



QUALIFYING CRITERIA FOR RURAL HOUSING IN THE COUNTRYSIDE



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Carlow County Council
Sept. 2022



1.0 Introduction

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 designated rural node¹. This document should be read alongside the relevant chapters and sections of the Carlow County Development Plan (CCDP) 2022-2028. [Carlow County Development Plan 2022-2028 | Carlow County Council's Online Consultation Portal](#)

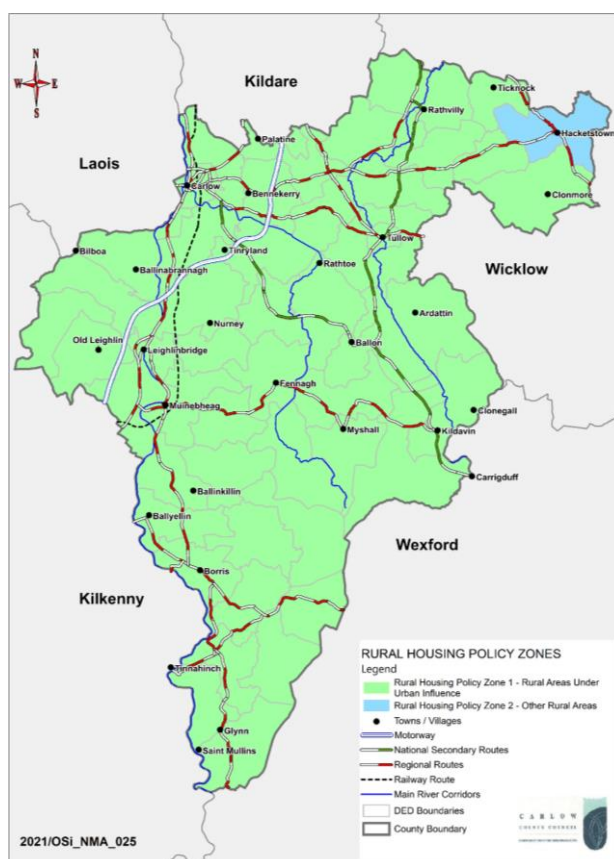
Section 3.16 in Chapter 3, Volume 1 of the CCDP 2022-2028 sets out the qualifying criteria and associated policy and objectives relating to single housing in the open countryside

Two rural area types have been defined in County Carlow and comprise;

- (i) Rural Areas Under Urban Influence; and
- (ii) Other Rural Areas.

In accordance with Map 3.2 in the CCDP the majority of County Carlow is defined as an area under urban influence (identified in green), with the ED of Hacketstown defined as other rural area (identified in blue). The considerations which informed these rural area types are outlined in Section 3.16 of the CCDP.

| Policy Zone | Description |
|--|-----------------------------------|
| Rural Housing Policy Zone 1 (Green area on Map) | Rural Areas Under Urban Influence |
| Rural Housing Policy Zone 2 (Blue area on Map) | Other Rural Areas |



¹ Rural Nodes are defined in Chapter 15 and comprise Grange, Drumpeha, Ballymurphy, Garryhill, Rathanna, Newtown and Newtown Fennagh.



2.0 Qualifying Criteria for Rural Housing

A prospective applicant seeking to construct a single house in Rural Housing Policy Zone 1 (including rural nodes) or in Rural Housing Policy Zone 2 is required to comply with the Qualifying Criteria outlined in Chapter 3, Tables 3.5 or 3.6 as appropriate (outlined hereunder).

Under Rural Housing Policy Zone 1 applicants must indicate clearly under which Category (1 or 2) the application is being made and comply with the Qualifying Criteria associated with that Category. Rural Housing Policy Zone 1 is also applicable to the 7 Rural Nodes. Specific Policies regarding Rural Nodes are outlined in Section 15.6 of the CCDP.

| <u>RURAL HOUSING POLICY ZONE 1</u> | | |
|--|----|--|
| RURAL AREAS UNDER URBAN INFLUENCE | | |
| <u>CATEGORY 1:</u> CRITERIA FOR FUNCTIONAL ECONOMIC REQUIREMENT | OR | <u>CATEGORY 2:</u> CRITERIA FOR FUNCTIONAL SOCIAL REQUIREMENT |
| <p>The applicant shall demonstrate with relevant documentary proof, that they have a functional economic requirement to live in this rural area and wish to build a home for their own use. This includes persons who:</p> <p>(i) have existing occupational or employment related ties to the rural area, such as those involved in full-time agriculture, horticulture, forestry, as well as similar rural-based occupations, and where it can be adequately demonstrated to the satisfaction of the Planning Authority that it is their predominant occupation;</p> <p style="text-align: center;"><u>or</u></p> <p>(ii) can demonstrate their commitment to operate a full-time business from their proposed house in the rural area. The nature, viability, and</p> | | <p>The applicant shall demonstrate with relevant documentary proof that they have a functional social requirement to live in this rural area, and wish to build a home for their own use. This includes persons who can demonstrate that they are living or have lived full-time in the local rural area for a minimum of 5 consecutive years at any stage prior to the making of the planning application, including returning migrants seeking a permanent home in their local rural area. For the purposes of this policy, 'local rural area' is defined as a site within an 8km radius of where the applicant is living or has lived.</p> |



| | | |
|--|--|--|
| <p>location of any such business must be dependent on, and intrinsically linked to, the rural area. This must be supported by a business plan prepared by a suitably qualified and competent professional.</p> | | |
| <p>Where an application for a rural house is being made on the basis of Category 1 or Category 2, the applicant shall also demonstrate:</p> <p>(a) compliance with all normal siting and design considerations (<i>Refer also to Policy RH P6</i>);</p> <p>and,</p> <p>(b) that they do not own or have not been previously granted permission for a single house in the countryside in County Carlow and have not sold this house to an unrelated third party, save in exceptional circumstances.</p> | | |

Table 3.5: Rural Housing Policy Zone 1 Categories and Criteria

Rural housing policy zone 2 below relates only to the Electoral Division of Hacketstown shown as the blue area on Map 3.2 in the CCDP.

| <p style="text-align: center;"><u>RURAL HOUSING POLICY ZONE 2</u></p> <p style="text-align: center;">OTHER RURAL AREAS</p> |
|--|
| <p style="text-align: center;">CRITERIA</p> |
| <p>(a) The applicant shall demonstrate compliance with all normal siting and design requirements. (<i>Refer also to Policy RH P6</i>)</p> <p>(b) The applicant shall demonstrate that they are seeking to build their home in the rural area for their own full-time occupation, that they do not own or have not been previously granted permission for a single house in the countryside in County Carlow and have not sold this house to an unrelated third party, save in exceptional circumstances.</p> <p>(c) Any single housing developments within Rural Housing Policy Zone 2 will be required to demonstrate that new on-site wastewater treatment systems associated with single housing in Rural Housing Policy Zone 2, alone and in combination with existing systems, will not result in significant adverse effects on the River Slaney Valley Special Area of Conservation, including the Freshwater Pearl Mussel, which is a qualifying interest of the site.</p> |

Table 3.6: Rural Housing Policy Zone 2 Criteria



3.0 Other Key Planning Consideration for Rural Housing in the Countryside

It is imperative that the policies, objectives and development management standards of the CCDP 2022-2028 are taken into consideration prior to lodging an application for a rural house in the open countryside or in a rural node. Compliance with qualifying criteria should be established at the outset. Key considerations in the site selection process include:

- **Appropriate Design and Siting:** All applicants shall have due regard to the Rural Design Guide as contained in Chapter 13 of the CCDP.
- **Potential for landscape impacts:** In this regard, applicants are advised to have regard to the landscape character and sensitivity as outlined in Chapter 9 of the CCDP, together with specific policies as outlined in Section 9.8. 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.
- **Protection of the Natura 2000 Network (e.g. SACs):** For all planning applications, the Planning Authority is required to carry out a screening for appropriate assessment 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 Site². In certain circumstances it may be necessary for the applicant to submit a Stage 1 Appropriate Assessment Screening Report for the proposed development or to submit a Natura Impact Statement (Stage 2 Appropriate Assessment) with the planning application.
- **Method of Waste Water Treatment:** 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)*'.
- **Surface Water Management:** The disposal of surface water should be contained within the site boundaries and the proposal should be accompanied by a surface water disposal system designed to BRE Digest 365. Furthermore, any application that may impact on public roadside drainage should also submit proposals for the appropriate management of surface water onsite. No surface water from the site should be allowed to discharge onto the public road or to adjoining properties.
- **Impact on road Infrastructure and Traffic Safety Consideration:** Applications must demonstrate that a safe access and egress to and from the site onto the public road can be achieved. Measures should be adopted to minimise the removal of native trees and hedgerow in the rural countryside. A number of restricted regional roads exist within the County (Refer Section 5.8.3 of the CCDP). Only in exceptional circumstances as provided for under Policy RR P3 will access be permitted to these restricted regional roads notwithstanding compliance with any other qualifying criteria in Section 3.16 of the CCDP. It is the also the policy of the Council to avoid the creation of additional access points from new development or the generation of increased traffic from existing access to the National Road Network (N80 and N81) where speed limits of greater than 50kph applies. Creation of new access points or increased traffic generation onto the National Road Network is contrary to national policy notwithstanding compliance with compliance with any other qualifying criteria in Section 3.16 of the CCDP

² A Natura 2000 site (also known as a European Site) is a European network of important ecological sites designated under the EU Habitats Directive for SACs and the EU Birds Directive for SPAs.



- **Flood Risk:** Assessment of potential flood risk associated with the site should be considered. Potential applicants should seek to avoid areas subject to flood risk. (Please see www.floodinfo.ie/map/floodmaps/)
- **Natural and Built Heritage:** Measures should be adopted to protect natural and built heritage features within the county which contribute to the rural character of the area.



4.0 Rural Housing Supplemental Planning Application Form

The standard planning application form should be accompanied by the relevant forms included in this document:

Part 1 – Rural Housing Policy Zone 1

The form relating to Rural Housing Policy Zone 1 should be completed in full and clearly demonstrate under which Category (1 or 2) the application is being made. Relevant information and supporting documentation (documentary proof) on the relevant qualifying criteria associated with that category shall be submitted.

For the purposes of Category 2 the **local rural area** is defined as being within an 8km radius of where the applicant is living or has lived in a rural area. (Note: rural area excludes towns and villages which are subject to land use zonings under the provisions of a Local Area Plan or as part of Chapter 15 in the CCDP).

Part 2 – Rural Housing Policy Zone 2

The form and associated qualifying criteria (a-c) relating to Rural Policy Zone 2 should be completed in full and submitted.

Part 3 - Persons Residing in Bordering Counties

Persons residing in bordering Counties are subject to a number of separate qualifying criteria (see Policy RH P5 of the CCDP). If you fall within this category of applicant please also complete the separate qualifying criteria pertaining to this category of applicant inclusive of Part 1 or Part 2 as appropriate.



PART 1

Qualifying Criteria Form for Rural Housing Policy Zone 1



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. Private 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 | <input type="checkbox"/> | b). Rented | <input type="checkbox"/> |
| | | | c). Other | <input type="checkbox"/> |
| If b), satisfactory proof of tenancy/rental agreement shall be submitted. | | | | |
| If c), please state e.g. family home etc; | | | | |
| 4. Application Site address: | | | | |
| 5. Details of your current residence in relation to the application site shall also be indicated on an OS sheet. | | | | |
| Has an OS sheet been included with location identified? (Tick ✓) | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| 6. Please submit a self-declaration confirming whether you obtained permission for a single house in the countryside and / or whether you own or have previously owned a house in a rural area of County Carlow. If the answer to the above is yes please confirm if this property has been sold to an unrelated third party and reasons for same. | | | | |
| 7. Within Rural Housing Policy Zone 1 confirm under which category the application is being made? (Tick ✓) | Category 1 Functional Economic Requirement | | | <input type="checkbox"/> |
| | Category 2 Functional Social Requirement | | | <input type="checkbox"/> |



For the purposes the planning application, only one category in Rural Housing Policy Zone 1 shall be completed, and where relevant one qualifying criteria.

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 (i): Category 1 Functional Economic Requirement (i) Qualifying Criteria

(i) Agriculture as well as other Rural Based Occupations

Persons who have existing occupational or employment related ties to the rural area, such as those involved in full-time agriculture, horticulture, forestry, as well as similar rural-based occupations, and where it can be adequately demonstrated to the satisfaction of the Planning Authority that it is their predominant occupation.

This includes livestock, poultry, dairy, and tillage farming, bloodstock and equine related activities, forestry, and horticulture. The nature of the activity shall, by reference to the landholding, livestock numbers, or intensity of the use of the land, be sufficient to support full time or predominant occupation of the applicant. 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/ herd number (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 / rural based occupation | | Length of time applicant has been employed on this 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. | | | |

(ii) Qualifying Criteria

| (iii) Establishment of Full Time Business Linked to the Rural Area | |
|--|------------------|
| Persons who can demonstrate their commitment to operate a full-time business from their proposed house in the rural area. The nature, viability, and location of any such business must be dependent on, and intrinsically linked to, the rural area. This must be supported by a business plan prepared by a suitably qualified and competent professional. | |
| Supporting Documentation | Tick ✓ |
| Full details of the nature of the business and details of the specific locational requirements requiring the siting of the development in the rural area. | |
| Full extent of landholding associated with the proposed full-time business. | |
| Detail the requirement for a residential dwelling on site with reference to the business being established. | |
| Copy of business plan for proposed business prepared by a suitably qualified and competent professional. | |
| OS Maps to be submitted showing current residence in relation to application site | |
| Details of the applicant's current full-time occupation | |
| Other (please specify) | |

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 Full Name: (PRINTED) _____

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



Part B (ii): Category 2 Functional Social Requirement

| Functional Social Requirement | |
|---|------------------|
| Persons who can demonstrate that they are living or have lived full-time in the local rural area (within 8km of the site in an existing rural area) for a minimum of 5 consecutive years at any stage prior to the making of the planning application, including returning migrants seeking a permanent home in their local rural area. | |
| Supporting Documentation | Tick ✓ |
| The following documentation will assist in demonstrating social ties for 5 years | |
| Confirmation of whether you are a son or daughter of the landowner. | |
| 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. | |
| 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 | |
| Copies of utility bills or other such documentation in the name of the applicant confirming address | |
| Confirmation of address linked to Voter Number (available at checktheregister.ie) | |
| OS Map identifying the Qualifying residence in relation to the proposed site (8km)(e.g. family home) | |
| 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. | |
| Other (please specify) | |

I attach schedule of documents as listed below related to Category 2 Functional Social Requirement



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

Applicant's Signature: _____ Date: _____

Applicant's Full Name: (PRINTED) _____

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



PART 2

Qualifying Criteria Form for Rural Housing Policy Zone 2



Rural Housing Policy Zone 2

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: | 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: | | | | |

Part B: Qualifying Criteria

| | |
|---|--|
| <p>Please submit a self-declaration confirming whether you obtained permission (include ref no.) for a single house in the countryside of County Carlow and / or whether you own or have previously owned a house in a rural area of County Carlow.</p> <p>If the answer to the above is yes please confirm if this property has been sold to an unrelated third party and reasons for same.</p> | |
| Confirmation of the period of time you have resided in County Carlow if relevant. | |
| Confirmation of whether you are a son or daughter of the landowner. | |
| Land Registry Certificate/Maps and Folio No. from which the site is being obtained | |
| 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. | |
| Appropriate Assessment Screening or Natura Impact Statement as appropriate has been submitted demonstrating that the proposed development, including the new on-site wastewater treatment systems associated with single housing in Rural Housing Policy Zone | |



2, alone and in combination with existing systems, will not result in significant adverse effects on the River Slaney Valley Special Area of Conservation, including the Freshwater Pearl Mussel, which is a qualifying interest of the site.

I attach schedule of documents as listed below related to Rural Housing Policy Zone 2;

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

Applicant's Signature: _____ Date: _____

Applicant's Full Name: (PRINTED) _____

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



PART 3

Persons Residing in Bordering Counties



N.B: Persons residing in bordering counties in addition to completion of Part 1 or 2 as appropriate shall address the following Qualifying Criteria. Note there may be some overlap with Part 1 or 2 however documentation submitted under this criteria must demonstrate ties for a period of 7 years.

| Persons Residing in Bordering Counties | |
|---|------------------|
| Persons from neighbouring counties who are living or have lived full-time for a minimum period of 7 consecutive years at a rural location within a 3km radius of the Carlow County border, at any stage prior to the making of the planning application. The location of the proposed site shall be within 8km of the qualifying residence. | |
| Supporting Documentation | Tick ✓ |
| The following documentation will assist in demonstrating social ties for 7 years for persons residing in bordering counties | |
| Confirmation of whether you are a son or daughter of the landowner. | |
| 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. | |
| 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 | |
| Copies of utility bills in the name of the applicant confirming address | |
| Confirmation of address linked to Voter Number (available at checktheregister.ie) | |
| O.S Map showing Qualifying residence in relation to proposed site (i.e. within 3km of the County boundary) and location of proposed site (within 8km of qualifying residence) | |
| Letter from Dept. of Social Protection/Revenue, other official correspondence from an Irish State Agency, correspondence from an insurance company regarding an insurance policy. | |
| Other (please specify) | |

I attach schedule of documents as listed below related to persons residing in bordering counties;



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

Applicant's Signature: _____ Date: _____

Applicant's Full Name: (PRINTED) _____

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