Comhairle Contae Mhuineacháin
Monaghan County Council

Planning Department, 1 Dublin Street, Monaghan, Co. Monaghan, H18 X982

Tel. 047 30532 Email: planning@monaghancoco.ie Website: www.monaghan.ie

REQUEST FOR A DECLARATION ON DEVELOPMENT AND EXEMPTED DEVELOPMENT
(Section 10 of the Planning and Development Act 2024 (as amended))

FEE: €80

(fee payable by cheque to Monaghan County Council, by card payment over telephone or cash at Planning Reception)

This form has been prepared by Monagan County Council for the purpose of obtaining necessary information required for a declaration to be made under Section 10 by the Planning Authority.

1. What Declaration is being requested?

Question	Tick one only
1. Whether an act or operation constitutes / would constitute development and, if so, whether it constitutes / would constitute exempted development.	
2. Whether a change in use constitutes / would constitute development and, if so, whether it constitutes / would constitute exempted development.	
3. A question concerning the meaning or scope of a planning permission, or a condition attached to a permission, for development carried out / proposed under the 2024 Act or 2000 Act.	

2. Applicant / Relevant Person details

Are you (a) to (f)?	**Please tick one box only (a) to (f)**
(a) Owner of land	
(b) Occupier of land carrying out / proposing the act or change of use with owner's consent	
(c) Other person carrying out / proposing the act or change in use with owner's consent	
(d) A Company within the meaning of the Companies Act 2014 *Company formed/registered at least 1 year; relevant environmental objects; objects pursued at least 1 year; at least 10 members; resolution authorising request*	
(e) Prescribed person	
(f) Statutory undertaker *For a relevant act or operation*	
Full legal name of applicant / relevant person (Contact details to be provided in Additional contact form below)	
Company / organisation (if applicable) Address Eircode Telephone / Email	
Name of person / agent (if any) acting on behalf of the applicant: (Contact details to be provided in Additional contact form below)	

3. Owner and Owner Notification

Name of Registered Owner (Contact details to be provided in Additional contact form below)		
Is applicant the owner?	Yes	No
If not owner, has the owner been notified in writing when request is made?	Yes	No
Evidence attached: Copy of written notification: Owner consent: Other, please specify:		

4. Details regarding declaration being sought

(a) Please state the specific question in precise terms for which a declaration is sought. Note: only works listed and described under this section will be assessed. *(Sample question: Is the construction of a 25 sq. m. shed within the curtilage of my house at 1 Dublin Street, Monaghan development and if so, is it exempted development?)*
(b) Existing development / use
(c) Provide a full description of the question/matter/subject which arises wherein a declaration of the question is sought. Include dimensions, floor area, height materials and other relevant particulars.
(d) List of plans, drawings, etc. submitted with this request for a declaration: (Note: please provide a site location map to a scale of not less than 1:2500 based on Ordnance Survey map for the areas, to identify the lands in question. (Other supporting drawings / reports may be submitted and in doing so may expedite the process.)

5. Planning Permission / Planning History

Relevant planning permission number(s)	
Relevant condition number(s), if applicable	
Planning history and relevance	

6. Details re. property/site/building for which declaration is sought

(a) Full address of the property/site/building for which the declaration is sought: (including Townland and Eircode (if available)):	
(b) Do the works in question affect a Protected Structure or are within the curtilage of a Protected Structure? (Record of Protected Structures listed at Appendix 1 of the County Development Plan) If yes, has a Declaration under Section 310 of the Planning and Development Act 2024 (as amended) been requested or issued for the property by the Planning Authority?	
(c) If applicable, is the owner aware of any current request for a Declaration under Section 10 of the Planning and Development Act 2024 (as amended)?	
(d) Are you aware of any enforcement proceedings connected to the site? If so, please supply details.	
(e) Were there previous planning application/s on this site? If so, please supply details.	
(f) Date on which 'works' in question were completed/are likely to take place.	

7. Supporting Documents Checklist

Application / request form	
Site location map	
Site layout plan	
Existing plans / elevations / sections	
Proposed plans / elevations / sections	
Photographs	
Planning permission(s) and relevant conditions	
Owner notification / consent	
EIA screening / assessment material, where relevant	
AA screening / assessment material, where relevant	
Heritage / protected structure / ACA information, where applicable	
Other technical reports	
Written planning statement / schedule of exemptions	

8. Declaration by Applicant

I / We confirm that the information and documents supplied with this request are, to the best of my / our knowledge, accurate and complete. I / We understand that the planning authority may seek further information and documentation and that relevant documents and the decision may be published and made available for public inspection in accordance with section 10 of the Planning and Development Act 2024.

Name:

Position / Capacity:

Signed: _____ **Date:** _____

GUIDANCE NOTES

The following advice notes have been prepared for the purposes of advising what information is required for a decision to be made under Section 10 by the Planning Authority.

(1) The request must include confirmation of being a relevant person under section 10 of the Act including the name and address of the person requesting the declaration.

(2) The request for a declaration under Section 10 must be accompanied by 2 copies of site location map based on the Ordnance Survey map for the area of a scale not less than 1:1000 in urban areas and 1:2500 in rural areas and should clearly identify, (i) the land and any such structures relevant to the declaration, and (ii) the adjoining land holdings and any structures on those holdings adjacent to the development or proposed development.

(3) The request for a declaration shall include a description of the relevant act or operation or change of use relevant to the request.

(4) The request for a declaration shall include, where applicable, a description of any utilities such as water, waste water, electricity or gas which are necessary for the relevant act or operation or change of use relevant to the request.

(5) Where the request relates to the meaning or scope of any condition regarding a permission granted wholly outside the outer maritime area, details of the permission.

(6) The request for a declaration under Section 10 must be accompanied by the required €80 fee.

(7) If submitting any additional plans/reports etc. as part of the request for a declaration, please submit 2 copies.

(8) The request for a declaration should be sent to the following address:

Planning Department, Monaghan County Council, 1 Dublin Street, Monaghan, Co. Monaghan, H18 X982, or by email planning@monaghancoco.ie

(9) Notwithstanding the completion of the above form, the Planning Authority may require the submission of further information with regard to the request in order to enable the Authority to issue a declaration on the question.

(10) The Planning Authority may also request other persons to submit information on the question which has arisen and on which the declaration is sought.

Please refer to Section 10 of the Planning and Development Act 2024 (as amended) for full details of requirements.

For Office Use Only:

Date Received: …….. Fee Paid: ……..

Date Acknowledged: …….. Reference No. ……..

Date Declaration made: …….. CEO No. ……

Decision: ……

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Monaghan County Council

ADDITIONAL CONTACT INFORMATION

THIS WILL NOT BE MADE AVAILABLE PUBLICLY WITH THE APPLICATION AND WILL BE USED FOR COMMUNICATION PURPOSES ONLY

Name, address and contact detail of the applicant / relevant person:

Name:	
Address:	
Contact details: Include Email for correspondence	

Name, address and contact details of agent / person (if any) acting on behalf of the applicant / relevant person:

Name:	
Address:	
Contact details: Include Email for correspondence	
Should all correspondence be sent to the above address? (please tick appropriate box) (Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address) Yes _____ No _____	

Name, address and contact details of site landowner (where the applicant / relevant person is not the owner of the site).

Name:	
Address:	
Contact details: Include Email for correspondence	