



Dublin City Council  
Comhairle Cathrach Bhaile Átha Cliath

**APPLICATION FORM for CERTIFICATE of EXEMPTION  
from the provisions of  
SECTION 96 of the PLANNING & DEVELOPMENT ACT 2000  
As amended**

1. Applicants Name \_\_\_\_\_
  2. Applicants Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - Tel. No. \_\_\_\_\_ Fax No. \_\_\_\_\_ E-Mail \_\_\_\_\_
  3. Where applicant is a company registered under the Companies Acts 1963 to 1969, please state:  
Name of Company \_\_\_\_\_  
Address of Company \_\_\_\_\_  
\_\_\_\_\_  
Registration Number \_\_\_\_\_  
  
List of Company Directors \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  4. Agent \_\_\_\_\_
  5. Agent's Address \_\_\_\_\_  
Tel. No. \_\_\_\_\_ Fax No. \_\_\_\_\_ E-mail \_\_\_\_\_
  6. Address for Correspondence: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  7. Number of Dwelling Units Proposed \_\_\_\_\_
  8. Site Area \_\_\_\_\_
  9. Location of proposed development \_\_\_\_\_  
*(2 copies of site location map with site clearly outlined in red must be submitted)*
  10. Description of proposed development \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  11. Applicants interest in site \_\_\_\_\_
- Signed \_\_\_\_\_ Date \_\_\_\_\_

**Application must be accompanied by a STATUTORY  
DECLARATION [see over] & 2 copies of Site Location Map  
(Scale 1:1000)**



**IMPORTANT -- STATUTORY DECLARATION**

This application must be accompanied by a **STATUTORY DECLARATION** giving the information required under Section 97 (5) of the Planning & Development Act 2000, as amended and Article 49 of the Planning & Development Regulations 2001.

The statutory declaration must contain the following information -

- ◆ In respect of the period of 5 years preceding the application, such particulars of the legal and beneficial ownership of the land, on which it is proposed to carry out the development to which the application relates, as are within the applicant's knowledge or procurement,
- ◆ Identify any persons with whom the applicant is acting in concert,
- ◆ Give particulars of any interest that the applicant has, or had at any time during the said period, in any land in the immediate vicinity of the land on which it is proposed to carry out such development,
- ◆ Give 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,
- ◆ State that the applicant is not aware of any facts or circumstances that would constitute grounds for the refusal by the planning authority to grant a certificate.
- ◆ State whether the applicant, or any person with whom the applicant is acting in concert, has been granted, within the period of 5 years prior to the date of making the application, a certificate under Section 97 of the Act which at the time of the application remains in force
- ◆ State whether the applicant, or any person with whom the applicant is acting in concert, has carried out, or has been granted permission to carry out, a development consisting of the provision of 4 or fewer houses or of land of 0.1 hectares or less, within the period of 5 years prior to the date of making of the application for a certificate, on land in respect of which the certificate is being sought or land in its immediate vicinity (save that any such development carried out, or permission granted, before 1 November 2001 may be disregarded).

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Completed application forms should be forwarded to –

**Planning Department  
Dublin City Council  
Block 4, Civic Offices  
Wood Quay  
Dublin 8.  
Telephone 672 2151, 672 2149**

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## GROUNDS FOR REFUSAL OF EXEMPTION

### EXTRACT FROM SECTION 97 OF THE PLANNING AND DEVELOPMENT ACT 2000, AS AMENDED.

A planning authority shall not grant a certificate in relation to a development if the applicant for such certificate, or any person with whom the applicant is acting in concert —

- (a) has been granted, not earlier than 5 years before the date of the application, a certificate in respect of a development, and the certificate at the time of the application remains in force, or
- (b) has carried out, or has been granted permission to carry out, a development referred to in **subsection (3)**, not earlier than—
  - (i) 5 years before the date of the application, and
  - (ii) one year after the coming into operation of this section, in respect of the land on which it is proposed to carry out the first-mentioned development, or land in its immediate vicinity, unless—
    - (I) the aggregate of any development to which *paragraph (a)* or *(b)* relates and the first-mentioned development would not, if carried out, exceed 4 houses, or
    - (II) (in circumstances where the said aggregate would exceed 4 houses) the aggregate of the land on which any development to which *paragraph (a)* or *(b)* relates, and the land on which it is proposed to carry out the first-mentioned development, does not exceed 0.1 hectares.