



Application for a Certificate of Exemption from the provision of Social and Affordable Housing, (Part V)

i.e. FROM THE PROVISIONS OF S.96 UNDER S.97 OF THE PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

OFFICE USE ONLY

Reference No: _____

Received on: _____ Entered on screen on: _____

Name of Applicant: _____

(If Applicant is a Company please refer to Section 1 (page 5) to give details of all directors of the Company)

Location of the Proposed Development: _____

Number of Residential Units Proposed: _____

Area of Land to Which Application Relates (Hectares): _____

Description of Proposed Development: _____

Checklist Documents Enclosed with Application:

Site Location Map with boundary outlined in Red -----

Declaration signed & witnessed by a Commissioner for Oaths & Practicing Solicitor: (page 8) -----

All Relevant contact information: (page 9) -----

Name of **Agent**: _____

PLEASE READ CAREFULLY BEFORE COMPLETING

On land zoned for residential use, or a mixture of residential and other uses, and on any land which is not zoned for such uses but on which permission for the development of houses is granted, up to 20% of the land in question may be reserved for social, affordable or cost rental housing in accordance with Part V of the Planning and Development Act 2000, as amended.

An application certifying that the provisions of Section 96 of the Planning and Development Act, 2000 (as amended) do not apply is known as an application for a **"Certificate of Exemption"**. All certificate applications should be made on/before applying for permission in respect of a development.

If you were not the sole and legal beneficial owner/s for the period of 5 years preceding this application for a certificate of exemption, then you must give all the particulars including the identity of who held the legal and beneficial in the preceding 5 years.

This application must be accompanied by a copy of a location map with the site outlined so as to clearly identify the land to which the application relates. All maps, plans or drawings should be individually numbered for reference purposes.

The Statutory Declaration (as defined by the Statutory Declarations Act, 1938) shall be signed in the presence of a Solicitor/ commissioner of Oaths. The Statutory Declaration must state:

STATUTORY DECLARATION

I/We _____ of _____

aged eighteen years and upwards do solemnly and sincerely declare the following:

This section must be completed

- a) I/We hold the sole and legal and beneficial freehold/ leasehold **ownership** of the land on which it is proposed to carry out the development at the above address and as indicated on the map/s attached with this application.

Please indicate if Freehold ☐ or Leasehold ☐

I/We have been the sole and legal and beneficial **owner/s** of the property on which it is proposed to carry out this development in respect of the period of **five years** preceding this application.

Section 97(5)(a) – Planning and Development Act, 2000

Yes ☐ No ☐

(If **No**, please provide details of previous owners in respect of the period of five years preceding this application in Section 2 (Page 6))

b) I/We are **not acting in concert** with any other person or persons.

Section 97(5)(b) – Planning and Development Act, 2000

Tick if applicable

☐

Acting in Concert: 'Pursuant to an agreement, arrangement or understanding, where one party makes an application or causes such an application to be made'

(If ticked, there is no need to complete Section 'd' below)

c) I/We do not and have **not** at any time during the said period (5 years from date of making this application for a certificate of exemption) had an **interest in any land in the immediate vicinity** (400m) of the land on which it is proposed to carry out such development.

Section 97(5)(c)(i) – Planning and Development Act, 2000

Tick if applicable

☐

(If **Not** applicable, please refer to Section 3 (page 6) to complete particulars)

d) "Particulars of **any interest that any person with whom the applicant is acting in concert** has, or had at any time during the said period, in any land in the said immediate vicinity, of which the applicant has knowledge"

Applicable if acting in concert with any other persons (See 'b' above).

Section 97(5)(c)(ii) – Planning and Development Act, 2000

Tick if applicable

☐

(If ticked, please refer to Section 4 (page 7) to complete particulars)

e) I/We have **not been granted a certificate**, which currently remains in force within the period of 5 years prior to the date of making this application, under Section 97 of the Act, 'nor have I/We ever **acted in concert with any person/s** who has/have been granted a certificate which currently remains in force within the period of **5 years** prior to the date of this application under Section 97 of the Act.

Article 49(a) – Planning and Development Regulations, 2001

Tick if applicable

☐

- f) I/We have not carried out, or have not been granted permission to carry out, any development consisting of the provision of **4 or fewer houses** or of housing **on land of 0.2 hectares or less**, within the period of 5 years prior to the date of making this application for a certificate under Section 97, on land in respect of which the certificate is being sought or land in its immediate vicinity within 400 metres under Section 97(2)(b) – Planning and Development Act 2000 (as amended) (save that any such development was carried out, or permission granted, before 1st November 2001 is disregarded), 'nor have I/We ever **acted in concert with any person/s** nor have any person/s carried out any development consisting of the provision of **4 or fewer houses** or of housing on **land of 0.2 hectares or less**, within the period of 5 years prior to the date of making this application for a certificate under section 97, on land in respect of which the certificate is being sought or land in its immediate vicinity within 400 metres.

Article 49(b) – Planning and Development Regulations, 2001

Tick if applicable

☐

- g) I/We are **not aware of any facts or circumstances** that would constitute grounds under Section 97(12) of the Planning and Development Act, 2000 (as amended) for the refusal by the Planning Authority to grant a certificate.

Section 97 (5)(d) – Planning and Development Act 2000

Tick if applicable

☐

- h) Any other information as may be prescribed

Section 97(5)(a) – Planning and Development Act, 2000

Section 1

Company Details (if applicable)

Where the Applicant is a Company registered under the Companies Acts, 1963 –

Company Name:	
Company Registration No:	
Address:	
County:	
Tel:	
Mobile:	
Email:	

Details of Directors

Surname:	
Forenames	

Surname:	
Forenames	

Surname:	
Forenames	

Surname:	
Forenames	

Surname:	
Forenames	

Surname:	
Forenames	

Surname:	
Forenames	

Section 2

DETAILS OF LAND INTERESTS

(For a 5 year period prior to the date of application)

Proposed Site

Name	Type of Interest	Period of Interest		
			to	
			to	
			to	
			to	

Section 3

Interest in adjoining land (within 400m) (if applicable)

Details of land interests in any land in the immediate vicinity of the land on which it is proposed to carry out development.

Folio No.	Name & Address	Type of Interest	Period of Interest		
				to	
				to	
				to	
				to	

Section 4

Persons acting in concert with applicant (if applicable)

Title:	
Surname:	
Forenames:	
Address:	
County:	
Tel:	
Mobile:	
Email:	

Title:	
Surname:	
Forenames:	
Address:	
County:	
Tel:	
Mobile:	
Email:	

I/~~We~~ make this **statutory declaration** conscientiously believing the same to be true and by virtue of the statutory declarations Act, 1938.

Declared by the said Applicant/s _____

on this _____ day of _____ 20 _____ at _____

(solicitors office)

Before me a Commissioner for Oaths and a practising Solicitor

Signed:

Declarant

Commissioner for Oaths and
Practising Solicitor

(Solicitors Stamp)

CONTACT DETAILS

Name of **Applicant**:

Address:

Telephone: _____ Fax: _____ Email: _____

Name of **Agent**: _____

Address:

Telephone: _____ Fax: _____ Email: _____

Name and Address to which Notification should be Sent:

Name:

Address:

I hereby declare and certify that the information provided in this application to the best of my knowledge is correct and accurate and is fully in compliance with Part V of the Planning and Development Act 2000 (as amended) and Regulations made thereunder.

Signature of Applicant (or Agent)

Date: _____