economic development, planning & transportation Leitrim County Council

To ensure a consistency of approach to potential applicants at pre planning discussions around the issue of Policy 17 (for non natives to the local area) and in the assessment of planning applications generally within Low Capacity Areas, the following guidance is provided by the Planning Authority.

There are 3 parts to the policy for persons who are not native to the Low Capacity Area. There is no guidance provided in the policy presently.

It is the policy of the Council to consider one‐off housing acceptable within areas of *Low Capacity* subject to normal planning requirements and where applicants demonstrate compliance with the following requirements:

*They are currently living in the Low Capacity area, in the immediate vicinity of the proposed site and can demonstrate a need to continue living in the area, other than in their current residence, with their proposed dwelling, as their permanent place of residence;*

The first part indicates that an applicant must be ‘*currently living in the Low Capacity Area*’ – this would include applicants who are currently living in rented accommodation in the area. For applicants who are renting to satisfy this criterion, the applicants must be living in rented accommodation in the area for a period of at least 3 months before the planning application is lodged.

The term is ‘living’ which is present tense and not an indication that they intend to rent at some stage in the future. The applicant must be able to furnish documentary proof with the application that demonstrates beyond reasonable doubt that they are indeed living at the location indentified in the planning application. In addition to clearly identifying the location where they are renting e, this will include the submission of a number of documents validating their occupancy of the indicated dwelling noting that utility bills shall cover the period of at least 3 months:

* Documents which substantiate their tenancy which would include a copy of their lease;
* Inclusion of the Register of Electors;
* Electricity bill;
* Television / landline / broadband bill;
* Domestic waste collection bill;
* Home heating oil / gas delivery docket;
* Television license having being transferred to this address and in their name;
* Bank statements or letter from bank or other financial institution confirming that they are living at the new address;
* Letter from local Post Master.

All documentation will be treated confidentially and with regard to GDPR requirements. These documents will have to heavily redacted if being scanned. The onus is on the applicant to submit as many of the above as is practicable. If an applicant is genuinely living at the address stated, this should not present a considerable difficulty.

The second part of the policy states that the site which is being applied for planning permission must be within the ‘*immediate vicinity*’ of where they currently reside. We have examined a range of County Development Plans in this regard and considered that the approach used by Monaghan County Council, which is a similar rural county to Leitrim, of a 4 km distance from the site is considered reasonable. The lack of properties available for rent in the vicinity of Carrick on Shannon was taken into account in reaching this decision.

The last part of the policy requires that the applicant must be able “*to demonstrate a need to continue living in the area, other than in their current residence, with their proposed dwelling, as their permanent place of residence*”. This would exclude persons who presently own their own dwelling. Urban generated rural housing is not being accommodated. Therefore any applicant(s) who indicate that they are going to move from their existing permanent dwelling which they own and move to rented accommodation cannot satisfy this requirement and this will be communicated clearly at pre planning. It is considered that if the applicants are presently renting in the area and have not previously owned a dwelling, that they would satisfy this requirement.



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