Comhairle Contae **Lú**
Louth County Council

Qualifying Criteria Form for Housing in the Open Countryside and in Rural Nodes

November 2021

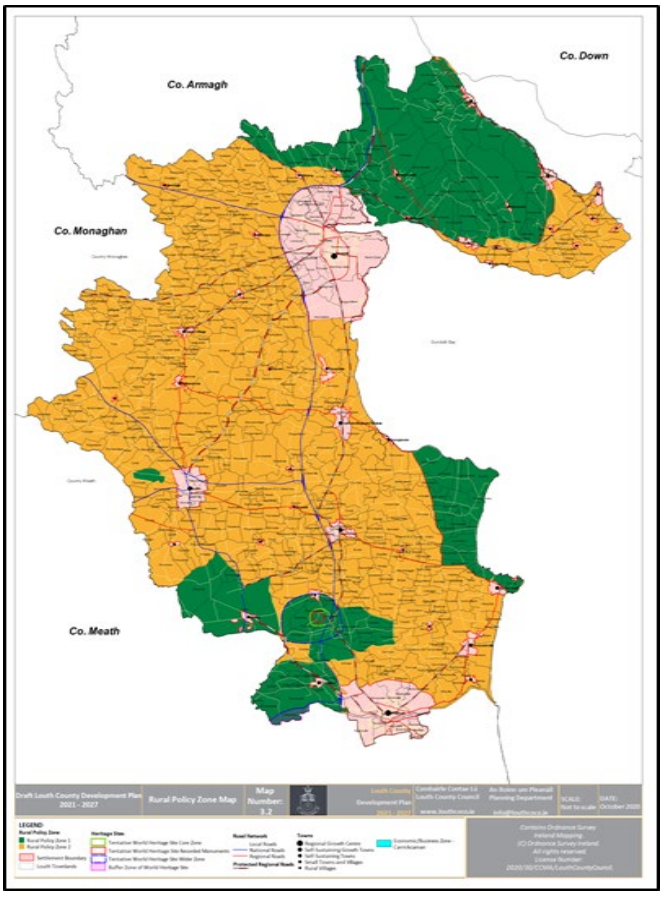
1.0 Overview

The purpose of this document is to provide general guidance to assist potential applicants and their agents in the preparation of a planning application for a single house in the open countryside or a Rural Node (Level 5 Settlement). This document should be read alongside the relevant sections of the Louth County Development Plan (LCDP) 2021-2027.

Section 3.17 of Chapter 3, Volume 1 of the LCDP 2021-2027 sets out the qualifying criteria and associated policy objectives relating to housing in the open countryside. Guidance on the siting and design is provided in Section 13.9, Chapter 13, Volume 1.

Louth, in its entirety is defined as a county which is under 'Strong Urban Influence'. There are specific areas in the County which, due to their high scenic quality and cultural value, are environmentally sensitive and require careful management. Consequently, the County has been divided into two Rural Policy Zones which will guide assessment of applications for houses in the open countryside. These Rural Policy Zones are identified on Map 3.2 (Chapter 3, Vol. 1) and are as set out below:

Policy Zone	Description
Rural Policy Zone 1 (green area on Map)	Area under strong urban influence and of significant landscape value
Rural Policy Zone 2 (yellow area on Map)	Area under strong urban influence



2.0 Qualifying Criteria

The standard application form for a one-off house in the open countryside should be accompanied by one of the following forms included in this document:

Part 1 – Rural Policy Zone 1

The form and associated qualifying criteria relating to Rural Policy Zone 1 should be completed in full and submitted.

Part 2 – Rural Policy Zone 2

The form and associated qualifying criteria relating to Rural Policy Zone 2 should be completed in full and submitted.

3.0 Definitions

Definitions relating to houses in the open countryside, as set out in the Louth County Development Plan 2021-2027 are outlined below:

Local Rural Area:

The local area is defined as being within a 6 km radius of the qualifying family residence. Where the qualifying area is reduced by reason of its location, for example proximity to the coast, county boundaries, or development zone boundaries, the 6km radius may be extended to include an area equivalent to the area lost.

Qualifying Landowner:

A person who owns a landholding of at least 1.5 hectares and has owned the land for a minimum of 15 years.

4.0 Applications for new dwellings in the countryside or in a Level 5 Rural Node

A prospective applicant seeking to construct a one-off house in Rural Policy Zone 1, Rural Policy Zone 2 or in a Rural Node is required to meet the Qualifying Criteria outlined in Chapter 3, Tables 3.4 and 3.5. The Qualifying Criteria outlined in Rural Policy Zone 2 (Table 3.5) are applicable to the 24 Rural Nodes. It should be noted that there is a presumption against granting planning permission for a rural one-off dwelling in Rural Policy Zone 1 where there is an alternative site available on family lands in Rural Policy Zone 2.

It is imperative that the narrative, policy objectives and development management guidance of the LCDP 2021-2027 are taken into consideration prior to lodging an application for a new dwelling in the open countryside or in a Rural Node.

In all cases screening for appropriate assessment shall be undertaken to ensure that the proposed development is not likely to have a significant effect individually or in combination with other plans or projects on a European Site.

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When selecting a site regard must be had to the landscape in which it is located. In this regard it should be noted that there are specific policy objectives in the Plan pertaining to Areas of Outstanding Natural Beauty, Areas of High Scenic Quality and Areas of Cultural Value.

In all instances dwelling houses and ancillary buildings must be sensitively located in the landscape, of an appropriate design and scale that has regard to the location and setting, and should be suitably landscaped with native species.

Any application reliant on an individual waste water treatment system shall be compliant with the Environmental Protection Agency's 2021 '*Code of Practice; Domestic Waste Water Treatment Systems (Population Equivalent ≤ 10)'.* The disposal of surface water should be within the site boundaries and the proposal accompanied by a surface water disposal system designed to BRE Digest 365. Applications must demonstrate that a safe access and egress to and from the site onto the public road can be achieved. When choosing a site regard must be had to other issues including coastal erosion, flooding, natural and built heritage, and the existing pattern of development in the area.

PART 1

Qualifying Criteria Form for Housing in

Rural Policy Zone 1

November 2021

1. APPLICANT DETAILS

As this form will be utilised to assess the eligibility for housing it is strongly advised that **ALL** questions are answered fully with as much information provided as possible. Applicants are encouraged to make available any additional information they consider would assist in the assessment of the application in a timely manner. Failure to document and demonstrate compliance with relevant qualifying criteria may result in delays or refusal of the planning application. The information provided will not be available for viewing by the public.

Part A General Information						
1. Applicant's name:						
2. Applicant's current address:						
3. Is current accommodation: (Tick ✓)	a). Owned		b). Rented		c). Other	
If b), satisfactory proof of tenancy/rental agreement shall be submitted.						
If c), please state e.g. family home etc;						
4. Application (site) address:						
Indicate on an Ordnance Survey sheet the location(s) of your qualifying residence/family home i.e the dwelling you occupied for 18 years in relation to the application site. Details of your current residence in relation to the application site shall also be indicated on an OS sheet.						
5. Has an OS sheet been included? (Tick ✓)	Yes		No			
6. In which zone is the site located? (Tick ✓)	Rural Policy Zone 1		Rural Policy Zone 2 / Rural Node			
7. Under which qualifying criteria does the applicant intend to apply as detailed in Part B of this document.						

Only One Qualifying Criteria to be completed per application.

All Tick boxes should be completed in the relevant Qualifying Criteria to ensure the timely and comprehensive consideration of the application by the Planning Authority.

Where a particular supporting document is not applicable please mark as N/A.

This form has been designed to assist applicants in providing the appropriate documentation and information to demonstrate they have a rural housing need. It is not exhaustive and applicants are advised to submit other specific details to support their application that they consider relevant.

Part B: Qualifying Criteria

1. Agriculture			
Persons engaged in full time agriculture. This includes livestock, poultry, dairy, and tillage farming, bloodstock and equine related activities, forestry, and horticulture. The nature of the agriculture activity shall, by reference to the landholding, livestock numbers, or intensity of the use of the land, be sufficient to support full time or significant part time occupation. Depending on the activity the documentation available will vary however the onus will be on the applicant to demonstrate the viability of the enterprise. Information to be provided shall include: • The size of the landholding; • The nature of the operations; • Buildings and storage associated with the operations; • Number of persons employed; • Livestock numbers (if applicable); • Participation in government schemes/ programmes e.g. Bord Bia Quality Assurance, Basic Payment Scheme (BPS), GLAS, or any similar/updated programmes or schemes; • Any other information that would support the application			
Supporting Documentation	**Tick ✓**	**Supporting Documentation**	**Tick ✓**
Land Registry Certificate/Maps and Folio No.		Livestock numbers and Herd Number (if applicable);	
The size of the landholding (ha)		Participation in government schemes/ programmes e.g. Bord Bia Quality Assurance, Basic Payment Scheme (BPS), GLAS, or any similar/updated programmes or schemes	
The nature/type of farming activity		Length of time applicant has been employed on this agricultural holding and any relevant qualifications	
Details and location of buildings and storage associated with the operations		Supporting letter and any relevant documentation from Teagasc advisor	
Number of persons employed on the holding (full time and part time as applicable)		Attachment of any other information/documentation that would support the application	
Details of any other full-time or part-time employment other than agriculture.			

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2. Sons or Daughters of a Landowner	
A son or daughter of a landowner who is/are seeking to build a first home for permanent occupation. A qualifying landowner is defined as a person who owns a landholding of at least 1.5 hectares and has owned the land for a minimum of 15 years. Any applicant under this category must demonstrate a rural housing need and have a demonstrable social or an economic need to live in the area and shall not have previously owned a dwelling. No more than three houses (exclusive of the family home) shall be permitted on the landholding. Any application will be subject to the appropriate siting and consideration of proper planning and sustainable development.	
Supporting Documentation	**Tick ✓**
Land ownership/Landholding	
Land Registry Certificate/Maps and Folio No.	
Details of any previously permitted dwellings on the landholding and indicated on the OS Map as applicable.	
OS Map(s) showing any planning permissions for dwellings on the landholding.	
The following documentation will assist in demonstrating social ties for 18 years	
Long Birth Certificate	
School records indicating the number of years in attendance which must include the address at all times of attendance.	
Letters from local clubs/sporting organisations, and any other relevant information	
Confirmation of address linked to Voter Number (available at checktheregister.ie)	
Map showing Qualifying residence in relation to proposed site (6km)	
Letter from Dept. of Social protection/Revenue, other official correspondence from an Irish State Agency, correspondence from an insurance company regarding an insurance policy.	
Home Ownership	
A self-declaration letter to state the applicant has not previously owned a dwelling.	
Other	
Other (please specify)	

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3. Business	
A person who has an established business which is intrinsically reliant on being located in Rural Policy Zone 1 and consequently requires them to reside in Rural Policy Zone 1 of the rural area. The nature of the operations of the business shall be specific to this rural area being cognisant of the need to protect the high amenity value of the landscape. Any application shall demonstrate the viability of the business and clearly set out the nature of activities associated with the business and why it requires the owner to reside in the vicinity**.**	
Supporting Documentation	**Tick ✓**
Details of the established business including the length of time it has been operating in the current location, details of the planning history, company records at this location, utility bills, mortgage details, lease arrangements, and the directors of the business.	
Nature of established business and details of the specific requirements requiring the applicant to reside in proximity to the business.	
OS Maps to be submitted showing current residence in relation to application site	
Other (please specify)	

4. Exceptional Health Reasons	
Persons who are required to live in the rural area of Rural Policy Zone 1, for exceptional health reasons. The person will be required to have demonstrable economic or social ties to the area in the first instance to be considered under this category. Any application shall be accompanied by a medical consultant's report and recommendation outlining the reasons why it is necessary for the applicant to live in a rural area. The application shall also demonstrate why the existing home of the family member cannot be adapted to meet the needs of the applicant.	
Supporting Documentation	**Tick ✓**
The following documentation will assist in demonstrating social or economic ties for 18 years	
Long Birth Certificate	
School records indicating the number of years in attendance which must include the address at all times of attendance.	
Letters from local clubs/sporting organisations, and any other relevant information	
Confirmation of address linked to Voter Number (available at checktheregister.ie)	
Map showing Qualifying residence in relation to proposed site (6km)	
Details of other immediate family members living in the vicinity of the site	
Details of any business activities owned or operated by the applicant in the area where it is proposed to build	
Exceptional Health Reasons	
Medical consultants report and recommendation outlining the reasons why it is necessary to live in Rural Policy Zone 1.	
Letter from disability organisation (if applicable)	
Documentation to demonstrate why the existing home of the family member cannot be adapted to meet the needs of the applicant. Applicants should note that a statement that the home cannot be adapted is not sufficient. It must be clearly demonstrated that consideration was given to adapting the home in the first instance but was not feasible with valid reasons why it cannot be adapted provided.	
Other	
Other (please specify)	

5. Care for an Elderly Person(s) or Person(s) with a Disability	
Residents who have demonstrable social ties to the area and are providing care for an elderly person(s) or a person(s) with a disability who lives in an isolated rural area and who does not have any able bodied person residing with them. Any application shall demonstrate why the existing property cannot be extended or modified to provide residential accommodation for the carer. One house only will be allowed on this basis and the site must be adjacent to the dwelling in which the elderly person(s) or person(s) with the disability resides.	
Supporting Documentation	**Tick ✓**
The following documentation will assist in demonstrating social ties for 18 years	
Long Birth Certificate	
School records indicating the number of years in attendance which must include the address at all times of attendance.	
Letters from local clubs/sporting organisations, and any other relevant information	
Confirmation of address linked to Voter Number (available at checktheregister.ie)	
Map showing Qualifying residence in relation to proposed site (6km)	
Letter from Dept. of Social protection/Revenue, other official correspondence from an Irish State Agency, correspondence from an insurance company regarding an insurance policy.	
Details of the person to be cared for	
Land Registry Certificate/Maps and Folio No. of the dwelling of the person for whom they are providing care.	
Name and address of person(s) being cared for	
Relationship with person(s) being cared for	
Supporting information outlining the reason why care is needed / the nature of the disability	
Documentation to demonstrate why the existing property cannot be extended or modified to provide residential accommodation for the carer. Applicants should note that a statement that the property cannot be adapted is not sufficient. It must be clearly demonstrated that consideration was given to adapting the property in the first instance but was not feasible with valid reasons why it cannot be adapted provided.	
Other	
Other (please specify)	

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6. Divorce/ Legal Separation or Repossession	
A person who has been a resident for at least 10 years that previously owned a home and is no longer in possession of that home due to the home having been disposed of following legal separation / divorce / repossession and can demonstrate a social or economic need for a new home in the rural area.	
Supporting Documentation	**Tick ✓**
The following documentation will assist in demonstrating social ties for 10 years	
Long Birth certificate	
Birth certificate for children (if applicable)	
Documentation to confirm social ties to the area for at least 10 years	
Details of the family home relative to the application site	
School records for children stating the number of years attending the school including address at the time of attendance(if applicable)	
Confirmation of address linked to Voter Number (available at checktheregister.ie)	
Letter from Dept. of Social protection/Revenue, other official correspondence from an Irish State Agency, correspondence from an insurance company regarding an insurance policy.	
Divorce/Legal Separation/Repossession documentation	
Copy of marriage certificate (if applicable)	
Copy of divorce or legal separation (if applicable)	
Copy of documentation in relation to repossession (if applicable)	
Confirmation detailing that applicant is no longer in possession of the family home	
Map showing qualifying residence in relation to proposed site (6km)	
Other	
Other (please specify)	

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I attach schedule of documents as listed below related to Qualifying Criteria No. ☐

I hereby declare that to the best of my knowledge the information contained above is correct.

Applicant's Signature: _____ Date: _____

Applicant's Signature: (PRINTED) _____

(Note: This document must be signed by applicant. Agent's signature is not acceptable.)

PART 2

Qualifying Criteria Form for Housing in Rural Policy Zone 2 and in Rural Nodes

November 2021

1. APPLICANT DETAILS

As this form shall be utilised to assess the eligibility for housing it is strongly advised that ALL questions are answered fully with as much information provided as possible. Applicants are encouraged to make available any additional information they consider would assist in adjudication of the application in a timely manner. Failure to document and demonstrate compliance with relevant qualifying criteria may result in delays or refusal of the planning application. The information provided will not be available for viewing by the public.

Part A General Information						
1. Applicant's name:						
2. Applicant's current address:						
3. Is current accommodation: (Tick ✓)	a). Owned		b). Rented		c). Other	
If b), satisfactory proof of tenancy/rental agreement shall be submitted.						
If c), please state e.g. family home etc;						
4. Application address:						
Indicate on an Ordnance Survey sheet the location(s) of your qualifying residence/family home i.e the dwelling you occupied for 18 years in relation to the application site. Details of your current residence in relation to the application site shall also be indicated on an OS sheet.						
12. Has an OS sheet been included? (Tick ✓)	Yes		No			
13. In which zone is the site located? (Tick ✓)	Rural Policy Zone 1		Rural Policy Zone 2 / Rural Node			
14. Under which qualifying criteria does the applicant intend to apply as detailed in Part B of this document.						

Only One Qualifying Criteria to be completed per application.

All Tick boxes to be completed in the relevant Qualifying Criteria to ensure the timely and comprehensive consideration of the application by the Planning Authority.
Where a particular supporting document is not applicable please mark as N/A.
This form has been designed to assist applicants in providing the appropriate documentation and information to demonstrate they have a rural housing need. It is not exhaustive and applicants are advised to submit other specific details to support their application that they consider relevant.

Part B: Qualifying Criteria

1. Agriculture			
Persons engaged in full time agriculture. This includes livestock, poultry, dairy, and tillage farming, bloodstock and equine related activities, forestry, and horticulture. The nature of the agriculture activity shall, by reference to the landholding, livestock numbers, or intensity of the use of the land, be sufficient to support full time or significant part time occupation. Depending on the activity the documentation available will vary however the onus will be on the applicant to demonstrate the viability of the enterprise. Information to be provided shall include: • The size of the landholding; • The nature of the operations; • Buildings and storage associated with the operations; • Number of persons employed; • Livestock numbers (if applicable); 1.Participation in government schemes/ programmes e.g. Bord Bia Quality Assurance, Basic Payment Scheme (BPS), GLAS, or any similar or replacement programmes or schemes; 2. Any other information that would support the application			
Supporting Documentation	**Tick ✓**	**Supporting Documentation**	**Tick ✓**
Land Registry Certificate/Maps and Folio No.		Livestock numbers and Herd Number (if applicable);	
The size of the landholding (ha)		Participation in government schemes/ programmes e.g. Teagasc, Bord Bia Quality Assurance, Basic Payment Scheme (BPS), GLAS, or any similar replacement programmes or schemes	
The nature/type of farming activity		Length of time applicant has been employed on this agricultural holding and any relevant qualifications	
Details and location of buildings and storage associated with the operations		Supporting letter and any relevant documentation from Teagasc advisor	
Number of persons employed on the holding (full time and part time as applicable)		Attachment of any other information/documentation that would support the application	
Details of any other full-time or part-time employment other than agriculture.			

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2. Business	
A person whose business requires them to reside in the rural area. The nature of the operations of the business shall be specific to the rural area. Any application shall demonstrate the viability of the business and clearly set out the nature of activities associated with the business and why it requires the owner to reside in the vicinity.	
Supporting Documentation	**Tick ✓**
Details of the business including the length of time it has been operating in the current location, details of the planning history, company records at this location, utility bills, mortgage details, lease arrangements, and the directors of the business.	
Nature of the business and details of the specific requirements requiring the applicant to reside in proximity to the business.	
OS Maps to be submitted showing current residence in relation to application site	
Other (please specify)	

3. Landowners including their sons or daughters	
Landowners including their sons and daughters who have demonstrable social or economic ties to the area where they are seeking to build their home. Demonstrable social or economic ties will normally be someone who has resided in the rural area of Louth for at least 18 years prior to any application for planning permission. Any applicant under this category must demonstrate a rural housing need and shall not have owned or have sold a residential property in the County for a minimum of 10 years prior to making an application.	
Supporting Documentation	**Tick ✓**
Land Ownership/Landholding	
Land Registry Certificate/Maps and Folio No.	
The following documentation will assist in demonstrating social or economic ties for 18 years	
Long Birth Certificate	
School records indicating the number of years in attendance which must include the address at all times of attendance.	
Letters from local clubs/sporting organisations, and any other relevant information	
Confirmation of address linked to Voter Number (available at checktheregister.ie)	
Map showing Qualifying residence in relation to proposed site (6km)	
Letter from Dept. of Social protection/Revenue, other official correspondence from an Irish State Agency, correspondence from an insurance company regarding an insurance policy.	
Details of any business activities owned or operated by the applicant in the area where it is proposed to build	
Home Ownership	
A self-declaration letter to state the applicant does not currently own or has not sold a residential property in the County for a minimum of 10 years prior to making an application.	
Other	
Other (please specify)	

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4. Demonstrable social or economic need	
A person who is seeking to build their first house in the area and has a demonstrable economic or social requirement to live in that area. Social requirements will be someone who has resided in the rural area of Louth for at least 18 years prior to any application for planning permission. Any applicant under this category must demonstrate a rural housing need and shall not own or have sold a residential property in the County prior to making an application.	
Supporting Documentation	**Tick ✓**
The following documentation will assist in demonstrating social or economic ties for 18 years	
Long Birth Certificate	
School records indicating the number of years in attendance which must include the address at all times of attendance.	
Letters from local clubs/sporting organisations, and any other relevant information	
Confirmation of address linked to Voter Number (available at checktheregister.ie)	
Map showing Qualifying residence in relation to proposed site (6km)	
Letter from Dept. of Social protection/Revenue, other official correspondence from an Irish State Agency, correspondence from an insurance company regarding an insurance policy.	
Details of any business activities owned or operated by the applicant in the area where it is proposed to build	
Home Ownership	
A self-declaration letter to state the applicant has not owned or have sold a residential property in the County prior to making an application.	
Other	
Other (please specify)	

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5. Returning Emigrant	
An emigrant who was resident of the area (previously resided in the area for at least 18 years in total) and wishes to return to the area to live. The applicant shall not own or have sold a residential property in the County for a minimum of 10 years prior to making an application.	
Supporting Documentation	**Tick ✓**
The following documentation will assist in demonstrating social ties for 18 years	
Long Birth Certificate	
School records indicating the number of years in attendance which must include the address at all times of attendance.	
Letters from local clubs/sporting organisations, and any other relevant information	
Confirmation of address linked to Voter Number (available at checktheregister.ie)	
Map showing Qualifying residence in relation to proposed site (6km)	
Letter from Dept. of Social protection/Revenue, other official correspondence from an Irish State Agency, correspondence from an insurance company regarding an insurance policy.	
A self-declaration letter to state the applicant does not currently own or has not sold a residential property in the County for a minimum of 10 years prior to making an application.	
Current address/country of residence	
Details of applicants current address and country of residence	
Intended date of return (if not already back in the County)	
Other	
Other (please specify)	

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6. Care for an elderly person(s) or person(s) with a disability.	
Residents who have demonstrable social ties to the area and are providing care for an elderly person(s) or a person(s) with a disability who lives in an isolated rural area and who does not have any able bodied person residing with them. Any application shall demonstrate why the existing property cannot be extended or modified to provide residential accommodation for the carer. One house only will be allowed on this basis and the site must be adjacent to the dwelling in which the elderly person(s) or person(s) with the disability resides.	
Supporting Documentation	**Tick ✓**
The following documentation will assist in demonstrating social ties for 18 years	
Long Birth Certificate	
School records indicating the number of years in attendance which must include the address at all times of attendance.	
Letters from local clubs/sporting organisations, and any other relevant information	
Confirmation of address linked to Voter Number (available at checktheregister.ie)	
Map showing Qualifying residence in relation to proposed site (6km)	
Letter from Dept. of Social protection/Revenue, other official correspondence from an Irish State Agency, correspondence from an insurance company regarding an insurance policy.	
Details of the person to be cared for	
Land Registry Certificate/Maps and Folio No. of the dwelling of the person for whom they are providing care.	
Name and address of person(s) being cared for	
Relationship with person(s) being cared for	
Background information outlining the reason why care is needed, including the age of the older person / the nature of the disability	
Documentation to demonstrate why the existing property cannot be extended or modified to provide residential accommodation for the carer	
Other	
Other (please specify)	

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7. Exceptional Health Reasons	
Persons who are required to live in a rural area, for exceptional health reasons. Any application shall be accompanied by a medical consultant's report and recommendation outlining the reasons why it is necessary for the applicant to live in a rural area. The application shall also demonstrate why the existing home of the family member cannot be adapted to meet the needs of the applicant.	
Supporting Documentation	**Tick ✓**
Medical consultants report and recommendation outlining the reasons why it is necessary to live in the rural area.	
Letter from disability organisation (if applicable)	
Documentation to demonstrate why the existing home of the family member cannot be adapted to meet the needs of the applicant.	
Other (please specify)	

8. Divorce/ Legal Separation or Repossession	
A person who has been a resident for at least 10 years that previously owned a home and is no longer in possession of that home due to the home having been disposed of following legal separation / divorce / repossession and can demonstrate a social or economic need for a new home in the rural area.	
Supporting Documentation	**Tick ✓**
The following documentation will assist in demonstrating social ties for 10 years	
Long Birth certificate	
Birth certificate for children (if applicable)	
Documentation to confirm social ties to the area for at least 10 years	
Details of the family home relative to the application site	
School records for children stating the number of years attending the school including address at the time of attendance(if applicable)	
Confirmation of address linked to Voter Number (available at checktheregister.ie)	
Letter from Dept. of Social protection/Revenue, other official correspondence from an Irish State Agency, correspondence from an insurance company regarding an insurance policy.	
Divorce/Legal Separation/Repossession documentation	
Copy of marriage certificate (if applicable)	
Copy of divorce or legal separation (if applicable)	
Copy of documentation in relation to repossession (if applicable)	
Confirmation detailing that applicant is no longer in possession of the family home	
Map showing qualifying residence in relation to proposed site (6km)	
Other	
Other (please specify)	

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I attach schedule of documents as listed below related to Qualifying Criteria No. ☐

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I hereby declare that to the best of my knowledge the information contained above is correct.

Applicant's Signature: _____ Date:_____

Applicant's Signature: (PRINTED)_____

(Note: This document must be signed by applicant. Agent's signature is not acceptable.)