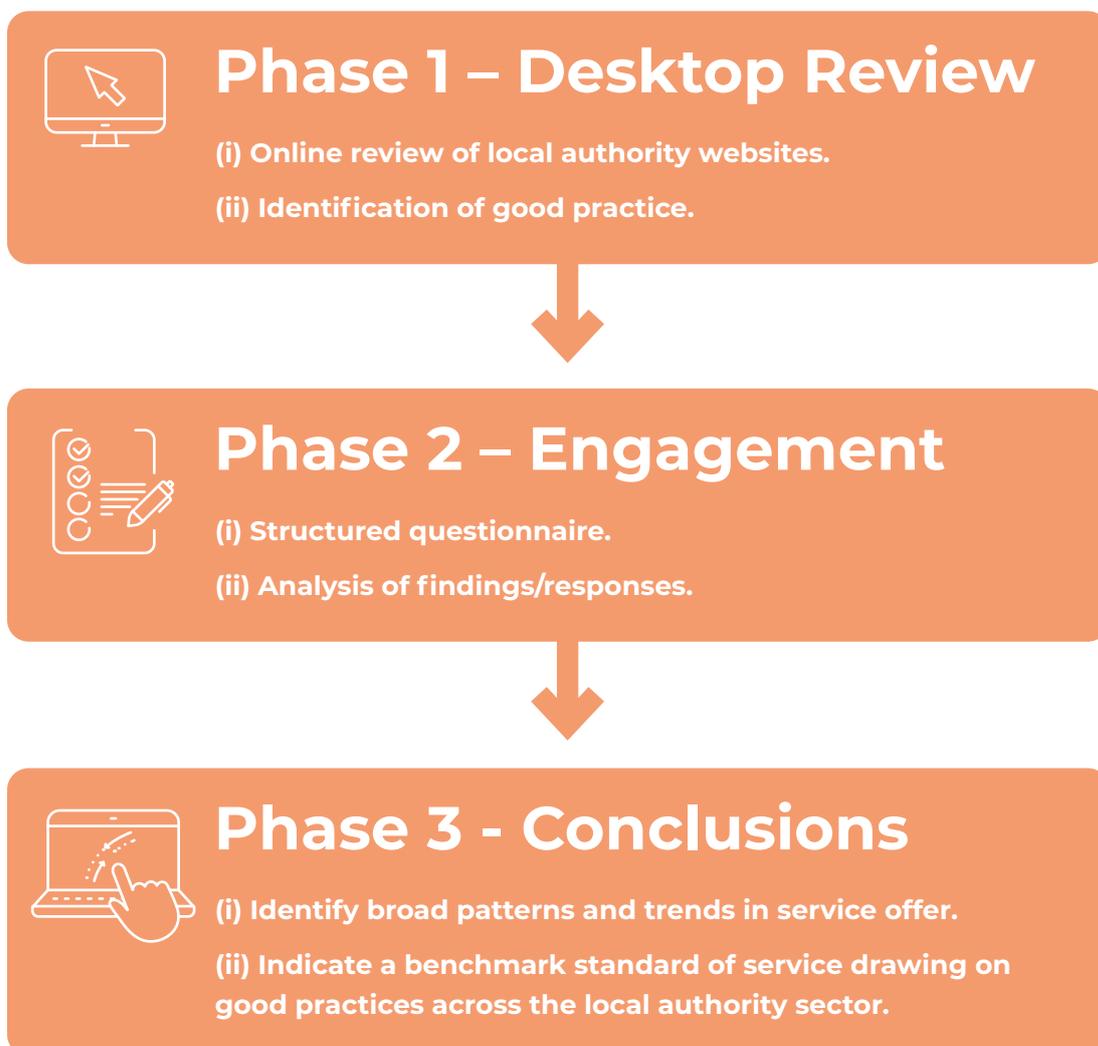
- > Tracking pre-application uptake rates and any differences in outcomes between applications the subject of such consultations or otherwise; and
- > Seeking out feedback on the value of the services from those using them.

⁸ As noted in 2.2.1 amendments to Section 247 inserted under provisions in the **Planning and Development (Amendment) Act 2018** now require the planning authority to keep a record in writing of any consultations or request for consultations that relate to a proposed development.

4.0 Overview of Local Authority Pre-Application Systems

The project method for this CSP comprised three key phases, as illustrated below in Figure 2. In each of these phases we examined the three essential parts of the pre-application process as set out in Figure 1 above.

> Figure 2:





Phase 1 Online Review and Good Practice

The online review of local authority websites surveyed the availability of online services for Section 247 consultations. The following questions formed the basis for the online review:

- > Is there a pre-application consultation request form available online?
- > Does the local authority use Geographic Information Systems (GIS) for its planning functions?
- > Does the local authority hold planning clinics?
- > Are mandatory pre-application consultations identified for (a) proposals for more than 10 housing units or more than 1000 sq. m non-residential and (b) SHDs?

Chart 1 illustrates the online review results for all 31 local authorities.

The levels of pre-application consultation service publicised online varies considerably between local authorities, with a few local authorities having limited or no information in respect to pre-application services.

The majority of local authorities schedule pre-application consultations on receipt of individual requests with only 13% identifying online that they provide an arranged '*planning clinic*'.

74% of local authorities make a standard pre-application request form available online with 10% using GIS⁹ to locate the specific site or to generate a '*self-service*' baseline pre-planning report.

A minority of local authorities identify online that mandatory pre-application consultations are required for proposals of more than 10 housing units or more than 1000 sq. m non-residential or for SHDs. As already referred to it is acknowledged that further changes to the pre-application consultation regime will arise from forthcoming legislative changes relating to arrangements for dealing with LSRDs.



⁹ Which connects the data to a map integrating location data with many types of information such as the relevant designations, development plan zoning objectives or environmental protections.

Chart 1: Online Review Of 31 Local Authorities

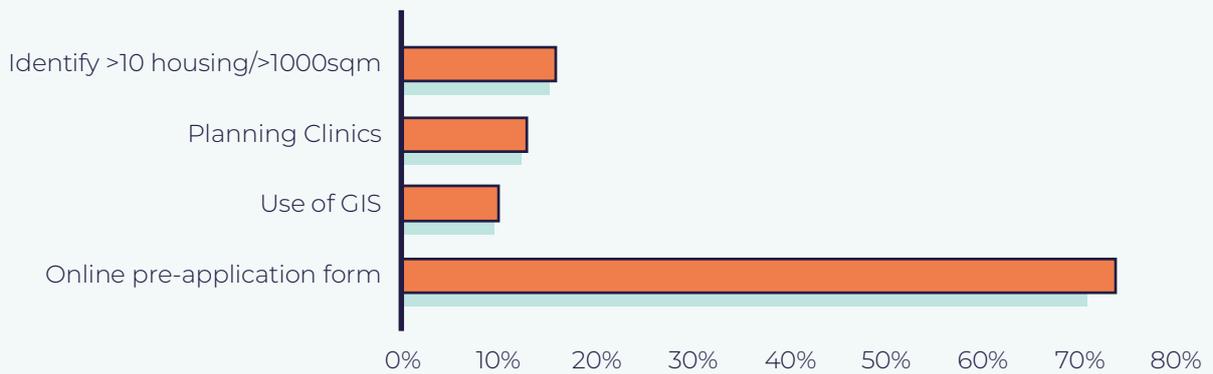
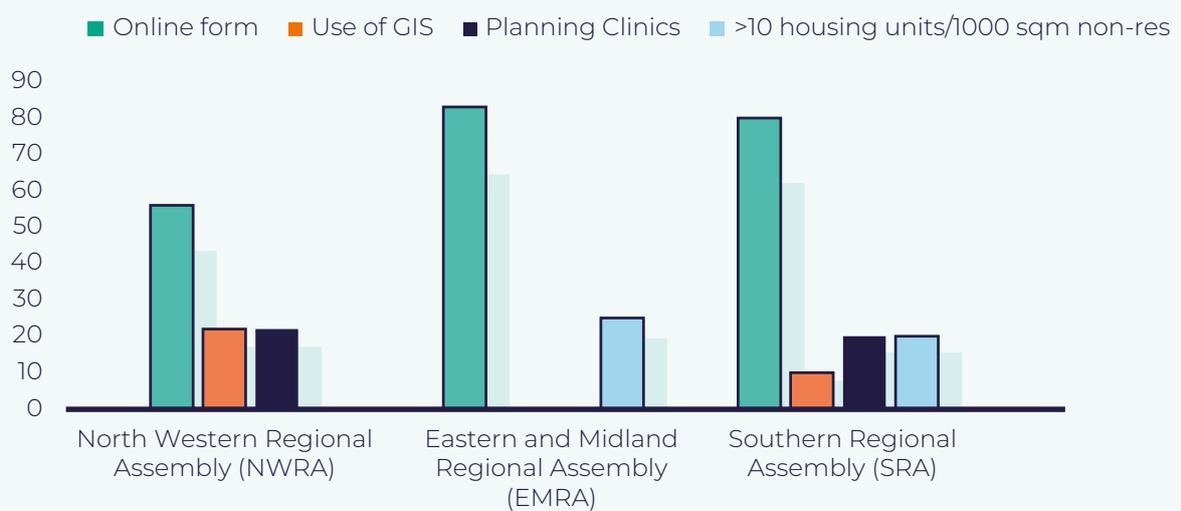


Chart 2 disaggregates the publicised online offer at a regional assembly area level.

Chart 2: Online Offer At Regional Assembly Area Level



Online Survey Findings and Good Practice Examples

Eastern and Midland Regional Assembly

In the Eastern and Midland Regional Assembly (EMRA) area, the online promotion of pre-application consultations services is generally set out clearly with a dedicated webpage on each local authority website. However, there are a few noted exceptions to this where there is limited information or no information on pre-application services. We have included hereunder a case study example from this region.

Case study example

South Dublin County Council



In the dedicated 'Pre-Planning Guidance and Consultation' section on the website a pre-planning protocol has been established by South Dublin County Council (SDCC) along with upfront supporting pre-planning guidance documents on some of the common planning application issues such as domestic extensions, family flat – semi-independent living development and general planning requirements.

The protocol sets out clearly the value placed on pre-application consultations by SDCC stating that:

"Pre-Planning application consultation with those with a legal interest in land on proposed planning applications are widely recognised as being of benefit.

They benefit both prospective applicants and the Council in ensuring a better mutual understanding of objectives and the constraints that exist. Adopting a positive attitude towards early engagement enables applications to be dealt with more clearly and speedily, and the understanding of decisions can be better assured."

The stated intention of the established protocol is to *"...enable the provision of a consistent and fair method of pre-planning application consultation on proposed planning applications"*.

Applicants are strongly advised to review the pre-planning guidance documents, on a wide range of subjects that are available in advance of any pre-application consultation so that the maximum benefit can be obtained from the process.

Northern and Western Regional Assembly

The Northern and Western Regional Assembly (NWRA) area is unique in terms of the use of GIS with an innovative self-service facility, separate to the Section 247 consultations, that allows the prospective applicant to search the subject site and generate a report for that site. Galway County Council's website highlights that such a report is necessary to proceed to the next stage which involves scheduling a pre-application consultation with the local authority by email. We have included hereunder some case study examples from this region.

Case study example

Sligo County Council and Galway County Council

Sligo County Council and Galway County Council provide examples of a self-service facility. Sligo County Council's online self-service pre-planning allows for a site to be mapped by the applicant and provides a report output, which identifies key constraints, relevant designations as well as the planning application history for the site and nearby environs.

Galway County Council's online pre-planning service identifies general information about the subject site such as applicable zoning designations, infrastructural constraints and environmental sensitivities.

Self Service Pre-Planning System
Sligo County Council

Print Report | LP Home Page > Return to Pre Planning Form

The County Council - Pre-Planning Report

Contact details of the Planning Department

OFFICE:	CONTACT:
Planning Office, City Hall, Quay Street, Sligo Ireland, F91 PP44	Planning Webpage (About Planning) Phone: (071) 9114452, (071) 9114453, (071) 9114454, (071) 9114455 Fax: (071) 9141119 E-mail: planning@sligo.co.ie Public Counter of the Planning Office is open from 10.00am to 4.00pm Monday to Friday

The report has been generated on: 27 October 2021
 Pre-Planning ID / PPID: PRE-20211027-1270
 Pre-Planning description: public
 Pre-Planning address/area if available:
 Public URL of this report: <http://lp4.sligo.co.ie/SPP/ReportForm.aspx?PPID=PRE-20211027-1270>
 To see your pre-planning submission on the map go to: <http://lp4.sligo.co.ie/SPP/review.aspx?PPID=PRE-20211027-1270>

Automatically generated report for your Pre-Planning application.

Show/Hide Map

Self Service Pre-Planning System
Sligo County Council

Location of Pre-Planning

Townland:

OR

Town:

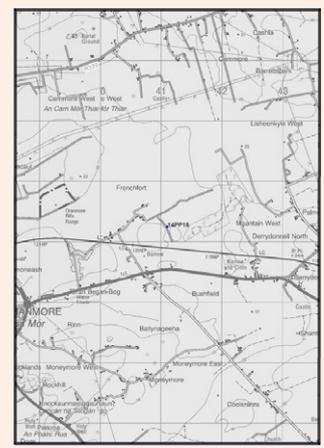
Street:

Information

Use Location of Pre-Planning Enquiry to go directly to the area on the map
 Or you can select Location of Pre-Planning items and clicking continue opens to the Map of County Sligo

Continue

Comhairle Chontae na Gaillimhe An Rannóg Pleanála	Leathrún PP02/2014	Comhairle Dún Dealgan PP02/2014	Comhairle Dún Dealgan PP02/2014
<p>Development Description</p> <p>For the construction of a housing plot and associated site work (not subject to planning)</p>			
<p>Designations</p> <ul style="list-style-type: none"> - Special Area of Conservation (SAC): Not Applicable - National Heritage Areas (NHAs): Not Applicable - Special Protection Areas (SPA): Not Applicable - Record of Monument & Places: Not Applicable - Record of Protected Structures: Not Applicable - Architectural Conservation Area: Not Applicable 			
<p>Infrastructure</p> <ul style="list-style-type: none"> - National Primary Roads: Not Applicable - National Secondary Roads: Not Applicable - Motorway: Not Applicable - Airport Zone of Influence: This application is within the core area of influence of an airport - CAMP West Mains: Not Applicable - Public Water Supply: Not Applicable 			
<p>Planning & Zoning</p> <ul style="list-style-type: none"> - Landscape Sensitivity: Yes - Class 1 - Urban Development Zone: Yes - Within Urban Use Zone - Urban Fringe or Town: Not Applicable - Settlement Centre: Not Applicable - Flood Plains / Views: Not Applicable - Gateway, Transportation & Planning (GTPD): Yes - Inside GTPD 			
<p>Environment & Sustainability</p> <ul style="list-style-type: none"> - Aquatic Category: (RIS) Regionally Important, coastal/karee aquatic, development potential 1 - Vulnerability Rating: Extreme - Structural at Risk - River Catchment: Coastal - unclassified - Hazardous Substances (Sewage Sludge): Not Applicable 			
<p>Other Information</p> <ul style="list-style-type: none"> - OPW (Footpaths etc): Not Applicable - Galway Co. Co Flood Data: Not Applicable - OPR (Lands to Flood) Areas: Yes - Lands to Flood - Source: 2015/LOOD 			
<p>Copyright and Disclaimer Information Ordnance Survey Ireland. All rights reserved. Licence number 2010/150COM/Galway County Council.</p>			



Southern Regional Assembly

In the Southern Regional Assembly (SRA) area, the majority of local authorities use an online request form. In conducting this research, we also looked at the content of the request forms, where available, as not all local authorities use a request form, and the required documentation to be submitted in advance of a pre-application consultation meeting. We have included hereunder a case study example from this region.

Case study example

Tipperary County Council

Tipperary County Council have an online pre-planning request form with a link to Google Maps to identify the site location and an upload facility for supplementary documentation (e.g. plans, photos, specifications etc.)

This GIS system links S247 applications allowing the local authority to manipulate backend data in relation to the S247 applications.

The screenshot shows the Tipperary County Council website's pre-planning request form. At the top, there is contact information for the council, including the address (Civic Offices, Clonmel), telephone number (+353(0)761 065000), and email (customerservices@tipperarycoco.ie). The council's name is displayed in both English (Tipperary County Council) and Irish (Comhairle Contae Thiobraid Árann). A navigation menu includes Home, Services, News, FAQs, Download It, Apply for It, Pay for It, and Municipal Districts. The form itself is titled 'PRE-PLANNING REQUEST FORM' and contains several mandatory fields marked with an asterisk: Name of Applicant, Address of Applicant, Phone of Applicant, Email of Applicant, Name of Landowner, Address of Landowner, Phone of Landowner, and Email of Landowner. Below these fields is a section for 'Nature and Extent of Proposed Development' with a text area for description. A 'Location of proposed development' section includes a text field with '2 Emmet St, Burgage' and a 'Get location' button. At the bottom, there is a Google Maps interface with a search bar and a 'My Location' button, showing a map of the area around Clonmel, Tipperary.

Summary Points

There is a commonality across the majority of local authorities in terms of the content of the request form with some providing a separate request form for a single dwelling unit.

Clare County Council indicated that *“the planning process can be complex and difficult to understand, particularly for those who may be unfamiliar with the system”* and has provided a clear online guidance section **‘Before you apply’**. There is a separate online request for a single dwelling and one for other developments.

The online pre-planning enquiry section explains the process simply, sets out the level of response the prospective applicant should expect and confirms how the Section 247 consultations will be recorded.

In addition, a number of local authorities record on the request form the date on which the Section 247 consultation was held, an example of this can be seen in Sligo County Council’s **Pre-planning consultation form**.

In response to changes in legislation, with respect to SHD developments and larger developments [more than 10 housing units or more than 1000 sq. metres commercial], only a small percentage of local authorities have incorporated check boxes on the request form to identify and record such development proposals or have a separate form.





Phase 2 Feedback from Engagement with Local Authorities

Following on from the Phase 1 online review, we consulted in May 2021 with each local authority, through a questionnaire which is included at Appendix D. The purpose of the consultation was to develop an overview of the systems that are being used across the country to respond to pre-application requests and how consultations are recorded.

There was a positive response to the questionnaire with all local authorities setting out clearly how they deliver the pre-application consultation service and their understanding of the resource implications. Each local authority furnished a response.

The questionnaire was structured in four themed sections with a series of questions under each theme to examine the processes and systems in use.

The timeframe from making the request to the holding of a pre-application consultation did not form part of the analysis. The responses received brought into focus a strategic and organisation wide approach that a significant number of local authorities take to these early discussions with prospective applicants.

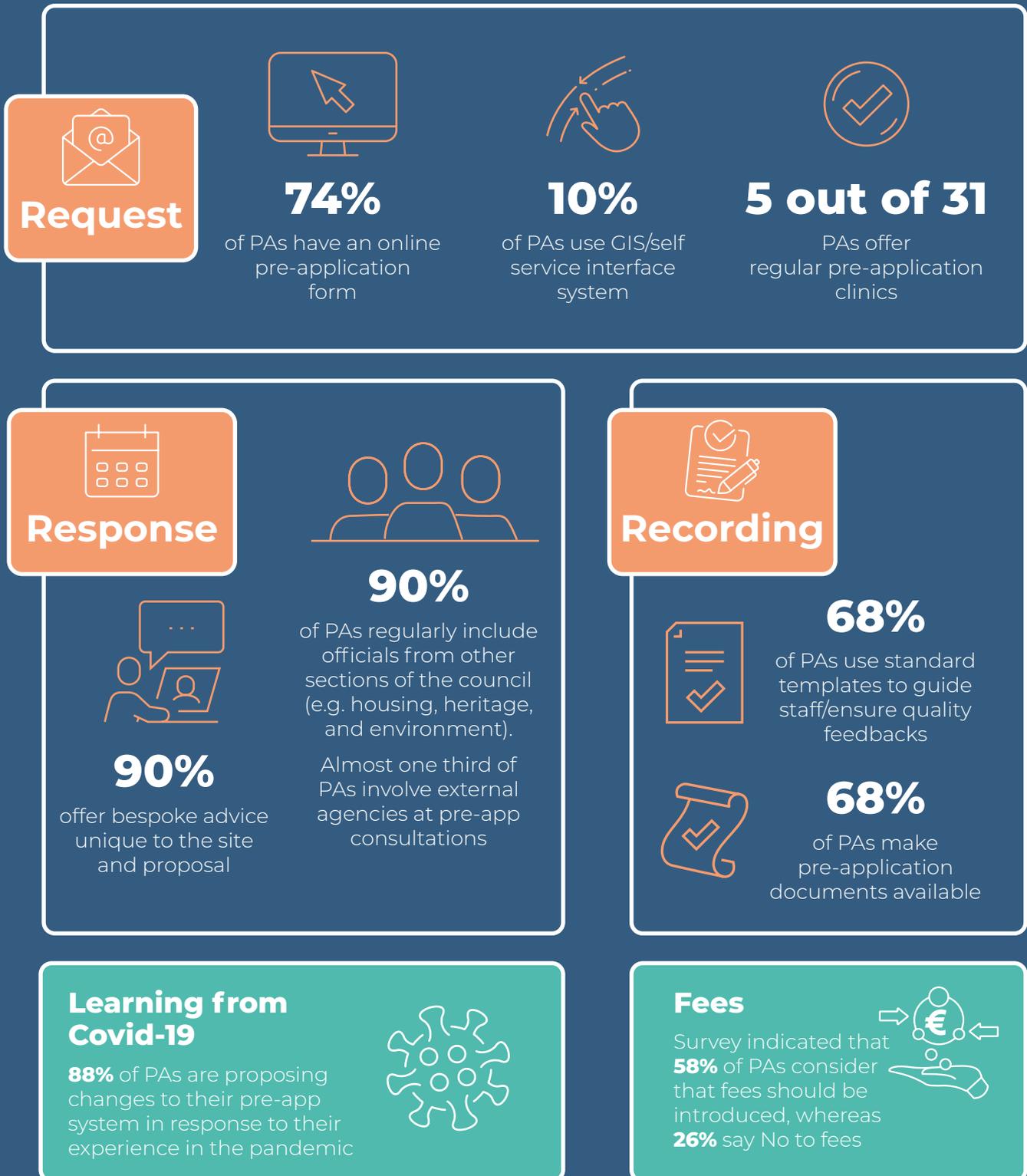
The findings and feedback from the structured questionnaire in Phase 2 provides further evidence of the significant degree of variation in both the promotion of the service and the level of service offered.

The outcome of the individual local authority responses is illustrated in Figure (3) Pre-application Services in Ireland 2021 and collated in Appendix D.



> Figure 3:

Pre-Application (S247) Services in Ireland 2021



An overview of the findings under each themed section is provided hereunder:

(1) The overall approach and level(s) of service

The majority of local authorities (22 out of 31 local authorities) offer a range of pre-application services to the prospective applicant proportionate to the nature and scale of the proposal. The level of pre-application consultation services offered in this cohort range from on-line delivered self-service type guidance to multi-disciplinary pre-application consultations. In addition a significant number of local authorities apply a two stream approach to prioritise more strategic and complex housing and employment generating developments.

The style of pre-application consultations is principally (20 out of 31 local authorities) in the form of individually scheduled meetings. However, five local authorities continue to use the planning clinic as the main method for undertaking pre-application consultations and six other local authorities use a combination of both the planning clinic and individually scheduled meetings.

Pre-COVID-19 walk-in weekly, fortnightly or monthly clinics in the morning followed by appointments (for detailed applications) in the afternoon were held in some of those local authorities using the planning clinic approach.

Due to COVID-19 restrictions the planning 'clinics' have changed from in person meetings to responding via phone call, emails and video-conferencing enabled meetings.

One local authority indicated in their response that the *"...clinic system is under review due to the impact of Covid-19 with a view to making better use of information technology in the implementation of the clinic system"*.

It has also been identified in the responses that, some local authorities intend introducing a combination of regular scheduled pre-application consultations on a fixed day each week and individual pre-application consultations, as required.

Pressure on resources both in terms of staff and time has been highlighted by a significant number of local authorities as a result of an increase in pre-application consultation requests. Some local authorities identified an uplift in requests of the order of 35-42% from the same period last year.

Whilst an increase in demand is evident across the local authority sector, as one local authority highlighted:

"...the quantum of pre-planning is not a good measure of the quality of pre-planning issues. Hence, the use of 'quantum' based performance indicators can be misleading and can encourage a number driven target over quality".

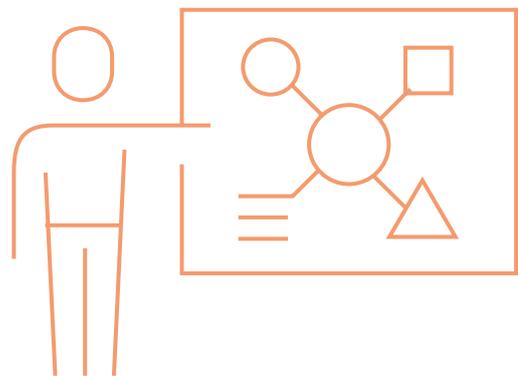
In response to the pressures on capacity and resources, 58% percent of local authorities consider that a fee should be applied in respect of pre-application consultations, subject to the caveat that the majority consider that such fees should apply to larger development proposals to take into account the significant work undertaken by the local authority in advance of the lodgement by the applicant/developer of the planning application.

For those local authorities who consider that no fee should be applied it was highlighted that “...the advisory nature of S247 should not be inhibited by cost”. Furthermore, other local authorities expressed the view that:

“good pre-planning can reduce the number of refusals and requests for further information. The process supports the economic development services that the County Council provides”.

As an alternative to a fee for pre-application consultation, some local authorities suggested a significant increase in overall planning application fees, which have not been reviewed since 2001, and that such an increase would reflect the costs associated with processing applications that may need expert advices i.e. ecological and other specialist areas.

It was also suggested that the “...*planning application fee should be increased significantly to cover the true cost of processing an application*” stating that “*in Ireland, it is very low to other comparable countries*” and that this “...*would avoid the need for a fee specific to pre-planning*”.



(2) Conduct of consultations

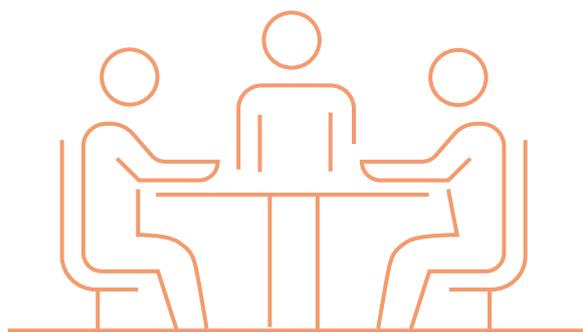
Local authorities indicate that ensuring the right people are involved in pre-application consultations is a critical factor in their effectiveness.

Approximately 90% of local authorities draw expertise from not just planning professionals but other local authority professionals also, such as engineering staff.

The same percentage of local authorities also provide site-specific relevant advice concerning the proposed application, going beyond the strict legislatively defined scope for pre-application consultations relating to (a) the procedures involved in considering an application for planning permission and (b) the relevant objectives of the development plan which may have a bearing on the decision of the planning authority.

Notably the majority do not regularly seek outside agency inputs, from say infrastructure providers within the pre-application consultation stage. It is more common that the planning authority will direct the prospective applicant to speak directly with the relevant agencies.

The prospective applicant has discretion in determining who they bring to the consultation and this may include elected members. Elected members may be asked by prospective applicants to attend pre-application consultation meetings in their local public representative role and to act as an interface in circumstances such as where the prospective applicant is unsure of the planning system. From our research it was noted that almost half of local authorities recorded attendance by elected members at pre-application consultation meetings.



Of those that indicated the attendance of elected members, this tended to occur infrequently.

Most planning authorities (21 out of 31) provide a template for the conduct of pre-application consultations.

For example, Dublin City Council has a standard template, which can be augmented with notes, to ensure “...recording of essential basic information while the notes provide more detail on the issues raised and discussed and advice provided”. (Dublin City Council’s standard template and other good examples of pre-application consultation record templates can be found in Appendix C).

For those local authorities who do not use a standard template the common form of response is by way of minutes or a letter.

(3) Recording the consultations

In relation to the recording of consultations, the responses indicate that a multiplicity of systems are in place ranging from paper-based filing systems with hard copy records to individually created spreadsheets and finally specifically designed pre-application consultation software, including the use of GIS.

However, a significant number of the responses indicated that software in use was outdated, no longer supported and not linked to existing planning administration systems.

Given the issues identified with the recording systems these local authorities are in the process of reviewing their pre-application consultation systems and looking at alternative ways to better capture pre-application consultation meetings.

For example, Westmeath County Council are developing a new online map-based interactive pre-planning system and Dún Laoghaire-Rathdown County Council are currently testing a new online pre-application system.

Finally, there are varying systems and procedures for recording the outcome of pre-application consultations with a minority of local authorities (9 out of 31) indicating that they make the record of pre-application consultations available once the decision is made; subject to request only; or, not at all.



(4) Learnings from COVID-19

In relation to any learnings from COVID-19 and, particularly, whether local authorities are proposing any changes to the pre-application consultation services as a result of system changes to respond to the pandemic, 27 local authorities indicated that they are proposing to bring about permanent changes in the delivery of the pre-application consultation service as a result of COVID-19.

Furthermore, these local authorities are either in early development or at pilot stage with new systems to apply/book consultations and also to record and map these consultations.

Acknowledging the benefits of video calls in terms of the capacity to share information, ease of setting up a virtual meeting room rather than trying to book a physical meeting room and ability to engage with prospective applicants wherever they may be located, there can also be some accessibility and connectivity issues.

Access to and the use of such technology is not always possible for every prospective applicant. A number of local authorities have identified that there is likely to be a blended approach of video call meetings and face-to-face meetings. Tipperary County Council will be delivering a blended approach and are supplementing their online information with a video presentation of planning advices in respect to proposals for rural homes.

Furthermore, in reviewing their pre-planning processes to facilitate a blended approach some local authorities, who have not yet any standard requirements, are determining a basic level of information that prospective applicants must provide in advance of the Section 247 consultations.

Phase 3 Conclusions

From our research and engagement with local authorities, whilst acknowledging that each local authority's service delivery has responded to COVID-19 restrictions and often with service enhancements such as on-line delivery, it is nevertheless apparent that there are three distinct categories of service delivery on offer, these are:

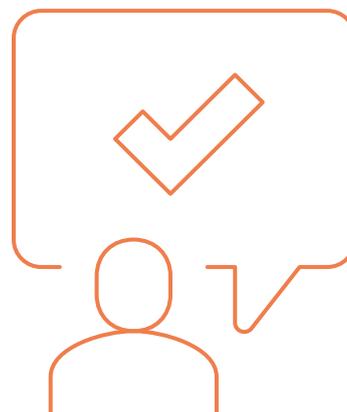
1. Local authorities working in an innovative way to better deliver the pre-application consultation services and help the citizen understand how the process works;
2. Local authorities in transition or proposing to accelerate systems and process changes from traditional methods to greater use of technology to record, mapping and monitor; or
3. Local authorities continuing with more traditional methods, systems and procedures, which tend to be more resource intensive.

The research undertaken for this CSP has found the following in terms of an overview of pre-application consultation services provided by local authorities.

- > There is a significant degree of variation in the level of service offered from essentially on-line self-service type approaches to in-person meetings, which in recent times understandably have been curtailed for pandemic and public health related reasons. The degree to which ICT systems are homogenised and are co-ordinated across the sector and in relation to generally tracking pre-application services and recording them etc., is very uneven and overall quite weak.

Most local authorities provide a tailored or level-based approach with the larger or more complex proposals involving bespoke consultation arrangements.

- > While most local authorities will draw in relevant internal technical expertise, the majority do not seek outside agency inputs, from say infrastructure providers within the pre-application consultation stage.
- > Most local authorities provide a level of service and detailed feedback beyond the strict legislatively defined scope for pre-application consultations.
- > There are varying degrees and levels of recording the outcome of pre-application consultations.
- > Two-thirds of local authorities indicate that they place pre-application consultation records on the planning application file when validated. The remaining local authorities indicated that they make the record of pre-application consultations available once the decision is made; subject to request only; or, not at all.



5.0 Enhancing and Harmonising Pre-Application Consultation Services

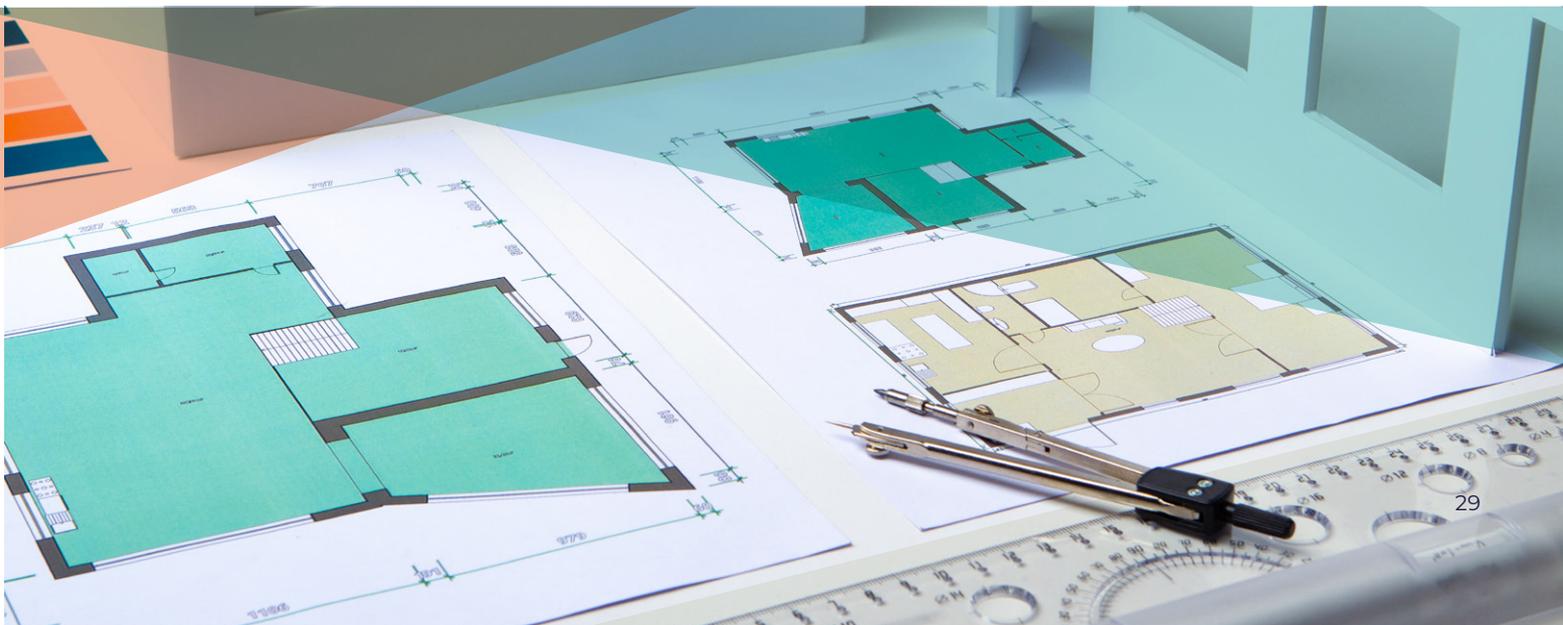
The research undertaken highlights an opportunity, through knowledge and skill sharing, to build on the value of Section 247 pre-application consultations which in turn will enhance the planning system and hopefully reduce pressures at the subsequent application stage.

Notably, a number of local authorities are currently developing or have just recently developed new systems. As such it is an opportune time to share these findings and signpost to planning authorities other benchmark approaches.

The OPR will work with the local government sector through our statutory reviews function to encourage more harmonisation towards these higher end levels of services i.e. the benchmark approach (Section 3.0).

Using the seven guiding principles, outlined in Section 3.0, as a checklist the OPR will evaluate the service on offer by the local authority to work to bring about a more consistent approach.

From our engagement with planning authorities in preparing this paper and examination of online pre-planning information the following are relevant for local authorities considering changes to enhance pre-application consultation services and for the broader stakeholders in the planning system.



Providing Data-Based Self-Service Solutions

The pre-application services operated by Galway County Council and Sligo County Council demonstrate the value of GIS in creating a baseline initial pre-planning report enabling prospective applicants' easy access to information about a subject site such as applicable zoning designations, infrastructural constraints and environmental sensitivities.

Such services encourage applicants and their agents to front-load the work in preparing the basis for a potential planning application by checking or screening if there are any notable constraints or issues with a given site before proceeding further, to a pre-application consultation meeting or an actual planning application.

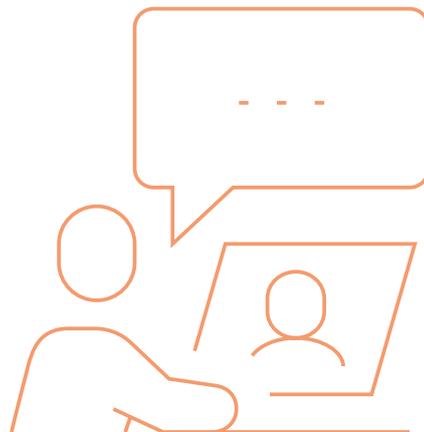
As indicated by previous reviews of planning authorities by the DHLGH there is a strong case to invest at a national level in such a facility. There is an opportunity, in consultation with GIS officers and planners on a countrywide basis, to build on existing platforms such as www.myplan.ie which already hosts the National Planning Application Database (NPAD) and is linked with all local authority websites.

In addition, a local authority-wide programme of "*knowledge and know-how sharing*" in relation to the use of Information and Communications Technology (ICT) and GIS improvements would contribute to resource efficiencies and enhance citizen engagement.

Consistency

There are a variety of approaches and a significant degree of variation in the level of service offered. The case studies and examples highlighted in this CSP can assist in improving consistency between planning authorities. Greater harmonisation and consistency across local authorities will ensure that citizens have good opportunities to understand how the process works.

The challenges experienced by local authorities, as reported in this CSP could be further addressed utilising existing structures such as the County and City Management Association's (CCMA) Housing, Building and Land Use Committee, the OPR and the DHLGH, to collaborate and identify a process for further legislative and regulatory improvements. This may include possible recommendations with regard to existing provisions contained in Section 247 (1A) (d) and (e) of the 2000 Act¹⁰ and participation in future reviews of the guidelines issued under Section 28 of the 2000 Act by the Minister.



¹⁰ Provision for regulations on procedure and administration of certain types of pre-application consultations.

Transparency

To maintain high levels of public confidence in the planning system; provide transparency and ensure consistency in decision-making, a record must be maintained of the information submitted and the advices given. The record shall form part of the subsequent planning application documentation as soon as possible after receipt of the application.

The survey undertaken, as part of this research, clearly illustrates there remains a wide range of interpretations of the statutory provisions in respect to placing the S247 records on the planning application file. However to ensure consistency with the 2000 Act and Development Management Guidelines, best practice¹¹ is to place the pre-application consultation records on the file and make these available for public inspection, as soon as possible, after the application is received.

The ePlanning Project and move to online submission of planning application documentation provides an opportunity to facilitate the uploading of the record of pre-application consultation by the applicant at the outset, which would reduce the local authority administrative burden.

The OPR will engage and collaborate with the CCMA, the Local Government Management Agency (LGMA) and the DHLGH to identify a process for further legislative and regulatory improvements, including possible recommendations with regard to planning application documentation.

Monitoring

A robust system of recording,¹² monitoring and feedback from prospective applicants is required to provide an evidence base from which to demonstrate the value of pre-application consultations. Planning authorities must hold to the response times and provide a quality service.

To help deliver this, planning authorities must have enough capacity to provide pre-application services that accord with the offer. Local authorities should monitor capacity to deliver the performance promises.

Through the reviews and examinations function the OPR will monitor, at a strategic level, development management processes and trends in individual local authorities, including arrangements for pre-application consultations.

¹¹ Informed by the Independent Planning Review of the Performance of Planning Functions: having regard to Specific Issues raised in respect of Six Planning Authorities Report, by MacCabe Durney Barnes (July 2015) and the subsequent Response of the Department of the Environment, Community and Local Government (December 2015).

¹² As noted in 2.2.1 amendments to Section 247 inserted under provisions in the Planning and Development (Amendment) Act 2018 now require the planning authority to keep a record in writing of any consultations or request for consultations that relate to a proposed development.

Fees

Due to pressure on capacity and resources 18 out of 31 local authorities surveyed consider that a fee should be applied in respect of pre-application consultations for larger development proposals and that householders should be exempt.

Planning fees relative to operational costs have remained unchanged since 2001. In 2019 income from planning fees amounted to less than 18% of operational costs (and less than 30% of the cost of providing development management services alone at €85m).¹³

Setting of planning fees is a matter for the Minister taking on board all the relevant information in terms of operational needs and wider resources available.

Effective delivery of planning services depends on appropriate resourcing and management systems, including ICT infrastructure, both of which have been flagged for concerted action on a range of fronts in the recently published **'Housing for All'** housing policy framework.



¹³ <https://www.gov.ie/en/collection/e103b-local-authority-annual-financial-statements/>

Appendix A

Sharing Examples from Local Authorities

City and County Council websites where pre-application services are set out clearly showing a range of services for the prospective applicant to consider:

EMRA

- ▶ South Dublin County Council
<https://www.sdcc.ie/en/services/planning/planning-applications/pre-planning-guidance-and-consultation/>
- ▶ Wicklow County Council
<https://www.wicklow.ie/Living/Services/Planning/Planning-Applications/Pre-planning>

NWRA

- ▶ Sligo County Council
<https://www.sligococo.ie/planning/Applyforpre-planning/>
- ▶ Galway County Council
<http://www.galway.ie/en/services/planning/process/process/>

SRA

- ▶ Tipperary County Council
<https://www.tipperarycoco.ie/planning/pre-planning-meetings>
- ▶ Clare County Council
<https://www.clarecoco.ie/services/planning/applications/apply/before-you-apply/>
- ▶ Cork City Council
[https://www.corkcity.ie/en/council-services/services/planning/planning-application-process/pre-planning-consultations.](https://www.corkcity.ie/en/council-services/services/planning/planning-application-process/pre-planning-consultations)

Appendix B

Sample Template: Draft Service Protocol for Pre-Application Consultation

This table is for illustrative purposes only. Each planning authority may adjust to reflect their local circumstances, organisational structure resources and/or development policy priorities.

	Non-statutory Pre-application Services		STATUTORY S247 PRE-APPLICATION CONSULTATION					
	Online fact sheets &/or information videos on policy	GIS self-service site-specific fact sheet	Written communication mail/email reply (possibly with a telephone call)	Remote appointment consultation (video call)	In person meeting with local area planner	In person meeting with local area technical team (including for example planner, engineer, conservation officer, housing officer, environmental scientist/ technician)	In person meeting with senior planning team (e.g. including area planner and more senior officers)	In person meeting with multidisciplinary team of senior officials from across the LA including management team
Domestic								
Small scale extensions								
One-off housing countryside/rural								
Single infill house/dwelling urban								
Residential								
Small schemes <5units/no part V								
Large schemes >5units/part V								
Large Scale Residential Development								
Commercial								
Small scale extensions								
SME new developments*								
Largescale employment/economic developments *								
Tourism/entertainment/hotel								
Agriculture								
Small-scale improvements								
Largescale intensive agriculture								

Community Projects:								
Non-profit organisations possibly securing grants/funding from other government agencies; including sports groups, tidy towns, religious and charity groups								
Service Providers (e.g. DES schools/education, Irish water, EirGrid etc.)								
Small-scale projects								
Large-scale (EIA/potential SID)								
Any Development Above that is in a Sensitive Site/Location								
Archaeology and Natural heritage (European sites, NHAs)								
Flood Risk								
Built heritage-protected structures, Architectural Conservation Area (ACA)								
Key opportunity sites identified in DP/LAP or requiring lands in ownership of the LA								



Appendix C

Examples Of Pre-Application Consultation Record Templates



Dublin City Council
Comhairle Cathrach Bhaile Átha Cliath

PAC NO:

PRE-APPLICATION CONSULTATIONS
V15 Planning Department Dublin City Council
 Pre-Application Consultations -(Section 247 Of The Planning And Development Act 2000) Planning Department, Dublin City Council

Date Pre App Requested:	Date Pre App Held/Email Sent:
--------------------------------	--------------------------------------

Applicant/Attendees:	Planning Officers/ Officials :

O.S Map Provided & Site Outlined: Site Area: Sq. m /Ha

Specific Site/Location/Postal Address: _____

Planning History (if applicable) Plan No(s): _____

Interest in Land: _____

Owner Details (if not Owner): _____

Consent of Owner Required: _____

(Must be sufficient interest to make a planning application - evidence of interest may be required)

Proposed development: _____

Administrative Areas:

Central: North Central: North West: South Central: South East:

Proposed Use(s) permissible: Development Plan Zoning Objective:

Open for Consideration:

PROPOSED NO. OF RESIDENTIAL UNITS: APTS: HOUSES:

Does Part V of the Planning & Development Act apply: YES: NO:

Have any proposals being agreed with Housing regarding Part V: YES: NO:



Dublin City Council
Comhairle Cathrach Bhaile Átha Cliath

PAC NO:

IMPORTANT: Part V : Particulars of agreement or proposal to comply with section 96 of the Act (as amended) must accompany a planning application

SUMMARY OF PLANNING PROCEDURES & PLANNING ISSUES DISCUSSED

Planning Application Procedures/Regulations, Public Notices:

Protected Structure: YES: NO: EIAR Required: YES: NO:

Within an A.C.A.: YES: NO: Within an S.D.Z.: YES: NO:

Within LAP Area: YES: NO: Appropriate Assessment/Screening: YES: NO:

Flood Risk impact Assessment D.o.E. 2009: YES: NO:

PRIMARY PLANNING ISSUES

Density: Height: Open Space: Scale: Design: Parking:

Finishes: Childcare Facilities: Shopfront Design:

Conservation/Archaeology: Other:

APPLICANT REFERRED TO THE FOLLOWING D.C.C. DEPARTMENTS/OTHER BODIES

Housing: Drainage: Roads & Traffic: Parks: Irish Water:

Key Issues Identified: _____

Other or further details on the above: _____

Signed: _____ Planning Officer: _____

The carrying out of consultations shall not prejudice the performance of the planning authority of any of its other functions under the Planning and Development Act 2000 (as amended), or any regulations made under this Act and cannot be relied upon in the formal planning process or in legal proceedings (Section 247(3) of the Planning and Development Act 2000 (as amended)).



PRE PLANNING ASSESSMENT FOR ONE-OFF DWELLING

PRE PLANNING REFERENCE: _____

DEVELOPMENT LOCATION: _____

Relevant Policy:

- ▶ Development Control Zone?? of Louth County Development Plan 2015-2021 (LCDP 2.20)
- ▶ SS18, SS19, SS23-SS29, SS51 & 52, SS53 - 56, SS59—68.
- ▶ TC 12, WS 10 & 11, HER 3.
- ▶ Section 2.20 – suitability of site & appropriate design of dwelling

Relevant Site History: If yes outline below:

Suitability of Site (Note this is based on desktop study only):

- ▶ Integration: Rising / Falling / Flat Land & Boundaries
- ▶ Ribboning: No. of dwelling each side within 300m that are visually linked inc planning history.
- ▶ Potential for ribboning.

Local Needs

- ▶ Any details submitted?
- ▶ Applicant to refer to attached 'Qualifying Criteria form for One-Off Rural Housing'

Is proposed design of dwelling suitable?

- ▶ None submitted: Shall be in accordance with Section 2.20 of the LCDP
- ▶ No: Shall be in accordance with Section 2.20 of the LCDP
- ▶ Yes: In accordance with Section 2.20 of the LCDP

Is the site subject to flooding as per GIS:

- ▶ The site is not subject to flooding.
- ▶ Site is subject to ???? flooding: Flood Risk Assessment required.

Site on / adjacent to Natura site/ any hydrological links:

- ▶ According to Map Info unlikely that additional documentation required from applicant to carry out Appropriate Assessment.
- ▶ Yes: An Appropriate Assessment Report required

Heritage features:

According to Map Info site not on / adjacent to Protected Structures/ Recorded Monument's/ Demesnes.

Type of Road:

National / Regional Protected Route/Regional Route/ Class 1 / Class 2

CONCLUSION:

- ▶ The site appears to be suitable for development
- ▶ Applicant appears to comply with rural housing need
- ▶ Applicant to demonstrate that they have a local and rural housing need

In the event that a Planning Application is submitted the following is required:

- ▶ Size of dwelling vis a vis site size compliant with SS51 &52
- ▶ Design of dwelling compliant with Section 2.20 of the LCDP 2015-2021.
- ▶ Completed 'Qualifying Criteria form for One-Off Rural Housing' thus demonstrating compliance with rural and local housing need.
- ▶ Site Characterisation Form (WWTS to be in accordance with EPA 2009 Guidelines)
- ▶ SUDS calculations and Design as well as Soil Infiltration tests.
- ▶ Landscaping Plan showing indigenous tree and hedge planting behind visibility splays and along all remaining boundaries.
- ▶ Compliance with TC 10 & Table 7.3 for access onto National/ Protected Regional Route
- ▶ Site layout plan to scale showing visibility splays as per Table 7.4 and 7.5 of the LCDP 2015-2021 and legal agreement if appropriate.
- ▶ Flood Risk Assessment
- ▶ Appropriate Assessment Report

Discussed at Team Meeting on: _____

Signed by: _____

NOTE:

ADVICE GIVEN IS PRE-PLANNING ADVICE BASED ON INFORMATION AVAILABLE AT THE TIME & DOES NOT PREJUDICE ANY SUBSEQUENT PLANNING APPLICATION AND/OR BIND THE PLANNING AUTHORITY AND/OR PRESCRIBED BODIES IN ASSESSMENT OF ANY APPLICATION RECEIVED ON FOOT OF PRE-PLANNING CONSULTATION.

SLIGO COUNTY COUNCIL RECORD OF PRE-PLANNING CONSULTATION

BACKGROUND INFORMATION:

Formal Pre-planning – Written Response	Pre-planning Number: PPN
Applicant: Area Planner:	Date:
Site Location:	Site Area:
Documentation submitted: ▶ Pre-planning Application Form	
Description of Proposed Development:	
Planning History:	
PRE-PLANNING COMMENTS:	
Visual Amenity - Siting and Design - Wastewater treatment – Vehicular access – Appropriate Assessment –	

Signed: _____

Area Planner

Please note that any advice is given in good faith and without prejudice to the formal consideration of any subsequent planning application. Article 247 (3) of the Local Government (Planning & Development Act 2000 (as amended) states that “ the carrying out of consultations shall not prejudice the performance of the planning authority of any other of its functions under the Act, or any regulations made under this Act and cannot be relied upon in the formal planning process or in legal proceedings”. Formal consideration of an application is necessarily more extensive than consideration at the pre-application stage including because of consideration of any internal technical reports e.g. environment section or submissions from a third party or prescribed body.

APPENDIX 1 – RELEVANT DESIGNATIONS AND SECTIONS OF THE COUNTY DEVELOPMENT PLAN 2017-2023

RELEVANT DESIGNATIONS:

County Development Plan - Section 5.7, Rural Housing – Site located within –

- Rural Area in Need of Regeneration
- Rural Area Under Urban Influence
- Interface Area

Other Comments:

County Development Plan Figure 7.D – Landscape Characterisation Map –

- Normal Rural Landscape
- Scenic Route
- Area of Sensitive Rural Landscape
- Visually Vulnerable

Other Comments:

Volume 2 of County Development plan 2017 – 2023

Mini Plan:

Zoning:

Other Comments:

Sligo & Environs Development Plan

Zoning:

Other Comments:

Natura 2000 Sites in close proximity to subject site:

- SAC
- SPA

Other Comments:

RELEVANT SECTIONS OF THE COUNTY DEVELOPMENT PLAN 2017-2023:



Comhairle Contae Thiobraid Árann
Tipperary County Council

Reference PP:	
----------------------	--

PLANNING SECTION

RECORD OF CONSULTATION IN RELATION TO PROPOSED DEVELOPMENT

In accordance with Section 247 of the Planning and Development Act, 2000 as amended
Planning & Development Regulations 2001 as amended

Date of consultation:	Venue:	Time:
Person requesting consultation:		
In attendance:		
Location of proposal:		
Nature & Extent of proposal:		
Interest of requester in the subject site:		
Does the requester propose to make a planning application?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the proposal considered significant? (EIA, AA, SFRA, or other required)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the consultation informed by a Site Location Map?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the consultation informed by a Landholding Map?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the consultation informed by a Sketch Proposals?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Has the subject site planning history?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the proposal potentially subject to Development Contributions?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is the proposal potentially subject to future Taking In Charge?	Yes <input type="checkbox"/> TIC Plan Required	No <input type="checkbox"/>
Is the proposal potentially subject to Irish Water Services?	Yes <input type="checkbox"/> IW Pre-connection enquiry	No <input type="checkbox"/>

Appendix D

Questionnaire and Aggregated Local Authority Responses

Your council's pre-application consultation service:

(Tally of responses from all local authorities)

1. Overall approach and level(s) of service

<p>(a) In the context of pre-application consultations does the service you offer differ for the type of development or the location of the development? Please provide details.</p>	<p>Yes: 22 out of 31 local authorities (71%) No: 9 out of 31 local authorities (29%)</p>
<p>(b) Do you offer individual pre-application consultations or regular scheduled meetings i.e. planning clinics or a combination?</p>	<p>Individual: 20 out of 31 local authorities (65%) Planning Clinics: 5 out of 31 local authorities (16%) Combination: 6 out of 31 local authorities (19%)</p>
<p>(c) Does your authority consider that a fee should be applied in respect of pre-application consultations? If so at what level do you think the fee should be set for such consultations?</p>	<p>Yes: 18 out of 31 local authorities (58%) No: 8 out of 31 local authorities (26%) Other: 5 out of 31 local authorities (16%)</p>

2. Conduct of consultations

<p>(a) In relation to the advices emanating from pre-application consultations, please confirm who inputs to these advices i.e. do officers other than planning staff contribute to such advices (e.g. housing, environment, transport, community, heritage etc.)?</p>	<p>Yes: 28 out of 31 local authorities (90%) No: (0) Other: 3 out of 31 local authorities (10%)</p>
<p>(b) Do you ever seek the involvement of outside agencies e.g. Irish Water, NTA, DAU, etc.?</p>	<p>Yes: 9 out of 31 local authorities (29%) No: 18 out of 31 local authorities (58%) Other: 4 out of 31 local authorities (13%)</p>
<p>(c) Do elected members attend pre-application consultations?</p>	<p>Yes: 14 out of 31 local authorities (45%) No: 13 out of 31 local authorities (42%) Other: 4 out of 31 local authorities (13%)</p>
<p>(d) Which of the two descriptions below would describe the nature of the advice you generally provide at pre-application stage:</p> <p>(i) An outline of the procedures involved in considering an application for planning permission including any permission regulations and the relevant objectives of the development plan which may have a bearing on the decision of the planning authority;</p> <p>or</p> <p>(ii) An outline of the above as well as any other relevant advice concerning the proposed application.</p>	<p>3 (10%)</p> <p>28 (90%)</p>

- (e) What level of information does the pre-application consultation record contain e.g. do you have a standard template form that must be completed by the case officer?

Please provide a range of samples of different types of development/locations to demonstrate how your authority provides advice.

Standard template: 21 out of 31 local authorities (68%)

No standard template: 10 out of 31 local authorities (32%)

3. Recording of consultations

- (a) What is your system for recording advice issued to the prospective applicant? Do you use a spreadsheet or other software system? Please provide samples to demonstrate your system.

Spreadsheet: 6 out of 31 local authorities (19%)

Other: 20 out of 31 local authorities (65%)

None: 5 out of 31 local authorities (16%)

- (b) How do you ensure the pre-application consultation record is attached to any subsequent planning application?

Application form: 8 out of 31 local authorities (26%)

Application form and validation: 14 out of 31 local authorities (45%)

Other: 9 out of 31 local authorities (29%)

- (c) Do you make records of pre-application consultations public? If so, what are your authority's procedures for same

Yes: 21 out of 31 local authorities (68%)

No: 9 out of 31 local authorities (29%)

Other: 1 out of 31 local authorities (3%)

4. Learnings from COVID-19

Is your authority proposing any changes in how the pre-application consultation service is delivered as a result of Covid-19?

Yes: 27 out of 31 local authorities (88%)

No: 2 out of 31 local authorities (6%)

Other: 2 out of 31 local authorities (6%)

5. Any other comments?

*Percentages have been rounded.

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