STATUTORY INSTRUMENTS.

S.I. No. of 2026

PLANNING AND DEVELOPMENT (LOCAL AUTHORITY OWN DEVELOPMENT) REGULATIONS 2026

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I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 4(1), 151(a), 153(1), 158(1), 158(2) and 183(2) of the Planning and Development Act 2024 (No. 34 of 2024), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Planning and Development (Local Authority Own Development) Regulations 2026.

Interpretation and application

2. In these Regulations—

"Act of 2000" means the Planning and Development Act 2000 (No. 30 of 2000);

"Minister" means the Minister for Housing, Local Government and Heritage;

"Principal Act" means the Planning and Development Act 2024 (No. 34 of 2024);

"Regulations of 2001" means the Planning and Development Regulations 2001 (S.I. No. 600 of 2001);

"Regulations of 2015" means the Chemicals Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I. No. 209 of 2015).

Development which relates to establishment to which Regulations of 2015 apply

3. Any development of a type referred to in these Regulations shall be subject to any requirements under section 169 of the Act regarding major accident establishments within the meaning of the Seveso III Directive, in addition to the requirement of these Regulations.

Limitation of Regulations to local authority own development not requiring environmental impact assessment or appropriate assessment

4. These Regulations shall not apply to local authority development where—

(a) a local authority, or the Commission on appeal, has made a determination under section 213 of the Principal Act that an appropriate assessment is required, or

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(b) a local authority, or the Commission on appeal, has made a determination under section 230 of the Principal Act that an environmental impact assessment is required.

Development prescribed for purposes of section 153 of Principal Act

5. (1) Subject to paragraph (2) and section 153(2) of the Principal Act, the following classes of development (in this Regulation referred to as a proposed development) are prescribed for the purposes of sections 153, 158 and 159 of the Principal Act—

(a) the construction or erection of a house;

(b) the construction of a new road or the widening or realignment of an existing road, where the length of—

(i) the new road, or

(ii) the widened or realigned portion of the existing road, as the case may be,

would be—

(I) in the case of a road in an urban area, 100 metres or more, or

(II) in the case of a road in any other area, one kilometre or more,

(c) the construction of a bridge or tunnel;

(d) the construction or erection of pumping stations, treatment works, holding tanks or outfall facilities for waste water or storm water;

(e) the construction or erection of water intake or treatment works, overground aqueducts, or dams or other installations designed to hold water or to store it on a long-term basis;

(f) drilling for water supplies;

(g) the construction of a swimming pool;

(h) the use of land, or the construction or erection of any installation or facility, for the disposal of waste, not being—

(i) development which comprises or is for the purposes of an activity in relation to which a waste licence is required, or

(ii) development consisting of the provision of a bring facility which comprises not more than five receptacles,

(i) the use of land as a burial ground;

(j) the construction or erection of a fire station, a library or a public toilet;

or

(k) any individual development, other than those specified in paragraphs (a) to (j), the estimated cost of which exceeds

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€750,000, not being development consisting of the laying underground of sewers, mains, pipes or other apparatus.

(2) (a) Subject to paragraph (b), this Regulation shall not apply to the following:

(i) proposed development that a local authority that is a planning authority proposes to carry out outside its functional area;

(ii) proposed development by or on behalf of, or in partnership with, the local authority, pursuant to a contract with the local authority consisting of the repair, replacement, maintenance, internal works or change of use of existing structures which does not materially affect the exterior of such structures.

(b) This Regulation shall apply to development—

(i) of a class specified in paragraph (1)(b) or (c) that a local authority that is a planning authority proposes to carry out outside its functional area, or

(ii) which is carried out within the functional area of a local authority that is a planning authority, on behalf of, or in partnership with the local authority, pursuant to a contract with the local authority.

Notice of proposed development

6. (1) A local authority shall, in accordance with this paragraph—

(a) give notice of proposed development in an approved newspaper, and

(b) erect or fix a site notice on the land on which the proposed development would be situated.

(2) A notice referred to in paragraph (1) shall state that the local authority proposes to carry out development, and—

(a) indicate the location, townland or postal address of the proposed development (as may be appropriate),

(b) indicate the nature and extent of the proposed development,

(c) where the proposed development consists of, or comprises, the carrying out of works—

(i) which would materially affect the character of a protected structure or a proposed protected structure, or

(ii) to the exterior of a structure which is located within an architectural conservation area, and the development would materially affect the character of the area concerned,

indicate this fact,

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(d) indicate its determination following screening for environmental impact assessment as required under sections 225 and 230(7) of the Principal Act and any regulations made under that section 225,

(e) indicate its determination following screening for appropriate assessment as required under section 213(6) of the Principal Act,

(f) state that—

(i) plans and particulars of the proposed development will be available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy during office hours at the offices of the local authority for a specified period (which shall be not less than four weeks beginning on the day of giving of the notice in a newspaper in accordance with paragraph (1)(a)),

(ii) submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the development would be situated, may be made in writing to the local authority before a specified date (which shall be not less than two weeks after the end of the period for inspection of plans and particulars specified pursuant to clause (i)), and

(iii) a submission or observation referred to in clause (ii) shall be in the form as set out in the Schedule, and

(g) indicate when a local authority consents to a submission or observation being made in electronic form.

(3) A site notice erected or fixed in accordance with paragraph (1)(b) shall —

(a) be inscribed or printed in indelible ink and affixed on rigid, durable material and be secured against damage from bad weather and other causes, and

(b) subject to paragraph (4), be securely erected or fixed in a conspicuous position on or near the main entrance to the land concerned from a public road, or where there is more than one entrance from public roads, on or near all such entrances, or on any other part of the land or structure adjoining a public road, so as to be easily visible and legible by persons using the public road, and

(c) shall not be obscured or concealed at any time.

(4) Where the land concerned does not adjoin a public road, a site notice shall be erected or fixed in a conspicuous position on the land so as to be easily visible and legible by persons outside the land, and shall not be obscured or concealed at any time.

(5) A site notice, referred to in paragraph (1), shall—

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(a) be erected or fixed on the land or structure concerned not later than the day of giving of notice of the proposed development in a newspaper in accordance with paragraph (1)(a),

(b) be maintained in position for a period of at least four weeks after publication of the said notice, and

(c) be renewed or replaced if it is removed or becomes defaced or illegible within that period.

Notice of proposed development to certain bodies

7. (1) A local authority shall send a notice of proposed development, in accordance with paragraph (2), to the body concerned specified in paragraph (3).

(2) A notice sent under paragraph (1) shall—

(a) indicate the location, townland or postal address of the proposed development,

(b) indicate the nature and extent of the proposed development,

(c) state that submissions or observations in respect of the proposed development, dealing with the proper planning and sustainable development of the area in which the proposed development would be situated, may be made in writing to the local authority before a specified date (which shall be not less than two weeks after the end of the period for inspection of plans and particulars specified pursuant to Regulation 6(2)(f)(i)), and

(d) be accompanied by a copy of the plans and particulars of the proposed development specified in Regulation 8, and its screening determinations made under Regulation 4 that an environmental impact assessment or appropriate assessment is not required.

(3) A notice under paragraph (1) shall be sent to the following:

(a) where it appears to the authority that the land or structure is situated in an area of special amenity, whether or not an order in respect of that area has been confirmed under section 266(7) (or deemed to be so confirmed under section 271(1)) of the Principal Act, or that the development or retention of the structure might obstruct any view or prospect of special amenity value or special interest — to An Chomhairle Ealaíon, Fáilte Ireland, and An Taisce - the National Trust for Ireland,

(b) where it appears to the authority that the development might obstruct or detract from the value of any tourist amenity or tourist amenity works — to Fáilte Ireland,

(c) where it appears to the authority that the development—

(i) would involve the carrying out of works to a protected structure or proposed protected structure, or to the exterior of a structure which is located within an architectural conservation area,

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(ii) might detract from the appearance of a structure referred to in sub-paragraph (i).

(iii) might affect or be unduly close to -

(I) a cave, site, feature or other object of archaeological, geological, scientific, ecological or historical interest,

(II) a monument or place recorded under section 12 of the National Monuments (Amendment) Act 1994 (No. 17 of 1994),

(III) a historic monument or archaeological area entered in the Register of Historic Monuments under Section 5 of the National Monuments (Amendment) Act 1987 (No. 17 of 1987),

(IV) a national monument in the ownership or guardianship of the Minister under the National Monuments Acts 1930 to 2004, or

(iv) might obstruct any scheme for improvement of the surroundings of, or any means of access to, any structure, place, feature or object referred to in sub-paragraph (iii),

— to the Minister, the Heritage Council, and An Taisce - the National Trust for Ireland, and in the case of development of a type referred to in sub- paragraph (i) or (ii), An Chomhairle Ealaíon and Fáilte Ireland.

(d) where it appears to the authority that the area of another local authority might be affected by the development — to that local authority.

(e) where it appears to the authority that the development would not be consistent with any regional planning guidelines (or any objective thereof) of a regional assembly — to that regional assembly,

(f) where it appears to the authority that if permission were granted, a condition should be attached under section 87 of the Act — to any local authority (other than the planning authority) who would be affected by any such condition,

(g) where it appears to the authority that—

(i) the development might cause the significant abstraction or addition of water either to or from surface or ground waters, whether naturally occurring or artificial,

(ii) the development might give rise to significant discharges of polluting matters or other materials to such waters or be likely to cause serious water pollution or the danger of such pollution, or

(iii) the development would involve the carrying out of works in, over, along or adjacent to the banks of such waters, or to

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any structure in, over or along the banks of such waters, which might materially affect the waters,

— to Inland Fisheries Ireland and, in any case where the waters concerned are listed in Part 1 of Annex 1 of the Schedule to the British-Irish Agreement Act, 1999 (No. 1 of 1999), to Waterways Ireland,

(h) where it appears to the authority that the development might endanger or interfere with the safety of, or the safe and efficient navigation of aircraft — to the Irish Aviation Authority and to the Irish Air Navigation Service, known as AirNav Ireland,

(i) where it appears to the authority that the development might interfere with the operation and development of a licensed airport, whose annual traffic is not less than 1 million passenger movements — to the airport operator,

(j) where the development may have an impact on bus or rail-based transport — to the National Roads Authority, National Transport Authority and Transport Infrastructure Ireland as appropriate,

(k) where it appears to the authority that—

(i) the development consists of or comprises the formation, laying out or material widening of an access to a national road within the meaning of section 2 of the Roads Act 1993 (No. 14 of 1993), not being a national road within a built-up area, or

(ii) the development might give rise to a significant increase in the volume of traffic using a national road,

— to the National Roads Authority,

(l) where the development might significantly impact on surface transport in an area covered by a relevant transport strategy published by the National Transport Authority — to the National Transport Authority,

(m) where the development comprises or is for the purposes of an activity requiring an integrated pollution control licence or a waste licence — to the Environmental Protection Agency,

(n) where it appears to the authority that the development might have significant effects in relation to nature conservation — to the Heritage Council, the Minister and An Taisce - the National Trust for Ireland,

(o) where the development is in a Gaeltacht area and it appears to the competent authority that it might materially affect the linguistic and cultural heritage of the Gaeltacht, including the promotion of Irish as the community language — to the Minister for Rural and Community Development and the Gaeltacht and Údarás na Gaeltachta,

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(p) where the development is in the vicinity of an explosives factory, storage magazine or local authority explosives store — to the Minister for Justice, Home Affairs and Migration,

(q) where the application relates to development for the purposes of breeding or rearing of salmonid fish — to the Minister for Agriculture, Food and the Marine and the Minister for Climate, Energy and the Environment,

(r) where the application relates to development for the purposes of initial afforestation, deforestation for the purpose of conversion to another type of land use or the replacement of broadleaf high forest by conifer species — to the Minister for Agriculture, Food and the Marine, The Heritage Council and An Taisce - the National Trust for Ireland,

(s) where it appears to the authority that the development might have significant effects on public health — to the Health Service Executive,

(t) where the application relates to extraction of minerals within the meaning of the Minerals Development Acts, 1940 to 1995 — to the Minister for Climate, Energy and the Environment,

(u) where it appears to the authority that the development might impact on the foreshore — to the Minister for Agriculture, Food and the Marine and the Minister for Climate, Energy and the Environment,

(v) where the application relates to the development of energy infrastructure, or may have an impact on energy infrastructure — the Commission for Regulation of Utilities,

(w) where the development might—

(i) give rise to a significant increase in the volume or type of traffic (including construction traffic) passing under a height restricted railway bridge, or using a railway level crossing, or a bridge over a railway,

(ii) because of its proximity to a railway, impact on the structural integrity of railway infrastructure during construction of the development, or

(iii) endanger or interfere with the safe operation of a railway, during or after construction,

— to the railway operator, the Commission for Railway Regulation, and, in the case of development which might impact on a light railway or metro, the National Roads Authority, National Transport Authority, and Transport Infrastructure Ireland,

(x) where the application relates to—

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(i) the extraction of minerals, other than minerals within the meaning of the Minerals Development Acts 1940-1999, whether by surface or underground means,

(ii) the development of, or extensions to, quarries, including sand or gravel pits, for the extraction of earth materials, or

(iii) a development which, for other purposes, requires the excavation of earth materials greater than a total volume of 50,000m3 or the excavation of earth materials on a site area greater than 1 hectare,

— to the Minister for Climate, Energy and the Environment,

(y) where it appears to the authority that the development might impact on the provision of public water services — to Uisce Éireann,

(z) where it appears to the authority that the development would likely give rise to significant additional demand for early learning and childcare provision — to the Minister for Children, Disability and Equality,

(aa) where the application relates to the development of purpose built student accommodation or may alter the use of purpose built student accommodation — to the Minister for Further and Higher Education, Research, Innovation and Science,

(ab) where the proposed development is in the vicinity of a military installation, including a military aerodrome used by the Irish Air Corps, or berthage facilities used by the Irish Naval Service or where the proposed development may otherwise infringe, restrict or interfere with military operations be they land, sea or air based activities — to the Minister for Defence.

(4) A reference in paragraph (3) to Fáilte Ireland shall, in the case of proposed development which would be situated in the functional area of the Shannon Free Airport Development Company Limited, be construed as a reference to that company.

Availability for inspection of documents, particulars and plans

8. (1) A local authority shall make available for inspection in accordance with Regulation 6(2)(f)(i)—

(a) a document describing the nature and extent of the proposed development and the principal features thereof, including—

(i) where the proposed development would consist of or comprise the provision of houses, the number of houses to be provided,

(ii) where the proposed development would relate to a protected structure or a proposed protected structure, an indication of that fact, or

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(iii) where the proposed development would comprise or be for the purposes of an activity requiring an integrated pollution control licence or a waste licence, an indication of that fact;

(b) a location map—

(i) drawn to a scale (which shall be identified thereon) of not less than 1:1000 in built up areas and 1:2500 in all other areas, and

(ii) marked or coloured so as to identify clearly the land on which it is proposed to carry out the proposed development;

(c) other than in the case of development of a class specified in Regulation 5(1)(b) or (c)—

(i) a site layout plan, drawn to a scale of not less than 1:500, showing the boundary of the site on which it is proposed to carry out the proposed development and the buildings or other structures, and roads or other features, in the vicinity of the site, and

(ii) such other plans and drawings, drawn to a scale of not less than 1:100, as are necessary to describe the proposed development;

(d) in the case of development of a class specified in Regulation 5(1)(b), such plans and drawings drawn to a scale of not less than 1:2500, as are necessary to describe the proposed development;

(e) in the case of development of a class specified in Regulation 5(1)(c), such plans and drawings drawn to a scale of not less than 1:200, as are necessary to describe the proposed development;

(f) the screening determination for environmental impact assessment as required under section 230 of the Principal Act and any regulations made under that section; and

(g) the screening determination for appropriate assessment as required under section 213 of the Principal Act.

(2) A local authority shall make available for inspection or purchase, on payment of a specified fee not exceeding the reasonable cost of making such a copy, a copy of—

(a) the documents referred to in paragraph (1), and

(b) any submissions or observations received by the authority in respect of a proposed development,

during office hours at the offices of the authority.

Submissions

9. Submissions under Regulation 6 shall be in the form as set out in the Schedule.

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Transitional arrangements

10. Where notice of local authority own development was published in accordance with article 81 of the Regulations of 2001 prior to the date of the coming into operation of these Regulations, the development shall continue to follow the procedures as set out in section 179 of the Act of 2000 and any Regulations made under that section.

Revocation

11. Part 8 of the Regulations of 2001 is revoked**.**

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Schedule

Regulation 6(2)(f)(iii)

Submission form

Insert Logo and Letterhead

Planning and Development Act 2024

Submissions and Observations

I hereby make the following submission or observation

Name:	
Address:	

In relation to Application:

Planning reference:	

Submission or Observation
Box to be expanded as required

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Guidance notes:

1. Non Postal contact details

Where a submission or observation is made in electronic form with the consent of the relevant Planning Authority, contact details will be captured through registration on the relevant electronic system.

2. Format of submissions or observations

Submissions or observations shall:

1. Be concise - where word count exceeds 1000 words, a short executive summary of no more than 300 words shall be included at the start of the submission or observation.
2. Be limited to the relevant facts relating to the development or proposed development.
3. Not include hyperlinks, QR codes, embedded images or web addresses as these are a security risk.
4. Not include material which the individual making the submission or observation does not hold the copyright or have permission from the copyright holder for any material submitted. The person making the submission holds responsibility where intellectual property rights are breached.
5. Not include appendices or attachments // Not include appendices or attachments without permission of the copyright holder. The person making the submission holds responsibility where intellectual property rights are breached.
6. Not include information which is classified as a special category data under of Article 9 of the General Data Protection Regulation (GDPR). More information is available at the Data Protection Commission https://www.dataprotection.ie/en
7. Not include false accusations or material which is libellous.

Failure to comply with the mandatory format requirements shall invalidate the submission or observation.

3. GDPR

- This form is for use by members of the public who wish to make submissions or observations on development or proposed development under the Planning and Development Act 2024.
- If you are unhappy with making a submission or observation, there is no obligation to do so.
- The making of submissions or observations assists Planning Authorities and An Coimisiún Pleanála in the decision making

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process when undertaking their statutory functions under the Planning and Development Act 2024.

- Planning Authorities and An Coimisiún Pleanála shall have regard to submissions or observations when making decisions.
- The content of submissions and observations will be entered into the Planning Register as part of the planning file.
- Unless specified, the content of submissions and observations shall be published online and made available for inspection within 5 working days of receipt.

4. Fee

Every submission must be accompanied by the prescribed fee where applicable.

GIVEN under my Official Seal,

____ _____ 2026.

_____,

Minister for Housing, Local Government and Heritage.

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EXPLANATORY NOTE

(*This note is not part of the instrument and does not purport to be a legal interpretation.*)

The purpose of these Regulations is to set out the type of development for which local authorities must undertake the process specified under section 153 of the Act of 2024 and associated administrative procedures.

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BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
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