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SDCC Part V Housing Requirements Pre Planning Guidance

1. Legislation (recently amended):

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

If the proposal is considered exempt under Section 97 of the Planning and Development Act 2000 (as amended), a copy of the Certificate of Exemption under Section 97 must be submitted (or, where an application for a certificate of exemption has to be decided, a certified copy of the application must be submitted). If it is considered that under Section 96(13) of the Planning and Development Acts (as amended), that the planning application is for a development to which Part Acts (as amended) does not apply details indicating the basis for such opinion **must** be submitted.

2. Requirements for Valid Planning Applications

New Housing – one of the following must be submitted:

- Where Section 96 of Part V of the Planning and Development Act 2000 (as amended) applies the following **must** be included,
 - (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) given that at the planning application stage the detailed design cannot be finally determined and authorised until a grant of planning permission, an applicant for a housing development must only provide details of the calculations and methodology for estimating values of land, site costs, normal construction and development costs and profit on those costs and other related costs such as an appropriate share of any common development works as required to comply with the provisions in Part V of the Act.

Six Options under (i) include:

1. Transfer of land, with a map, to the same scale as the site location map, indicating the part or parts of the site proposed for transfer to the planning authority.
 2. Transfer of Housing on the application site with list of the units and types of housing within the proposed development that are proposed to be transferred.
 3. Transfer of Housing off-Site, with a list of the units and types of housing elsewhere in the functional area of the planning authority that are proposed to be transferred, and the indicative location of such units.
 4. Lease of Housing (on or off-site) with a list of the units and types of housing within the proposed development or elsewhere in the functional area of the planning authority that it is proposed to lease.
 5. Combination of Option 1 and any other options or options.
 6. Combination of any of Options 2 - 4.
- 1 x Social Housing Exemption Certificate **or**
 - 1 x Social Housing Exemption Certificate application accompanied by a statutory declaration and 2 Site Location Maps (Scale of 1:1000), **or**
 - Where Section 96(13) of the Planning and Development Act 2000 (as amended) applies, details and evidence indicating the basis on which Section 96(13) is considered to apply should be submitted.

3 Pre-Planning Contact Details

Applicants for planning permission to which Part V of the Planning Acts may apply, are **strongly advised** to consult in advance with the Council's Housing Section at the following contacts: Tel.No. (01)4149319, and / or Email Address: partv@sdbublincoco.ie

4. Type of units required

Currently preference is for houses or duplex rather than apartments with parking in line with planning requirements, due to social housing need e.g. primarily one, two and three bedroom units). Details will be set out in the Part V agreement. Details of any owners' management company (OMC) under the Multi-Unit Developments Act 2011 proposed or in place and any management fee must be provided.