

EVANGELICAL ALLIANCE IRELAND

GUIDELINE no. 08: Preparation of Planning Applications for Churches

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1.0 Introduction

This document is intended to give an outline on the basic process of making planning application for the construction of a church building or change of use of an existing building into church use. It is not intended to be a complete and legal interpretation of all requirements of the Planning Legislations and other associated guidelines.

The planning code is made up of both primary and secondary legislation – i.e. Acts and Regulations. The framework is set out in the Planning and Development Acts (as amended) and the detail is prescribed in the Planning and Development Regulations (as amended).

Primary Legislation

The basic starting point for the modern planning code is the Planning and Development Act 2000. This Act consolidated all planning legislation from 1963 to 1999 and codified much of what had grown up in custom and practice during that time, clarifying and simplifying the overall process into one self-contained piece of legislation. The 2000 Act remains the basis for the Irish planning code, setting out the detail of regional planning guidelines, development plans and local area plans as well as the basic framework of the development management and consent system.

Secondary legislation

The principal regulations underpinning the Planning and Development Acts 2000 (as amended) is the Planning and Development Regulation 2001(as amended). They also consolidate all previous Regulations made under the 2000 Act and replace the Local Government (Planning and Development) Regulations 1994-2000. They prescribe the detail of the various processes and procedures that make up the planning code.



Applicants should always seek the advice of a suitably qualified professional in the preparation of any planning application.

2.0 Choosing an agent

A good agent will provide invaluable advice to an applicant when considering a planning application. They will provide advice on County Development Plan and Local Area Plan policies of the relevant Planning Authority, site selection, design, effluent disposal, water supply and traffic issues. They should also identify the major issues in advance that may relate to a particular site.

A good agent should help you put your planning application together and submit all necessary documents to the Planning Authority on your behalf. You are responsible to provide your agent with necessary information on what your intentions and proposals are. Simply said, your agent is the middle man between you and Planning Authority.

3.0 Pre Planning

The planning process can be complex and difficult to understand, particularly for those who may be unfamiliar with the system. For this reason it is possible to have a pre planning meeting with the planning authorities. This opportunity should always be availed of. The purpose of pre-planning is to afford the opportunity to an applicant for planning permission, to seek advice from the planning authority on the proposed development. This advice would include indicating the relevant objectives and policies of the development plan that may have a bearing on the decision of the application.

Some Planning Authorities have pre-planning form on their website that can be completed and forward to them. On receipt of the completed form, they would contact you with a date for a meeting or in some cases deal with the query via the phone or email. This is a very good starting point for you to get a feel of what the opinion of the Planning authority is on your proposal and to have a discussion on issues that could be of concern at planning application stage.

Note, a pre-planning meeting is not meant to give guarantees of planning permission but to provide guidance.

4.0 Making a planning application

In terms of making a Planning Application each person making the application should familiarise themselves with Part 4 (Development Control) of the Planning and Development



Regulation 2001(as amended) on the detailed requirement when making planning applications.

The following particulars are required when making a planning application:-

1. A completed planning application form – This would be made available to you by the Planning Authority at their offices or on their website.
2. A notice of the proposed development must be advertised in newspaper approved by the relevant planning Authority. The advert should be less than two week old on the date of the submission of the application. A copy should be submitted with the application to the Planning Authority.

The newspaper advert should contain the following,

- a. the name of the applicant,
- b. correct location and address of the site or property that is subject of the application,
- c. the type of application i.e. Permission, retention etc,
- d. brief description of nature and extent of development.

Note: it is a planning requirement that the following phrase should be included in the newspaper advert,

Planning application may be inspected or purchased at a fee not exceeding the reasonable cost of making a copy at office of Planning Authority during its public opening hours. Submission/observations may be made within five weeks.

3 .Completed site notice – The site notice is a document comprising of a sheet of paper with the same information that is on the newspaper advert. It is normally attached to the back of the application form for applicant to complete. In any case, a copy of the site notice should be made available to you by the Planning Authority at their offices or on their website. This is should be erected at a visible point on the application site, preferably the site entrance be less than two week old on the date of the submission of the application so that the members of the public may see and be aware of the proposed development. In the event that the site is not adjoined by a public road, a site notice shall be erect or fixed in a conspicuous position on the land so as to be easily visible and legible by persons outside the land and shall not be obscured or concealed at anytime. The site notice should be maintained in position on the land or structure concerned for a period of 5 weeks from the date of receipt of the application by the Planning Authority. It shall be renewed or replaced if it is removed or become defaced or illegible within the period. The site notice should be signed and dated. The contact details of the applicant’s agent should be on the site notice. In the event that the site or the building



in question is listed in the Development Plan or Local Area Plan as a Protected Structure, you should indicate this on both the newspaper advert and the site notice.

4. If the property would be served by a septic tank or treatment system then a completed "Site Characterisation" form is required. A site characterisation form is a document that is completed with the information of site suitability tests that should be carried out by a qualified Environmental Scientist or other qualified person with professional indemnity insurance. The test would indicate if the site is suitable for the installation of the septic tank or secondary treatment system. In the event that the site suitability test indicates that the site is not suitable then an alternative site should be sought.

5. Application fee – Note, charities are exempted from planning fees. Submit your charity number with the application and request exemption.

6. Copies of location maps to identify the site. The scale of the map should not be less than 1:1000 in built up areas and not less than 1:2500 in all other areas. The site should be clearly marked in red. The receipt and licence number of the map should be shown. These maps are available with OSI (Ordnance Survey Ireland at www.osi.ie).

7. Drawings - The following must be submitted with the application

A. Plans, showing the elevations, sizes and finishes of the proposed building. The drawings should be scaled in metrics.

B. Layout - Six copies of layout, showing the site delineated in red, north point, details of the roads, buildings, septic tank, river and other features in the vicinity of the site and relevant contour levels. The scale of the layout should be 1:500.

Note: These documents are required before any application can be valid. In the event that any of this document/ information is not submitted with planning application, the planning application would be deemed invalid.

Under such circumstance, a letter would be issued to you from the Planning Authority giving you the reasons why your application is deemed as invalid. All your documents would be returned to you and the application process would have to be started all over again.

5.0 Important issues normally taken into consideration by planners during assessment

Construction of a new building

The principle of development and site designation



The zoning /objective of the site as outlined in the Development Plan. This would be a major determining factor as to whether or not the development would be considered. So check the zoning of the site and the objectives in the County Development Plan or Local Area Plan. If it is a rural area where there is no specific zoning you should check if there is any policy in the Development Plan/ Local Area Plan for religious or community related buildings. In some Development Plan and Local Area Plans, there are land use matrixes that show different and alternative types of development that are permissible on zoned lands.

Traffic and parking

In most development plan the parking requirements are outlined. The Impact of the traffic movement generated by the development and sightline at the site entrance should accord with the National Road Authority (NRA) guidelines and Design Manual for Urban Roads and Streets (DMURS). You can find these documents on www.nra.ie and www.envion.ie.

Public health and environment impact

If public mains are available in the area then the issue is to show how you intend to connect into the public mains on your plans. You should clarify how you intend to dispose surface water run offs from the roof, car park, driveway and entrance. It is normally either by on site soak away, drains and watercourse in proximity to site. Other means may also be proposed.

In the event that septic tank and percolation area is being proposed, it should be ensured that a site test and treatment system proposed accords with the EPA 2009 Guidelines for effluent treatment system. This information is available on the EPA website, www.epa.ie.

Design/visual impact well

This is a difficult issue; however, you should design the building to fit in as much as possible and be integrated with the existing pattern of development in the area. You should propose planting and landscaping to soften the visual impact of the development if necessary. If the development is located in an area with conservation objective, you will need show how you have taken cognisance of the sensitive nature of the area in your design.

Residential Amenities

If the development is within close proximity to residential development, you should show how you will prevent noise and light pollution from the building during service times and at night.

Objections and observations from third Party



The Planning Legislation allows members of the public to make submissions in favour or objection to development. These submissions are taken into account while assessing the application. This is the reason for advertising the proposal in the newspaper and erection of the site notice on the application site.

Change of use of an existing building

In the event that there is an existing building on site and the application is for change of use, all of the above remain relevant. In addition the important things that should be considered are the traffic, noise, residential and environmental impact that would result from the change of use.

6.0 Additional resources

Planning Guidance Leaflets

The Department of the Environment, Community and Local Government have published a series of leaflets which provide guidance on all aspects of the planning system, including

PL1 – A guide to Planning Permission

PL2 – Making A Planning Application

PL 3- Commenting on a Planning Application

PL 8 – The Development Plan

PL 10 – Making a Planning Appeal

Documents

Architectural Heritage Protection for Public Places

Design Manual for Urban Roads and Streets

These leaflets and documents are available to view on line at www.environ.ie

Code of Practice “Wastewater Treatment Manuals Treatment Systems for Small Communities, Business, Leisure Centres & Hotels EPA 1999”.

This document is available to view on line at www.epa.ie

