STATUTORY INSTRUMENTS.

S.I. No. of 2026

PLANNING AND DEVELOPMENT (CONTROL OF DEVELOPMENT - PLANNING AUTHORITIES) REGULATIONS 2026

DRAFT

S.I. No. of 2026

PLANNING AND DEVELOPMENT (CONTROL OF DEVELOPMENT - PLANNING AUTHORITIES) REGULATIONS 2026

I, James Browne, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 4(1), 4(2), 10(13), 90(2), 91(3), 95(1), 95(2), 97(1), 97(2), 97(3), 99(3), 100(1), 139(2), 140(3), 140(4), 140(9), 140(10), 144(1), 144(2), 146(13), 183(1), 183(2) and 588(1) of the Planning and Development Act 2024 (No. 34 of 2024), hereby make the following regulations:

Part 1 - Preliminary and General

Citation

1. These Regulations may be cited as the Planning and Development (Control of Development - Planning Authorities) Regulations 2026.

Interpretation

2. In these Regulations:

"Approved Local Newspaper" means a paper specified in the list published by a planning authority under Regulation 4(1)(b) of the Planning and Development (Prescribed Newspapers) Regulations 2025 (S.I. No. 264/2025);

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

"LRD" has the same meaning as defined under section 82 of the Act;

"Railway" has the meaning assigned to it by section 2 of the Railway Safety Act 2005 (No. 31 of 2005);

"Register of Monuments" includes:

(a) the Register established under section 14 (1) of the Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023,

(b) the "record of monuments and places" established and maintained under section 12 of the Act of 1994, and

(c) the "Register of Historic Monuments" established and maintained under section 5 of the Act of 1987.

Part 2 - Control of Development by Planning Authorities

Chapter 1 - Section 10 Declarations

Section 10 Declaration, information to be submitted to a planning authority

3. When submitting a request for a declaration under section 10 of the Act to a planning authority it shall be accompanied by the following information:

DRAFT

(a) Confirmation of being a relevant person under section 10 of the Act including the name and address of the person requesting the declaration.

(b) A location map of the relevant act or operation of sufficient size and scale which shows:

(i) The land and any structures relevant to the declaration.

(ii) The adjoining land holdings and any structures on those holdings adjacent to the development or proposed development.

(c) A description of the relevant act or operation or change of use relevant to the request.

(d) Where applicable, a description of any utilities such as water, waste water, electricity or gas which are necessary for the relevant act or operation or change of use relevant to the request.

(e) Where the request relates to the meaning or scope or any condition regarding a permission granted wholly outside the outer maritime area, details of the permission.

Chapter 2 - Pre-Application Consultations (LRD)

Prospective Large-scale Residential Development (LRD) applicant's consultations with planning authority

4. (1) When a person submits a request to a planning authority for a pre-application consultation relating to a LRD under section 90 of the Act it shall be in the form set out in Form No. 1 of Schedule 1 or a form substantially to the like effect.

(2) A prospective LRD applicant shall provide to the authority sufficient information as it may reasonably require in relation to a proposed LRD for the purpose of the consultation under section 90 of the Act.

(3) When a person submits a request to a planning authority for a meeting relating to a LRD under section 91 of the Act that request shall be in the form set out in Form No. 1 of Schedule 1 or a form substantially to the like effect.

(4) When submitting a request under section 91 of the Act the request shall, where appropriate, be accompanied by the following information (including maps and drawings where appropriate) and shall be taken into account in the LRD meeting.

(a) a brief description of the proposed numbers and types of houses or numbers of student accommodation units and bedspaces, or both, as appropriate, and their design, including proposed gross floor spaces, internal floor areas and principal dimensions, housing density, plot ratio, site coverage, building heights, proposed layout and aspect;

(b) a brief description of proposed public and private open space provision, landscaping, play facilities, pedestrian permeability, vehicular access and parking provision, where relevant;

DRAFT

(c) a brief description of the proposed provision of ancillary services, where required, including childcare facilities;

(d) where relevant, any other proposed use in the proposed development, the zoning of which facilitates such use, including the proposed gross floor space for each such use;

(e) a brief description of any proposals to address or, where relevant, integrate the proposed development with surrounding land uses;

(f) a description of the capacity of existing or planned infrastructure to serve the proposed development, of the impact of the proposed development on existing/planned infrastructure and of any proposals to provide for other services infrastructure (including cabling such as broadband provision) and any phasing proposals;

(g) a brief description of proposals under Part 7 of the Act, where relevant;

(h) details of protected structures, national monuments or other monuments included in the Register of Monuments, where relevant;

(i) details of traffic and transport assessment where relevant and of traffic, cycle and pedestrian safety;

(j) details relating to residential amenity including the assessment of sunlight, daylight, shadow, overlooking and overbearance, where relevant; for existing properties and proposed residential units;

(k) flood risk, risk of major accident and ecological impacts;

(l) where the prospective applicant is not the owner of the land concerned, the written consent of the owner to make an application under section 95 of the Act in respect of that land; or proof of eligibility in accordance with section 85 of the Act;

(m) the appropriate fee.

(5) When providing an opinion in accordance with section 92 of the Act a planning authority may notify the prospective LRD applicant that specified information in addition to the requirements of Regulation 11 - Standard development application, should be submitted with any application for permission for the proposed LRD, including photographs, plans, maps, drawings, assessments or other material or particulars where the planning authority considers it appropriate.

(6) The planning authority shall, when providing an opinion under section 92 of the Act, send its record of the LRD consultation under section 90 of the Act and the LRD meeting concerned under section 91 of the Act to the prospective LRD applicant.

(7) Where the planning authority consents, all requests, information and notifications in this Chapter may be made in electronic form.

DRAFT

Chapter 3 - Planning applications for Standard Development

Notice of Planning application under section 95 of the Act

5. (1) Before submitting an application for standard development, an applicant shall within the period of two weeks before the making of a planning application -

(a) give notice of the intention to make the application in a newspaper in accordance with Regulation 6, and

(b) give notice of the intention to make the application by the erection or fixing of a site notice in accordance with Regulation 7.

(2) Where an application for standard development is submitted to the planning authority in electronic form,

(a) the application shall be accepted within the appropriate period if it is received before midnight on the last day for receipt of applications as set out in paragraph (1), and

(b) the planning authority may issue all correspondence in relation to the application to the applicant in electronic form, and

(c) the applicant shall submit all further correspondence in relation to the application in electronic form.

(3) Where the last day of the two week period referred to in paragraph (1) is a Saturday, Sunday, a public holiday (within the meaning of the Organisation of Working Time Act 1997 (No. 20 of 1997)), or any other day on which the offices of the planning authority are closed, the application shall be considered to have been made within the period referred to in paragraph (1) if received on the next following day on which the offices of the planning authority are open.

(4) The requirement of paragraph (1)(b) shall not apply in relation to a planning application for development consisting of the construction or erection by an electricity undertaking of overhead transmission or distribution lines for conducting electricity, or development consisting of the construction or erection by any statutory undertaker authorised to provide a telecommunications service of overhead telecommunications lines.

Newspaper Notice

6. A newspaper notice under Regulation 5(1)(a) shall be published in an approved local newspaper, shall contain as a heading the name of the planning authority to which the planning application will be made and shall state -

(a) the name of the applicant,

(b) the location, townland or postal address of the land or structure to which the application relates (as may be appropriate),

(c) whether the application is for permission for development, retention permission, outline permission or permission consequent on the grant of outline permission (stating the

DRAFT

reference number on the register of the relevant outline permission),

(d) a brief description of the nature and extent of the development, including –

(i) where the application relates to development consisting of or comprising the provision of houses, the number of houses to be provided,

(ii) where the application relates to the retention of a structure, the nature of the proposed use of the structure and, where appropriate, the period for which it is proposed to retain the structure,

(iii) where the application relates to development which would consist of or comprise the carrying out of works to a protected structure or proposed protected structure, an indication of that fact,

(iv) where the application relates to development which comprises or is for the purposes of an activity requiring an integrated pollution control licence, an industrial emissions licence, a waste licence, a waste water discharge licence, or an abstraction licence, an indication of that fact,

(v) where a planning application relates to development in a strategic development zone, an indication of that fact,

(vi) where the application relates to an LRD, an indication of that fact and include the web address referred to in Regulation 11,

(vii) where the application relates to Renewable Energy Development, an indication of that fact

(e) that the planning application may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority during its public opening hours and that a submission or observation in relation to the application may be made to the authority in writing on payment of the prescribed fee within the period of 5 weeks beginning on the date of receipt by the authority of the application.

Site Notice

7. (1) A site notice erected or fixed on any land, lands or structures in accordance with Regulation 5(1)(b) shall be—

(a) in the form set out at Form No. 2 of Schedule 1, or a form substantially to the like effect,

(b) subject to paragraph (4), inscribed or printed in indelible ink on a white background, affixed on rigid, durable material and secured against damage from bad weather and other causes, and

DRAFT

(c) subject to paragraph (2), securely erected or fixed in a conspicuous position on or near the main entrance to the land or structure 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, lands or structures adjoining a public road, so as to be easily visible and legible by persons using the public road, and shall not be obscured or concealed at any time.

(2) Where the land, lands or structures to which a planning application relates does not adjoin a public road, a site notice shall be erected or fixed in a conspicuous position on the land or structure so as to be easily visible and legible by persons outside the land or structure, and shall not be obscured or concealed at any time.

(3) Where a planning authority considers that the erection or fixing of a single site notice is not sufficient to comply with the requirements of paragraphs (1) and (2), or does not adequately inform the public, the authority may require the applicant to erect or fix such further site notice or notices in such a manner and in such terms as it may specify and to submit to the authority such evidence as it may specify in relation to compliance with any such requirements.

(4) Where a valid planning application is made in respect of any land, lands or structures, and a subsequent application is made within 6 months from the date of making the first-mentioned application in respect of land substantially consisting of the site or part of the site to which the first-mentioned application related, in lieu of the requirements of paragraph (1)(b), the site notice for the subsequent application shall be inscribed or printed in indelible ink on a yellow background and affixed on rigid, durable material and be secured against damage from bad weather and other causes.

Time Limit for site notices

8. In addition to the requirements of Regulation 5(1)(b), a site notice shall be maintained in position on the land or structure concerned for a period of 5 weeks from the date of receipt of the planning application, shall be renewed or replaced if it is removed or becomes defaced or illegible within that period and shall be removed by the applicant following the giving of notice of the planning authority decision under Regulation 19.

Additional requirements for an LRD application

9. (1) In this regulation, a reference to 'application' includes a reference to any environmental impact assessment report or Natura impact statement or both, if such is required, and all other documents, particulars, plans or information that accompany the application.

(2) Subject to paragraph (3), the applicant for an LRD shall make a copy of the planning application for LRD available for inspection on the internet at a web address set up for that purpose for the period commencing on the date of making of the LRD application and expiring 8 weeks following the giving of

DRAFT

notice by the planning authority to the LRD applicant of a copy of its decision on the application.

(3) Where a decision by a planning authority on a planning application for LRD is appealed to the Commission in accordance with section 103 of the Act, the LRD applicant shall continue to make a copy of the original LRD planning application available for inspection on the internet at a web address set up for the purpose for the period commencing on the date of making the original application to the planning authority and expiring 8 weeks following the giving of notice by the Commission to the LRD applicant of a copy of its decision on the appeal.

Restriction on outline application

10. Notwithstanding section 96 of the Act, a planning application may not be made for outline permission for —

(a) retention of development,

(b) proposed development which would consist of or comprise the carrying out of works to or within the curtilage of a protected structure or a proposed protected structure, or

(c) proposed development which comprises or is for the purposes of an activity requiring an integrated pollution control licence or a waste licence, an industrial emissions licence, a waste water discharge licence or an abstraction licence, or

(d) proposed development subject to environmental impact assessment or appropriate assessment.

Contents of an application for permission for standard development

11. (1) (a) A planning application under section 95 of the Act shall be in the form set out at Form No. 3 of Schedule 1, or a form substantially to the like effect.

(b) Where a planning authority consents, an application referred to in paragraph (a) may be made in electronic form.

(2) Notwithstanding paragraph (1), a planning application under section 95 of the Act in respect of an LRD shall also include a copy of the form set out at Form No. 4 of Schedule 1, or a form substantially to the like effect.

(3) A planning application referred to in paragraphs (1) and (2) shall be accompanied by–

(a) the relevant page of the newspaper, or a copy of the relevant page, including the date and title of the newspaper, in which notice of the application has been published pursuant to Regulation 5(1)(a), and a copy of the site notice erected or fixed on the land or structure pursuant to Regulation 5(1)(b),

(b) a location map of sufficient size and containing details of features in the vicinity such as to permit the identification of the site to

DRAFT

which the application relates, 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, or such other scale as may be agreed with the planning authority prior to the submission of the application, in any particular case and marked so as to identify clearly:

(i) the land or structure to which the application relates and the boundaries thereof in red,

(ii) any land which adjoins, abuts or is adjacent to the land to be developed and which is under the control of the applicant or the person who owns the land which is the subject of the application in blue.

(iii) any wayleaves in yellow, and

(iv) the position of the site notice or notices erected or fixed to the land or structure pursuant to Regulation 5(1)(b),

(c) where it is proposed to dispose of wastewater from the proposed development other than to a public sewer, information on the on-site treatment system proposed and evidence as to the suitability of the site for the system proposed,

(d) the documents, particulars, plans, drawings and maps referred to in paragraph (4),

(e) in the case of an application for permission for the development of houses or of houses and other development, to which Part 7 of the Act applies,–

(i) details as to how the applicant proposes to comply with a condition referred to in section 246 to which the permission, if granted, would be subject, including details of such part or parts of the land which is subject to the application for permission or is or are specified by the Part 7 agreement, or houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be transferred to the planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be leased to the planning authority, or details of any combination of the foregoing, or

(ii) where appropriate, a certificate or a copy of a certificate issued by the planning authority in accordance with section 254 of the Act, or if such certificate has been applied for but a certificate or decision to refuse has not issued, a copy of the acknowledgement letter of an application made in accordance with the provisions in Part 7 of the Act and any regulations made under that Part.

(f) documentary evidence of proof of eligibility in accordance with section 85 of the Act,

DRAFT

(g) where the application is accompanied by an environmental impact assessment report, a copy of the confirmation notice, and

(h) the appropriate fee.

(4) In addition to the requirements of paragraph (3), a planning application referred to in paragraph (2) shall be accompanied by –

(a) where it is proposed to connect the proposed development to a public water or wastewater network, or both, evidence that Uisce Éireann has confirmed that it is feasible to provide the appropriate service or services and that the relevant water network or networks have the capacity to service the development,

(b) where, under section 92 of the Act, the planning authority provided an LRD opinion to the prospective LRD applicant that the documents enclosed with the request for the LRD meeting do not constitute a reasonable basis on which to make a planning application for LRD, the application for LRD shall be accompanied by a statement of response to the issues set out in the LRD opinion,

(c) a schedule of accommodation that details the number and type of housing units proposed, unit floor areas, bedrooms and bed spaces for the individual units, the private amenity space associated with each unit, the storage space associated with each unit, the principal dimensions and the aggregate floor area of each room and in the case of apartments whether the unit is dual or single aspect, and

(d) any information specified by the planning authority under Regulation 4(5).

(5) Where an application for standard development consists of or mainly consisting of the making of any material change in the use of any structure or other land, or for the retention of any such material change of use, shall be accompanied by -

(a) a statement of the existing use and of the use proposed together with particulars of the nature and extent of any such proposed use,

(b) plans (including those required under Regulation 12) and particulars as are necessary to describe the works proposed, and

(c) plans and such other particulars as are necessary to identify the area to which the application relates.

(6) Where an application for standard development relates to the demolition of a structure other than a protected structure or proposed protected structure, floor plans are not required to be submitted as part of that application.

(7) Where an application for standard development relates to the demolition of a structure other than a protected structure, or proposed protected structure or structure within an architectural conservation area, an impact assessment is required to be submitted as part of that application.

DRAFT

(8) Where necessary to make a decision on a planning application, the planning authority may require the applicant to submit with the planning application additional information as required.

(9) No planning application shall be invalidated under Regulation 15 for failure of the applicant to submit with the application any information or particulars requested under paragraph (8).

Requirements for particulars to accompany an application

12. (1) Plans, drawings and maps accompanying a planning application in accordance with Regulation 11 shall all be in metric scale and comply with the following requirements:

(a) site or layout plans shall be drawn to a scale (which shall be indicated thereon) of not less than 1:500 or such other scale as may be agreed with the planning authority prior to the submission of the application, the site boundary shall be clearly delineated in red, and buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant tree stands and other features on, adjoining or in the vicinity of the land or structure to which the application relates shall be shown,

(b) other plans, elevations and sections shall be drawn to a scale of not less than 1:200 (which shall be indicated thereon), or such other scale as may be agreed with the planning authority prior to the submission of the application in any particular case,

(c) the site layout plan and other plans shall show the level or contours, where applicable, of the land and the proposed structures relative to Ordnance Survey datum or a temporary local benchmark, whichever is more appropriate,

(d) drawings of elevations of any proposed structure shall show the main features of any buildings which would be contiguous to the proposed structure if it were erected, whether on the application site or in the vicinity, at a scale of not less than 1:200, as may be appropriate,

(e) where the development would involve work to a protected structure or proposed protected structure, drawings shall show the main features of any buildings within the curtilage of the structure which would be materially affected by the proposed development,

(f) plans relating to works comprising reconstruction, alteration or extension of a structure shall be so marked or coloured as to distinguish between the existing structure and the works proposed,

(g) plans and drawings of floor plans, elevations and sections shall indicate in figures the principal dimensions (including overall height) of any proposed structure and the site, and site or layout plans shall indicate the distances of any such structure from the boundaries of the site.

DRAFT

(h) any map or plan which is based on an Ordnance Survey map shall indicate the relevant Ordnance Survey sheet number, and

(i) the north point shall be indicated on all maps and plans other than drawings of elevations and sections and maps or plans referred to in paragraph (g).

(2) A planning application for standard development consisting of or comprising 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, shall, in addition to meeting the requirements of paragraph (1), be accompanied by such photographs, plans and other particulars such as an impact assessment as are necessary to show how the development would affect the character of the structure.

(3) Where a planning authority considers it appropriate it may require an applicant to submit an assessment of the impact of the proposed development on transport in the area, including impact on roads.

(4) In addition to the requirements of Regulation 11, a planning authority may request an applicant to provide a scale model of a proposed development including land and buildings in the vicinity, showing the elevations and perspective of the proposed development and any other photographs, plans, maps, drawings or other material or particulars required by the planning authority to assess an application.

(5) A planning authority may, by notice in writing, require an applicant to provide a paper copy or copies of any plan, drawing, map, photograph or other particular which accompanies the planning application as submitted by the applicant.

Plans and particulars to accompany application for outline permission

13. An outline application shall, in addition to the requirements of Regulation 11, be accompanied only by such plans and particulars as are necessary to enable the planning authority to make a decision in relation to the siting, layout or other proposals for development in respect of which a decision is sought.

Planning application by electricity undertaking

14. (1) Regulation 11(5) shall not apply to a planning application for development consisting of the construction or erection by an electricity undertaking of overhead transmission or distribution lines for conducting electricity.

(2) A planning application referred to in paragraph (1) shall, in addition to the requirements of Regulation 11(3), be accompanied by a copy of such plans and drawings drawn to a scale of not less than 1:100, as are necessary to describe any form of structure or apparatus which will support, or form part of, the lines referred to in the said paragraph.

DRAFT

(3) (a) A reference to Regulation 11 in any other provision of these Regulations shall, in the case of a planning application referred to in paragraph (1), be construed as a reference to this Regulation.

(b) Regulation 12(1), other than paragraphs (h) and (i) thereof, shall not apply to a planning application referred to in paragraph (1).

Procedure on receipt of standard development planning application

15. (1) On receipt of a planning application, a planning authority shall consider whether the applicant has complied with the requirements of this Chapter.

(2) Where a planning authority considers that a planning application complies with the requirements of this Chapter, it shall stamp each document either physically or electronically with the date of its receipt and—

(a) send to the applicant an acknowledgement stating the date of receipt of the application, and

(b) if the application was accompanied by an EIAR, send to the EIA portal in electronic form in the manner set out on the portal—

(i) a copy of the confirmation notice received in accordance with Regulation 11(3)(i),

(ii) the reference number of the application on the register, and

(iii) the URL to the documents placed on its website pursuant to paragraph (9).

(3) Where, following consideration of an application under paragraph (1), a planning authority considers that -

(a) any of the requirements of this chapter has not been complied with, or

(b) the notice in the newspaper or the site notice, because of its content or for any other reason, is misleading or inadequate for the information of the public,

the planning application shall be invalid.

(4) Where, on inspection of the land to which the application relates, the planning authority considers that the requirements of Regulations 5, 7 and 8 have not been met, or the information submitted in the planning application is substantially incorrect or substantial information has been omitted, the planning application shall, notwithstanding the fact that an acknowledgement has been sent to an applicant in accordance with paragraph (2), be invalid.

(5) A planning authority shall as soon as may be after receipt of an invalid application -

(a) by notice in writing -

(i) inform the applicant that the application is invalid and cannot be considered by the planning authority,

DRAFT

(ii) indicate which requirements of the permission regulations have not been complied with, and

(iii) request the applicant to remove the site notice or notices erected or fixed pursuant to Regulation 7(1)(b),

(b) return to the applicant any paper copies of the planning application, including all particulars, plans, drawings and maps,

(c) enter an indication on the register that an invalid application has been made, and

(d) enter the reference number of the invalid application into a list of invalid applications published on its internet website.

(6) Where a notice is served in accordance with paragraph (5) on an applicant, the planning authority shall return to the applicant any fee paid with the application.

(7) Paragraphs (3) and (4) shall not apply where the planning authority is satisfied that the applicant complied with the provisions of Regulation 5, 6 and 7 but that any site notice erected by the applicant has been maliciously defaced or destroyed by any person other than the applicant.

(8) Where a notice is served in accordance with paragraph (5) on an applicant, the planning authority shall by notice in writing—

(a) inform any person or body who has made a submission or observation in accordance with Regulation 17(1) of that fact and return any fee paid in respect of any such submission or observation, and

(b) inform any body to whom notice was sent in accordance with Regulation 16(2) of that fact.

(9) On receipt of a planning application, a planning authority shall -

(a) make the planning application available for inspection, or purchase at a fee not exceeding the reasonable cost of making a copy at the offices of the planning authority during its public opening hours, and

(b) not later than 5 working days after the day on which it receives the application, or where exceptional circumstances exist, as soon as practicable after the expiration of the period of 5 working days, publish the application and all documentation accompanying the application on its internet website.

(10) Where a planning authority receives a document relating to a planning application at any time after receipt by it of that application, the planning authority shall -

(a) not later than 5 working days after the day on which it receives the document, or

(b) where exceptional circumstances exist, as soon as practicable after the expiration of the period of 5 working days referred to in paragraph (a),

DRAFT

publish the document on its internet website.

(11) For the purposes of this Regulation exceptional circumstances exist if, by reason of -

(a) an occurrence that was not reasonably foreseeable by the planning authority concerned,

(b) an occurrence that, though reasonably foreseeable by the planning authority, could not reasonably have been prevented by the planning authority, or

(c) the size or number of documents concerned,

the planning authority could not, by the adoption of all reasonable measures, have complied with subparagraph (b) of paragraph (9) or subparagraph (a) of paragraph (10).

(12) In paragraph (10) "planning application" means a planning application in respect of which the planning authority to which the application was made is satisfied that paragraphs (3) and (4) do not apply and the application is valid.

(13) Where paragraphs (3) and (4) apply to a planning application at any time during the consideration of a planning application, the planning authority shall remove the planning application and any documents relating to the application from its internet website.

Notice to certain bodies

16. (1) Where a planning authority receives a planning application, the authority shall, except in the case of an application in respect of which a notice in accordance with Regulation 15(5) has been or will be given, send notice in accordance with paragraph (2) as soon as may be after receipt of the application—

(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 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,

DRAFT

(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

DRAFT

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, and 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,

DRAFT

(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—

DRAFT

(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.

(2) Notice given by a planning authority pursuant to paragraph (1) shall include:

(a) a copy of the planning application and supporting documents as made available to the public in accordance with Regulation 15(10),

(b) the date of receipt by the authority of the application, and

(c) a statement that any submission or observation made to the authority in relation to the application before the decision is made on the application will be taken into account by the authority in making its decision on the application.

(3) A reference in paragraph (1) to Fáilte Ireland shall, in the case of a planning application relating to land or a structure situated in the functional area of the Shannon Commercial Enterprises DAC, be construed as a reference to that Company.

(4) The planning authority shall acknowledge any submissions or observations as soon as may be after receipt in the form set out at Form No. 7 of Schedule 1, or a form substantially to the like effect.

DRAFT

(5) Where a prescribed body to whom notice is sent pursuant to paragraph (1) does not make a submission or observation in relation to an application within a period of 6 weeks beginning on the date of receipt by the planning authority of the application, the authority may determine the application without further notice to that body.

(6) A planning authority may issue a notice pursuant to paragraph (1) in electronic form.

Submissions or observations in relation to planning application

17. (1) (a) Any person or body, on payment of the prescribed fee, may make a submission or observation in writing to a planning authority in relation to a planning application within the period of 5 weeks beginning on the date of receipt by the authority of the application.

(b) Any submission or observation received shall—

(i) state the name and address of the person or body making the submission or observation,

(ii) indicate the address to which any hardcopy correspondence relating to the application should be sent, and

(iii) where a submission or observation is submitted electronically indicate a valid email address to which any electronic correspondence relating to the application should be sent.

(2) Subject to Regulation 15, the planning authority shall acknowledge any submissions or observations as soon as may be after receipt in the form set out at Form No. 7 of Schedule 1, or a form substantially to the like effect.

(3) Where a submission or observation, under this Regulation, is received by the planning authority after the period of 5 weeks beginning on the date of receipt of the application, the planning authority shall return to the person or body concerned the submission or observation received and the fee and notify the person or body that their submission or observation cannot be considered by the planning authority.

(4) (a) Where the planning authority so consents, a submission or observation under paragraph (1) may be made in electronic form in a manner specified by the planning authority and in that case the person making the submission or observation is deemed to consent to the receipt of an acknowledgement and all other communications in relation to the planning application in electronic form.

(b) Where a submission or observation is made in electronic form, with the consent of the planning authority, the submission or observation will be considered by the planning authority if it is received before midnight on the last day for receipt of submissions or observations as set out in paragraph (1).

DRAFT

(c) Notwithstanding paragraph (3), a submission or observation in electronic form which is received outside the time limit as set out in (b) of this paragraph is not required to be returned by the planning authority to the person who made the submission or observation.

(5) A submission referred to in paragraph (1) shall be in the form as set out in Form No. 5 of Schedule 1. A submission or observation shall be accompanied by a declaration in accordance with section 588(1) of the Act in the form as set out in Form No. 6 of Schedule 1.

Minimum period for determination of planning application

18. A planning authority shall not determine an application for permission until after a period of 6 weeks, beginning on the date of receipt of an application, has elapsed.

Notification of decision on planning application

19. (1) Notification of a decision by a planning authority in respect of a planning application shall be given to the applicant and to any other person or body who made a submission or observation in accordance with Regulations 16 or 17 within 3 working days of the day of the decision and shall specify -

(a) the reference number of the application in the register,

(b) the development to which the decision relates,

(c) the nature of the decision,

(d) the date of the decision,

(e) in the case of a decision to grant a permission – any conditions attached thereto,

(f) the main reasons and considerations on which the decision is based, and, where conditions are imposed in relation to the grant of any permission, the main reasons for the imposition of any such conditions, provided that where a condition imposed is a condition described in section 87(3) of the Act, a reference to the paragraph of sub-section (3) in which the condition is described shall be sufficient to meet the requirements of this sub-regulation,

(g) in the case of a decision to grant a permission for the construction, erection or making of a structure and to specify the purposes for which the structure may or may not be used — such purposes,

(h) in the case of a decision to grant a permission — any period specified by the planning authority pursuant to section 177 of the Act as the period during which the permission is to have effect,

(i) in the case of a decision to grant a permission - that the permission shall be issued as soon as may be, but not earlier than 3 working days, after the expiration of the period for the making of an appeal

DRAFT

if there is no appeal before the Commission on the expiration of the said period,

(j) that an appeal against the decision may be made to the Commission within the period of 4 weeks, beginning on the date of the decision of the planning authority,

(k) in the case of a decision to grant or refuse a permission where the decision by the planning authority is different, in relation to the granting or refusal of permission, from the recommendation in the report or reports on a planning application to the Chief Executive (or such other person delegated to make the decision) - the main reasons for not accepting the recommendation in the report or reports to grant or refuse permission, and

(l) in the case of a decision to impose a condition (being an environmental condition which arises from the consideration of the EIAR concerned) in relation to the grant of a permission where the condition is materially different, in relation to the terms of such condition, from the recommendation in the report or reports on the planning application to the chief executive (or such other person delegated to make the decision) — the main reasons for not accepting, or for varying, as the case may be, the recommendation in the report or reports in relation to such condition.

(2) Where a planning application or submission or observation has been received in electronic form, the planning authority may issue its decision notification in electronic form to the applicant and to any other person or body who made a submission or observation in electronic form.

Further information

20. (1) Subject to paragraph (2), where a planning authority acknowledges receipt of a planning application in accordance with Regulation 15, it may, by notice in writing, within 8 weeks of receipt of the planning application, or within 12 weeks of receipt in the case of a planning application accompanied by an environmental impact assessment report or Natura impact statement, require the applicant—

(a) to submit any further information (including any plans, maps or drawings, or any information as to any estate or interest in or right over land) in relation to:

(i) matters of technical or environmental detail, or both, that were unforeseen at the time of lodging the planning application, or

(ii) new matters raised through the planning application public participation process, which the authority considers necessary to enable it to deal with the application.

DRAFT

(b) to produce any evidence which the authority may reasonably require to verify any particulars or information given in, or in relation to, the application.

and that such requirements for further information specified in paragraph (a) with regard to an application may only be requested once by the planning authority.

(2) A planning authority shall not require an applicant for an LRD who has complied with a requirement under paragraph (1) to submit any further information or evidence. For all other planning applications, a planning authority shall not require an applicant who has complied with a requirement under paragraph (1) to submit any further information or evidence save –

(a) as may be reasonably necessary to clarify the matters dealt with in the applicant's response to a requirement to submit further information or evidence or to enable them to be considered or assessed,

(b) where information is requested from the applicant for the purposes of screening sub-threshold development for environmental impact assessment, or

(c) where a request for further information is made regarding environmental impact assessment.

(3) Subject to paragraph (4), where a requirement under paragraph (1) or paragraph (2) is not complied with within the period of 6 months from the date of the request for further information under paragraph (1), or such additional period, not exceeding 3 months, as may be agreed by the planning authority, the planning application shall be declared to be withdrawn and the planning authority shall, as soon as may be, notify the applicant that the application has been declared to be withdrawn and enter an indication that the application has been declared to be withdrawn into the register.

(4) Where in relation to a planning application for an LRD, a requirement under paragraphs (1) and (2) is not complied with within the period of 2 months from the date of the request for further information under paragraph (1), or where the request relates to an environmental impact assessment or appropriate assessment or both, such additional period, not exceeding 6 months, as may be agreed by the planning authority, the LRD planning application shall be declared to be withdrawn and the planning authority shall, as soon as may be, notify the applicant that the application has been declared to be withdrawn and enter an indication that the application has been declared to be withdrawn into the register.

(5) When a planning authority issues a notice in accordance with paragraph (1), the planning authority shall maintain a record and evidence of when the notification was issued.

Revised plans

21. (1) Where the planning authority, having considered a planning application, is disposed to grant a permission subject to any modification of the

DRAFT

development, it may within 8 weeks of receipt of the application, invite the applicant to submit to it revised plans or other drawings modifying, or other particulars providing for the modification of, the said development.

(2) Where the applicant wishes to avail of the opportunity to submit the revised plans, drawings or particulars referred to in paragraph (1) of this Regulation, they shall, in writing and within such time limit as may be specified by the planning authority, not being later than 8 weeks from receipt of the application, indicate that they intend to submit such plans, drawings or particulars.

(3) Where the applicant indicates in writing, under paragraph (2) of this Regulation, that they intend to submit the plans, drawings or particulars referred to in paragraph (1) of this regulation, they shall, at the same time and in writing, consent, under section 101(2) of the Act, to the extension of the period for making a decision under section 98 of the Act.

Notice of further information or revised plans

22. (1) Where a planning authority receives further information or evidence following a request under Regulation 20, or revised plans, drawings or particulars following a request under Regulation 21, and it considers that the information, evidence, revised plans, drawings or particulars received, as appropriate, contains additional material information, including information in relation to effects on the environment, the authority shall -

(a) require the applicant, within a specified period, to publish a notice in an approved newspaper, containing as a heading the name of the planning authority, marked "Further Information" or "Revised Plans", as appropriate, and stating -

(i) the name of the applicant,

(ii) the location, townland or postal address of the land or structure to which the application relates (as may be appropriate),

(iii) the reference number of the application on the register,

(iv) that significant further information or revised plans, as appropriate, in relation to the application has or have been furnished to the planning authority, and is or are available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy, at the offices of the authority during its public opening hours, and

(v) that a submission or observation in relation to the further information or revised plans may be made in writing to the planning authority on payment of the prescribed fee, not later than 2 weeks after the receipt of the newspaper notice and site notice by the planning authority under (a) and (b) of this paragraph or, in the case of a planning application accompanied by an EIAR, within 5 weeks of receipt of such notices by the planning authority,

DRAFT

and to submit a copy of the notice to the planning authority,

(b) require the applicant, within the period specified in (a) of this paragraph for publication of the newspaper notice, to erect or fix a site notice on the land or structure to which the further information relates, in the form set out in Form No. 8 of Schedule 1 or a form substantially to the like effect and to submit a copy of the notice to the planning authority,

(c) as soon as may be, send notice and a copy of the further information, evidence, revised plans, drawings or particulars, to any person or body specified in Regulation 16, as appropriate, indicating that a submission or observation in relation to the further information or evidence or revised plans, drawings or particulars received may be made in writing to the authority not later than 2 weeks after receipt of the newspaper notice and site notice by the planning authority within the period specified in paragraph (a) or, in the case of a planning application accompanied by an EIAR, not later than 5 weeks after the receipt of the newspaper notice and site notice by the planning authority within the period specified in paragraph (a),

(d) as soon as may be, notify any person who made a submission or observation in relation to the planning application in accordance with Regulation 17(1), indicating -

(i) that significant further information or revised plans, as appropriate, in relation to the application has or have been furnished to the planning authority, and is or are available for inspection or purchase at a fee not exceeding the cost of making a copy, at the offices of the authority during its public opening hours,

(ii) that a submission or observation in relation to the further information or evidence or revised plans, drawings or particulars received may be made in writing to the authority within the period specified in paragraph (a),

(iii) that no fee or further fee shall be payable on condition that any submission or observation referred to in sub-paragraph (ii) is accompanied by a copy of the acknowledgement by the authority of the receipt of a submission or observation referred to in Regulation 17.

(2) Where a planning authority considers that the notices published in accordance with paragraph (1)(a) and (b) do not adequately inform the public, the authority may require the applicant to give such further notices in such a manner and in such terms as the authority may specify.

(3) Paragraphs (1)(b) and (c), (2) and (3) of Regulation 7 shall apply to a site notice erected or fixed under paragraph (1)(b).

(4) The planning authority shall as soon as may be acknowledge receipt of any submissions or observations referred to in paragraph (1)(a)(v) and

DRAFT

paragraph(1)(c) in the form set out at Form No. 7 of Schedule 1, or a form substantially to the like effect.

(5) (a) A planning authority may, with the consent of any person or body referred to in paragraph (1), send notice under that paragraph, in electronic form.

(b) Where the planning authority so consents, a submission or observation referred to in paragraph (1) may be made in electronic form.

(c) Where a submission or observation under this regulation is made in electronic form the submission or observation will be considered by the planning authority if it is received before midnight on the last day for receipt of submissions or observations as set out in this regulation.

(d) A person or body making the submission or observation in electronic form is deemed to consent to the receipt of an acknowledgement and all other communications in relation to the planning application in electronic form.

Prescribed notice for material contravention

23. (1) Form No. 9 of Schedule 1, or a form substantially to the like effect, shall be the prescribed form of the notice of the intention of a planning authority to consider deciding to grant a permission in a case where the development concerned would contravene materially the development plan.

(2) Any person or body may make a submission or observation in writing to a planning authority as regards the making of a decision to grant planning permission in accordance with section 98 of the Act not later than 4 weeks after the first publication of the notice referred to in paragraph (1).

(3) Any submission or observation made in accordance with paragraph (2) shall—

(a) state the name of the person or body making the submission or observation,

(b) indicate the address to which any correspondence relating to the application should be sent, and

(c) be accompanied by a declaration as set out in Form No. 6 of schedule 1.

(4) The planning authority shall acknowledge in writing the receipt of any submission or observation referred to in paragraph (1) as soon as may be following receipt of the submission or observation.

(5) Where a submission or observation is received by the planning authority after the period of 4 weeks after the first publication of the notice referred to in paragraph (1), the planning authority shall return to the person or body concerned the submission or observation received and notify the person or body that their submission or observation cannot be considered by the planning authority.

DRAFT

(6) (a) Where the planning authority so consents, a submission or observation under paragraph (2) may be made in electronic form in a manner specified by the planning authority and in that case the person making the submission or observation is deemed to consent to the receipt of an acknowledgement and all other communications in relation to the planning application in electronic form.

(b) Where a submission or observation is made in electronic form, with the consent of the planning authority, the submission or observation will be considered by the planning authority if it is received before midnight on the last day for receipt of submissions or observations as set out in paragraph (2).

(c) Notwithstanding paragraph (5), a submission or observation in electronic form which is received outside the time limit as set out in (b) of this paragraph is not required to be returned by the planning authority to the person who made the submission or observation.

Withdrawal of planning application

24. (1) A planning application may be withdrawn, by notice in writing, at any time before the giving of the decision of the planning authority in respect of the application.

(2) The planning authority shall, as soon as may be after the withdrawal of a planning application give notice in writing to any person or body who made a submission or observation on the application in accordance with these Regulations of the fact of the withdrawal.

Provision of forms and instructions

25. (1) A planning authority may provide forms and instructions for the convenience or information of any persons intending to make a planning application.

(2) The Minister may prepare and publish instructions for the use and guidance of planning authorities in dealing with planning applications.

Provision of certain information to Minister

26. Planning authorities shall provide such information in relation to the development management system, including information in relation to planning applications, fees, decisions and enforcement, as may be requested by the Minister or the Central Statistics Office from time to time and such information shall be provided in such format and within such time period as may be specified by the Minister or that Office.

Chapter 4 - Certain aspects of proposed development not confirmed

DRAFT

Prospective applicant's request for a meeting with the planning authority where certain aspects of proposed development not confirmed

27. (1) When a person requests a meeting with a planning authority under section 93 of the Act relating to a proposed application for permission for development but not all aspects of the development are likely to be confirmed by the date of the application, that request shall be in the form set out in Form No. 10 of Schedule 1.

(2) Where the planning authority consents, the request to enter into a meeting referred to in paragraph (1) may be made in electronic form.

(3) An opinion issued by the planning authority to a prospective applicant under section 94(1) of the Act shall be in the form set out in Form No. 11 of Schedule 1.

Additional requirements for an application accompanied by an opinion under section 94(1) of the Act

28. (1) A planning application may be accompanied by an opinion issued under section 94(1) of the Act and any such planning application shall be accompanied by a copy of the form set out in Form No. 12 of Schedule 1.

(2) Where a planning application is accompanied by an opinion issued under section 94(1) of the Act, any requirement of these Regulations to provide plans or particulars, or both, may be complied with by providing the following in respect of the aspects, or aspects falling within a specified category, of the proposed development to which the opinion relates:

(a) plans or particulars, or both, of each approach proposed in respect of each unconfirmed aspect or category, or

(b) such information in respect of the range within which each such aspect or category will fall as is necessary to enable the planning authority to make a decision on the planning application.

(3) Where a planning application is accompanied by an opinion under section 94(1) of the Act:

(a) any notice that an applicant is required to give to the public in respect of the planning application shall include an indication that certain aspects of the proposed development are unconfirmed in the planning application and that an opinion under section 94(1) of the Act accompanies the planning application, and

(b) any weekly list of planning applications or decisions prepared under these regulations shall include an indication of that fact.

(4) Where a planning authority attaches a condition under section 98(2) of the Act, the applicant shall, not later than 2 weeks prior to the commencement of the part of the development to which the condition relates, notify the planning authority in whose functional area or areas the development is situated in writing of the actual particulars of the aspect of the proposed development that has not yet been confirmed.

DRAFT

Chapter 5 - Request for alteration or extension of permissions under section 140 of the Act

Interpretation

29. (1) In this Chapter –

"alteration request" means a request for an alteration or extension of duration of a permission made under section 140(1) of the Act;

"requester" means, subject to paragraph (2), a person who makes an alteration request.

(2) "requester" in this Chapter shall be construed as including a reference to an agent so authorised as the context requires.

Content of an alteration request

30. (1) An alteration request shall be made in writing, shall be accompanied by the appropriate fee, and shall contain the following information -

(a) the name and address of the requester,

(b) on a separate page, the telephone number and e-mail address, if any, of the requester,

(c) the address to which any communication relating to the request should be sent,

(d) the location, townland or postal address of the land, maritime site or structure concerned, as may be appropriate,

(e) proof of eligibility in accordance with section 85 of the Act (as modified by section 140(2) of that Act),

(f) the date of the grant of the permission the subject of the alteration request and its reference number in the register,

(g) where the alteration request is accompanied by an environmental impact assessment report, evidence of compliance with any requirements relating to the environmental impact assessment portal referred to in section 241 of the Act, a copy of the confirmation notice.

Additional contents of a request for an alteration of a permission

31. In addition to the information specified in Regulation 30(1), a request for an alteration of permission under section 140 of the Act shall be accompanied by plans, drawings and maps in metric scale complying with any requirements of paragraphs 1(a) to (i) of Regulation 12, and any such information that a planning authority may require to enable it to make its decision.

DRAFT

Additional content of a request for an extension of duration of a permission

32. In addition to the information specified in Regulation 30(1), a request for an extension of duration of a permission under section 140 shall be accompanied by the following information -

(a) date of expiration of the permission the subject of the request,

(b) particulars of the works which are proposed to be carried out pursuant to the permission during the additional duration by which the permission is sought to be extended,

(c) the date of commencement of the development to which the permission relates,

(d) an indication of whether the duration of permission has previously been extended, in accordance with the Act or the Act of 2000,

(e) subject to section 141(2) of the Act, the additional duration that the person making the request considers necessary to enable the development to which the permission relates to be completed,

(f) particulars of the works which are proposed to be carried out pursuant to the permission during the additional duration, and

(g) the date by which the development is expected to be completed.

Time limits for extensions of duration

33. A request for an extension of duration of a permission under section 140 shall be made not earlier than one year before the date of expiration of that permission.

Procedure on receipt of an alteration request

34. (1) Where a planning authority consents, an alteration request may be made in electronic form.

(2) On receipt of an alteration request, a planning authority shall consider whether or not that request is in accordance with section 140 of the Act and this Chapter.

(3) Where a planning authority considers that an alteration request received in accordance with section 140 of the Act and this Chapter, the authority shall stamp each document either physically or electronically with the date of its receipt and shall send to the requester an acknowledgement stating the date of receipt of the request.

(4) Where a planning authority considers that an alteration request received is invalid under section 140(5) or section 140(6)(b), the authority shall -

(a) by notice in writing -

(i) inform the requester that the alteration request is invalid and cannot be considered by the planning authority, and

DRAFT

(ii) indicate which requirements of section 140 of the Act or this Chapter, or both, the alteration request is not in accordance with,

(b) return to that requester the alteration request, including all particulars, information and documents,

(c) enter an indication on the register that an invalid alteration request has been made, and

(d) enter the reference number of the invalid alteration into a list of invalid alteration requests published on its internet website.

(5) Where a notice is served in accordance with paragraph (4) on a requester, the planning authority shall return to the requester any fee that accompanied the alteration request.

(6) A request for alteration may be withdrawn, by notice in writing by the requester, at any time before the giving of any determination or decision of the planning authority in respect of the request.

Consultation on whether an alteration request is a material alteration

35. (1) Where a planning authority considers in accordance with section 140(8) of the Act that submissions may be invited on an alteration request for the purposes of its determination under subsection (7) of that section, the planning authority shall:

(a) where it considers that submissions may be sought from such person or class of person, give notice in writing to such persons or class of persons stating -

(i) that an alteration request has been received by the planning authority and is available for inspection or purchase at a fee not exceeding the cost of making a copy, at the offices of the authority during its public opening hours and on its internet website,

(ii) the reference number of the alteration request in the register,

(iii) the proposed development or development to which permission the subject of the alteration request relates, and that permission's reference number in the register,

(iv) the nature of the alteration,

(v) that the planning authority is required for the purposes of section 140(7) of the Act to determine whether the alteration request is a material alteration request, and

(vi) that a submission in relation to the determination by the planning authority as to whether the alteration request is a material alteration or not may be made in writing to the authority within a period specified by the planning authority.

DRAFT

(b) where it considers that submissions may be sought from the public, publish a notice in an approved local newspaper, containing as a heading the name of the planning authority, marked "Determination whether an alteration request of a permission is a material alteration" and stating -

(i) that an alteration request has been received by the planning authority and is available for inspection or purchase at a fee not exceeding the cost of making a copy, at the offices of the authority during its public opening hours,

(ii) the reference number of the alteration request in the register,

(iii) the proposed development or development to which the grant of permission the subject of the alteration request relates, and that permission's reference number in the register,

(iv) the nature of the alteration,

(v) that the planning authority is required for the purposes of section 140(7) to determine whether the alteration request is a material alteration request, and

(vi) that a submission in relation to the determination by the planning authority as to whether the alteration request is a material alteration or not may be made in writing to the authority within the period specified in paragraph (a)(vi).

(2) The planning authority shall as soon as may be acknowledge receipt of any submissions referred to in paragraph (1).

Notice of the making of a non-material alteration

36. Notice of the making the alteration or extension in accordance with section 142(1) of the Act shall be given to the requester and to any person who made a submission in accordance with section 140(8) of the Act and shall specify -

(a) the reference number of the alteration request in the register,

(b) the proposed development or development to which the grant of permission the subject of the alteration request relates, and that permission's reference number in the register,

(c) the nature of the alteration,

(d) the main reasons and considerations on which the determination under section 140(7) of the Act is based, and

(e) the date of the making of the alteration.

DRAFT

Notice of the determination of a material alteration request

37. (1) A notice under section 140(9) of the Act shall be given within 3 working days of the day of the making of the determination under subsection (7) of that section and shall include -

(a) the reference number of the material request in the register,

(b) the proposed development or development to which the grant of permission the subject of the alteration request relates, and that permission's reference number in the register,

(c) the nature of the material alteration, and

(d) the main reasons and considerations on which the determination under section 140(7) of the Act is based.

(2) A notice given under section 140(9) of the Act to the requester shall:

(a) require the requester, within a specified period, to publish a notice in an approved local newspaper, containing as a heading the name of the planning authority, marked "Request for material alteration of a permission" and stating -

(i) the name of the requester who made the request,

(ii) the location, townland or postal address of the land, maritime site or structure to which the material alteration request relates (as may be appropriate),

(iii) the reference number of the material alteration request on the register,

(iv) a description of the proposed development or development to which the grant of permission the subject of the alteration request relates, and that permission's reference number in the register,

(v) the nature of the material alteration,

(vi) that the request is available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy, at the offices of the authority during its public opening hours,

(vii) that any person may, upon payment of the prescribed fee, make a submission in writing to the planning authority in relation to a material alteration request, not later than 5 weeks after the receipt of the newspaper notice and site notice by the planning authority under (a) and (b) of this paragraph,

and to submit a copy of the notice to the planning authority,

(b) require the requester, within the specified period referred to in sub-paragraph (a) for publication of the newspaper notice, to erect or fix a site notice on the land or structure to which the material alteration request relates, in the form set out in Form No. 2 of Schedule 1 and to submit a copy of the notice to the planning authority,

DRAFT

(c) require the requester to submit to the planning authority a form similar to that as set out in Form No. 3 of Schedule 1, or a form substantially to the like effect with details of the material alteration,

(d) require that the form in paragraph (c) shall be accompanied by sufficient plans, drawings and maps detailing the proposed material alterations, which must be in metric scale and comply with any requirements of paragraphs 1(a) to (i) of Regulation 12, where this relates to physical alterations, in addition to any such information that a planning authority requests to enable it to make its decision on the request for material alteration, and

(e) require that where the request for material alteration solely relates to extension of duration of permission of a commenced development, the specific details shall clearly indicate the duration of the proposed extension and the rationale for the proposed duration as required by the planning authority to make its decision on the request for material alteration.

(3) Following compliance with the requirements of a notice given under section 140(9) of the Act, the planning authority shall -

(a) as soon as may be, give notice and a copy of the material alteration request, to any body specified in Regulation 16, as appropriate, indicating that a submission in relation to the material alteration request may be made in writing to the authority not later than 6 weeks after receipt of the newspaper notice and site notice by the planning authority under paragraph (2)(a) and (b),

(b) as soon as may be, notify any person who made a submission in accordance with section 140(8) of the Act, indicating that -

(i) that a material alteration request has been received by the planning authority and is available for inspection or purchase at a fee not exceeding the cost of making a copy, at the offices of the authority during its public opening hours,

(ii) that a submission in relation to the material alteration request may be made in writing to the authority within the period referred to in paragraph (2)(a)(vii),

(iii) that no fee shall be payable on condition that any submission referred to in sub-paragraph (ii) is accompanied by a copy of the acknowledgement by the authority of the receipt of a submission referred to in Regulation 38(2),

(c) if the alteration request was accompanied by an environmental impact assessment report, send to the environmental impact assessment portal in electronic form in the manner set out on the portal—

DRAFT

(i) a copy of the evidence of compliance with any requirements relating to the environmental impact assessment portal referred to in section 241 of the Act,

(ii) the reference number of the alteration request on the register, and

(iii) the URL to the information and documents relating to the alteration request published on its website pursuant to section 384(3) of the Act.

(4) Where a planning authority considers that the notices published in accordance with paragraph (2)(a) and (b) do not adequately inform the public, the authority may require the requester to give such further notices in such a manner and in such terms as the authority may specify.

(5) Paragraphs (1)(b) and (c), (2) and (3) of Regulation 7 shall apply to a site notice erected or fixed under paragraph (2)(b).

(6) The planning authority shall acknowledge any submissions made in accordance with section 144(1) of the Act or referred to in paragraph (3) as soon as may be after receipt in the form set out at Form No. 7 of Schedule 1.

(7) Where a submission under section 144(1) of the Act following notice under paragraph (3)(b)(ii) is received by the planning authority after the period referred to in paragraph (2)(a)(vii), the planning authority shall return to the person concerned any paper copies of the submission received and the fee and notify the person that their submission cannot be considered by the planning authority.

(8) (a) A planning authority may, with the consent of any person or authority referred to in paragraph (3), send notice under that paragraph, in electronic form.

(b) Where any body to whom notice is sent pursuant to subparagraph (a) does not make a submission in relation to a material alteration request within a period specified in paragraph (3)(a), the authority may determine the material alteration request without further notice to that authority.

(c) Where the planning authority so consents, a submission under section 144(1) of the Act or paragraph (3) may be made in electronic form in a manner specified by the planning authority and in that case the person or authority making the submission is deemed to consent to the receipt of an acknowledgement and all other communications in relation to the planning application in electronic form.

(d) Where a submission referred to in subparagraph (c) is made in electronic form, with the consent of the planning authority, the submission will be considered by the planning authority if it is received before midnight on the last day of the period referred to in paragraph (2)(a)(vii) or paragraph (3)(a), as appropriate.

(e) Notwithstanding paragraph (6), a submission in electronic form which is received following the expiration of the period referred

DRAFT

to in paragraph (2)(a)(vii) is not required to be returned by the planning authority to the person who made the submission.

(9) The period:

(a) specified by a planning authority under paragraph 2(a) following notice under section 140(9) of the Act, or

(b) from the date of a notice issued under section 140(9) of the Act until the date of the submission of the form under paragraph 2(c),

whichever is shorter, shall be disregarded in the reckoning of any period for the purpose of section 146(1) of the Act.

Notice of decision on material alteration request

38. (1) A notice under section 143(4) of the Act of a decision by a planning authority under section 143(1) of the Act shall be given to the requester and to any other person or authority who made a submission in accordance with this Chapter or the Act (including Part 6 of that Act), within 3 working days of the day of the decision and shall, in addition to the matters specified in subsection (5) of that section, specify—

(a) the reference number of the request in the register,

(b) the proposed development or development to which the grant of permission the subject of the alteration request relates, and that permission's reference number in the register,

(c) the nature of the material alteration,

(d) the date of the decision,

(e) in the case of a decision to grant a permission for the construction, erection or making of a structure and to specify the purposes for which the structure may or may not be used — such purposes,

(f) in the case of a decision to grant an extension of duration of a permission —the period so extended during which the permission is to have effect,

(g) in the case of a decision to make an alteration or grant an extension that is a material alteration- that the material alteration shall be made as soon as may be after the expiration of the period for the making of an appeal referred to in section 102(5)(a) of the Act, where no appeal is made to the Commission within the said period,

(h) that an appeal, or an application for leave to appeal, may be made to the Commission within the period specified in section 102(5)(a) of the Act,

(i) in the case of a decision to impose a condition (being an environmental condition which arises from the consideration of the environmental impact assessment report concerned) in relation to the grant of a permission where the condition is materially different, in relation to the terms of such condition,

DRAFT

from the recommendation in the report or reports on the planning application to the chief executive (or such other person delegated to make the decision) — the main reasons for not accepting, or for varying, as the case may be, the recommendation in the report or reports in relation to such condition.

(2) (a) Where an alteration request was made in electronic form, the planning authority may give the notice under paragraph (1) in electronic form to the applicant.

(b) Where a submission was received in electronic form, the planning authority may give the notice referred to in paragraph (1) in electronic form to the person or authority who made that submission.

Further information

39. (1) (a) Subject to paragraph (2), a request under section 144(2)(a) of the Act shall be made by notice in writing to the requester within 8 weeks from the date of the notice that the request, or within 12 weeks of receipt in the case of a request accompanied by an environmental impact assessment report or Natura impact statement, is a material alteration request under Section 140(9)(a) of the Act.

(b) A planning authority shall not accept nor consider any further information or revised particulars, plans or drawings submitted by the requester save as may be requested in accordance with section 144(2) of the Act.

(2) Where a request under section 144(2)(a) of the Act is not complied with within -

(a) the period of 6 months from the date of the request being made, or

(b) such additional period, not exceeding 3 months, as may be agreed with the planning authority,

the material alteration request shall be declared to be withdrawn and the planning authority shall, as soon as may be –

(i) notify the requester of that fact, and

(ii) enter an indication that the material alteration request has been declared to be withdrawn into the register.

(3) When a planning authority makes a request in accordance with section 144(2)(a), the planning authority shall maintain a record and evidence of when the request was made.

Revised particulars, plans or drawings

40. (1) A request under Section 144(2)(b) of the Act shall -

DRAFT

(a) be made by notice in writing to the requester within 8 weeks from the date of the notice that the request is a material alteration request under Section 140(9)(a) of the Act,

(b) request the requester to indicate to the planning authority within a specified period, not being later than 8 weeks from the date of the notice that the request is a material alteration request under Section 140(9)(a) of the Act, whether or not he or she proposes to submit revised particulars, plans or drawings,

(c) state, where the requester indicates that he or she proposes to submit revised particulars, plans or drawings in compliance with the request -

(i) the specified period within which revised particulars, plans or drawings are required to be submitted to the planning authority by the requester, and

(ii) the applicant's consent in writing to the extension of the period for making a decision under section 143 of the Act in accordance with section 146(2) of that Act is required.

(2) Where a person who receives a request under section 144(2)(b) wishes to avail of the opportunity to submit the revised particulars, plans or drawings referred to that section, they shall, in writing and within such time limit as may be specified by the planning authority, not being later than 8 weeks from receipt of the application, indicate that they intend to submit such particulars, plans or drawings.

(3) Where the requester indicates under paragraph (2), that he or she intends to submit revised particulars, plans or drawings referred to in paragraph (1), the requester shall, at the same time and in writing, give his or her consent under section 146(2) of the Act to the extension of the period for making a decision under section 143 of the Act.

Notice of additional material information

41. (1) Where additional material information has been received in accordance with Section 144(3) of the Act, the notification under subsection (3)(b) of that section shall require the requester to:

(a) to publish, within a specified period, a notice in an approved local newspaper, containing as a heading the name of the planning authority, marked "Further Information" or "Revised Plans", as appropriate, and stating -

(i) the name of the requester,

(ii) the location, townland or postal address of the land or structure to which the material alteration request relates (as may be appropriate),

(iii) the reference number of the material alteration request on the register,

DRAFT

(iv) that additional material information in relation to the material alteration request has been furnished to the planning authority, and is available for inspection or purchase at a fee not exceeding the reasonable cost of making a copy, at the offices of the authority during its public opening hours, and

(v) that a submission in relation to the additional material information may be made in writing to the planning authority on payment of the prescribed fee -

(I) not later than 2 weeks, or

(II) in the case of a material alteration request accompanied by an environmental impact assessment report, not later than 5 weeks,

after the receipt of the newspaper notice and site notice by the planning authority in accordance with subparagraphs (b) and (c).

(b) to submit a copy of the notice referred to in subparagraph (a) to the planning authority,

(c) within the specified period referred to in subparagraph (a) for publication of the newspaper notice, to erect or fix a site notice on the land or structure to which the additional material information relates, in the form set out in Form No. 8 of Schedule 1 and to submit a copy of the notice to the planning authority.

(2) Where additional material information has been received in accordance with Section 144(3) of the Act, the planning authority shall:

(a) as soon as may be, give notice and a copy of the additional material information, to any body specified in Regulation 16, as appropriate, indicating that a submission in relation to the additional material information may be made in writing to the planning authority within the period specified or to be specified in the notice in accordance with paragraph (1)(a)(v), as appropriate.

(b) as soon as may be, notify any person who made a submission in relation to the material alteration request in accordance with the Act (including Part 6) or these Regulations, indicating -

(i) that additional material information, as appropriate in relation to the material alteration request has been furnished to the planning authority, and is available for inspection or purchase at a fee not exceeding the cost of making a copy, at the offices of the authority during its public opening hours,

(ii) that a submission in relation to the additional material information may be made in writing to the planning authority within the period specified or to be specified in

DRAFT

the notice in accordance with paragraph (1)(a)(v), as appropriate, and

(iii) that no fee or further fee shall be payable on condition that any submission referred to in sub-paragraph (ii) is accompanied by a copy of the acknowledgement by the authority of the receipt of a submission referred to in Regulation 17.

(3) The planning authority shall acknowledge any submissions referred to in paragraph (1)(a)(v) and paragraph (2)(b)(ii) in the form set out at Form No. 7 of Schedule 1.

(4) Where a planning authority considers that the notices published in accordance with paragraph (1)(a) and (c) do not adequately inform the public, the authority may require the applicant to give such further notices in such a manner and in such terms as the authority may specify.

(5) Where a planning authority considers that the notices published in accordance with paragraph (1)(a) and (b) do not adequately inform the public, the authority may require the applicant to give such further notices in such a manner and in such terms as the authority may specify.

(6) Paragraphs (1)(b) and (c), (2) and (3) of Regulation 7 shall apply to a site notice erected or fixed under paragraph (1)(c).

(7) (a) A planning authority may, with the consent of any person or body referred to in paragraph (2), give notice under that paragraph, in electronic form.

(b) Where the planning authority so consents, a submission referred to in paragraph (1) or (2) may be made in electronic form.

(c) Where a submission is made in electronic form, with the consent of the planning authority, the submission will be considered by the planning authority if it is received before midnight on the last day of the period specified in the notice in accordance with paragraph (1)(a)(v).

(d) A person or body making a submission or in electronic form is deemed to consent to the receipt of an acknowledgement and all other communications in relation to the planning application in electronic form.

(8) Where a person or body to whom notice is sent pursuant to paragraph (2) does not make a submission in relation to additional material information within a period specified in the notice in accordance with paragraph (1)(a)(v), the authority may determine the application without further notice to that authority.

Prescribed notice for motion for a material contravention resolution

42. (1) Regulation 23 shall apply for the purposes of section 148(4) of the Act subject to -

DRAFT

(a) the modification that the references to an application for permission shall be construed as references to a material alteration request under section 143 of the Act,

(b) the modification that the references to an applicant shall be construed as references to a requester,

(c) the modification that the references to "This Chapter" shall be construed as references this Chapter 4, and

(d) all other necessary modifications.

Chapter 6 - Applications in Nearshore

Newspaper notice – Nearshore

43. Notwithstanding Regulation 6, where development in the nearshore area is solely with the maritime area and does not include any development on land, the newspaper notice referred to in Regulation 6 shall be read as a newspaper notice in a national newspaper as prescribed in the schedule of the Planning and Development (Prescribed Newspapers) Regulations 2025 (S.I. No. 264/2025).

Site notice – Nearshore

44. Notwithstanding Regulation 7, where development in the nearshore area is solely within the maritime area and does not include any development on land, there shall be no requirement for a site notice.

Prescribed bodies – Nearshore

45. Where a planning authority receives a planning application in the nearshore area, the authority shall in addition to the bodies prescribed in Regulation 16(1), include the following bodies as required:

(a) The Minister;

(b) the Minister for Climate, Energy and the Environment;

(c) the Minister for Transport;

(d) the Minister for Defence;

(e) the Minister for Agriculture, Food and the Marine;

(f) the Environmental Protection Agency;

(g) the Maritime Area Regulatory Authority;

(h) the Minister for Rural and Community Development and the Gaeltacht;

(i) Marine Institute;

(j) Inland Fisheries Ireland;

(k) Health and Safety Authority;

(l) Commission for Regulation of Utilities;

DRAFT

(m) Fáilte Ireland, where the development might obstruct or detract from any tourist amenity;

(n) An Taisce - the National Trust for Ireland;

(o) a local authority, where the area of the local authority might be affected by the development;

(p) a relevant regional assembly;

(q) National Transport Authority;

(r) Irish Aviation Authority, where the development might endanger or interfere with the safety of, or the safe and efficient operation of, aircraft;

(s) Sustainable Energy Authority of Ireland;

(t) Eirgrid;

(u) Commissioners of Irish Lights;

(v) Irish Coastguard;

(w) if any transboundary considerations apply, the Northern Ireland Department for Regional Development, the Loughs Agency and the Minister for Foreign Affairs and Trade;

(x) Transport Infrastructure Ireland;

(y) National Roads Authority.

Chapter 7 - Planning Authority Weekly lists and Reporting

Weekly lists

46. (1) Subject to Regulation 47, A planning authority shall, not later than the fifth working day following a particular week, make available, and display for inspection on its website, the following:

(a) a list of the requests under section 91 of the Act regarding Large-scale Residential Developments received by the authority during that week.

(b) a list of the opinions issued under section 92 of the Act regarding Large-scale Residential Developments issued by the authority during that week.

(c) a list of the planning applications received by the authority during that week, indicating:

(i) that the proposed development consists of Large-scale Residential Developments, where that is the case.

(ii) that the proposed development may have transboundary environmental effects, where that is the case.

(iii) that the proposed development relates to the provision of, or modifications to, an establishment to which the Major Accident Regulations applies, where that is the case.

DRAFT

(iv) that an environmental impact assessment report has been received by the planning authority with a planning application, where that is the case.

(v) that a Natura impact statement has been received by the planning authority with a planning application, where that is the case.

(d) a list of the planning applications declared invalid by the authority during that week.

(e) a list of the planning applications in respect of which decisions were given by the authority during that week.

(f) a list of any request made under section 140 of the Act to alter or extend a granted planning permission received by the authority during that week.

(g) a list of the planning applications withdrawn or declared withdrawn by the authority during that week.

(2) A list referred to in paragraph (1) shall include:

(a) the name of the applicant or requester, as appropriate,

(b) the planning authority reference number, where available,

(c) the location, townland or postal address of the land or structure to which the planning application relates (as may be appropriate),

(d) the nature and extent of the proposed development,

(e) the date as appropriate of the:

(i) receipt an application or request by the planning authority

(ii) making of a decision or provision of an opinion by the planning authority

(iii) notification of an appeal to the planning authority

(f) the nature of any decision or declaration made by the planning authority.

(3) A planning authority may include in any list referred to in paragraph (1) any other information that the authority considers appropriate.

(4) Any list referred to in paragraph (1) shall, for a period of not less than 8 weeks beginning on the day on which it is made available, be made available in or at the offices of the planning authority, and in each public library and mobile library in the functional area of the authority, in a position convenient for inspection during office hours and at any other place or by any other means, including in electronic form, that the authority considers appropriate.

(5) Copies of the list referred to in paragraph (1) shall, for a period of not less than 8 weeks beginning on the day on which it is made available, be made available at the offices of the planning authority during office hours, free of charge, or for such fee as the authority may fix not exceeding the reasonable cost of making a copy, and shall be sent, on request, to any person or body, free of

DRAFT

charge or for such fee, not exceeding the reasonable cost of making the copy and the cost of postage, as the authority may fix.

(6) Any list referred to in paragraph (1) shall be made available on the planning authority's internet website.

(7) Any list referred to in paragraph (1) shall be made available to the members of the planning authority in such manner as they may by resolution direct.

Additional information to be contained in planning authority weekly lists

47. (1) The nature and extent of the proposed development referred to in paragraph 46(2)(d) of the Regulations shall include:

(a) where the application relates to development consisting of or comprising the provision of houses, the number of houses to be provided,

(b) where the application relates to the retention of a structure, the nature of the proposed use of the structure and where appropriate, the period for which it is proposed to be retained,

(c) whether the application is for permission for development, permission for retention of development, outline permission for development or permission consequent on the grant of outline permission (stating the reference number on the register of the relevant outline permission),

(d) where development relates to a protected structure or a proposed protected structure, an indication of that fact,

(e) where the application relates to development which comprises or is for the purposes of an activity requiring an integrated pollution control licence, an industrial emissions licence, or a waste licence, a waste water discharge licence or an abstraction licence, an indication of that fact,

(f) where a planning application relates to development in a strategic development zone or urban development zone, an indication of that fact.

(g) where an application for proposed development relates to development in the nearshore area, an indication of that fact.

(2) A list referred to in paragraph 46(1)(c) of these Regulations shall:

(a) have a banner heading stating that, under section 95 of the Act, the applications for permission may be granted permission, subject to or without conditions, or refused; that it is the responsibility of any person wishing to use the personal data on planning applications and decisions lists for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1998 to 2018.

(b) where the planning authority has served a notice under Regulation 15(6), an indication of that fact.

DRAFT

(c) where further information or evidence or revised plans, drawings or particulars have been received by the planning authority pursuant to a requirement under regulations 20 and 21, an indication of that fact.

(d) Indicate any notices or determinations regarding sub-threshold EIA developments.

(3) A list referred to in paragraph 46(1)(e) shall:

(a) have a banner heading stating that in deciding a planning application the planning authority, in accordance with section 98 of the Act, the planning authority has had regard to submissions or observations received in accordance with section 86(3) of the Act and these Regulations.

(b) indicate any planning application in respect of the decision on which an appeal has been made and sent to a planning authority by the Commission in accordance with section 105 of the Act during that week.

(c) include a list of any decision in respect of an application under section 140 of the Act to alter or extend a granted planning permission made by the authority during that week.

(d) include any determinations regarding appropriate assessment which relate to the relevant planning decisions.

Chapter 8 - EU Directives

EU Directives

48. (1) 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.

Chapter 9 - Electronic Communication

Interpretation

49. In these Regulations, except where the context otherwise requires—

"Address" means a postal address and where available a valid email address.

Electronic form

50. (1) Where a planning authority or the Commission consents, any information required to be provided by any person under the Act or these Regulations may be provided it in electronic form.

(2) Where a planning authority or the Commission and any party has consented, all communication and notices between the planning authority or the Commission and that party shall be in electronic form.

DRAFT

(3) Where documents, maps plans, particulars, forms or other information are submitted to a planning authority or the Commission in electronic form, one copy shall be sufficient.

(4) All documents submitted electronically to a planning authority or the Commission shall be in a searchable form and be possible to reproduce a legible paper copy.

(5) Where necessary, a planning authority or the Commission may request a hard copy of any document received in electronic form.

Part 3 Revocations

Revocations

51. The following:

(a) Articles 16A, 17, 18, 19, 20, 20A, 21, 22, 22A, 23, 24, 25, 26, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, 42, 41, and

(b) Form No. 1, Form No. 2, Form No. 3, Form No. 4, Form No. 5, Form No. 18, Form No. 19, Form No. 20, Form No. 21 and Form No. 22 of Schedule 3

of the Planning and Development Regulations 2001, as amended, are hereby revoked.

DRAFT

Schedule 1 – Forms

Form No. 1 – LRD - pre-application consultation form

Form No. 2 – Site notice

Form No. 3 – Standard development application form

Form No. 4 – Additional form for LRD application

Form No. 5 – Submission form

Form No. 6 – Declaration form

Form No. 7 – Acknowledgement of Receipt of Submission on a Planning Application

Form No. 8 – Site Notice of Further Information/Revised Plans

Form No. 9 – Material Contravention of Development Plan

Form No. 10 – Meeting form where certain aspects of proposed development not confirmed

Form No. 11 – Opinion form where certain aspects of proposed development not confirmed

Form No. 12 – Additional form where certain aspects of proposed development not confirmed

DRAFT

Form No. 1 *Regulation 4*

Form of request to a planning authority to enter into consultations in relation to a proposed Large-scale Residential Development

BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING

Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information, will lead to the Planning Authority refusing to deal with your request. Therefore, ensure that each section of this request form is fully completed and signed, entering n/a (not applicable) where appropriate, and that all necessary documentation is attached to the request form.

HOLDING OF PRE-APPLICATION CONSULTATIONS WITH THE PLANNING AUTHORITY

Under section 167 of the Planning and Development Act 2024 neither the taking place of an LRD meeting nor the provision of an LRD opinion shall prejudice the performance by the planning authority of its functions under this Act or any regulations under this Act or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

DATA PROTECTION

It is the responsibility of persons or entities wishing to use any personal data on this form for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1988 to 2018. The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution.

DRAFT

Form No. 1 **Planning Authority Logo**

Request for formal pre-application consultation or LRD meeting with [**Insert Planning Authority Name**] regarding the proposed development of a **Large-scale Residential Development**

1) Prospective Applicant's Name:	

2) Request for Section 90 Consultation or LRD meeting			
☐	**Section 90 Consultation**	☐	**LRD Meeting**
Section 90 Consultation Reference:			
A request for an LRD meeting can only be requested once a Section 90 Consultation is complete			

3) Contact details of person authorised to operate on behalf of the Prospective Applicant (Applicant or Agent): (Not for public release)	
Name:	
Correspondence Address:	
Telephone:	
Email:	

4) Declaration:	
I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the Planning and Development Act 2024, and the Regulations made thereunder.	
5) Signature of person authorised to operate on behalf of the Prospective Applicant:	
Date:	

DRAFT

6) Formal Request:
In accordance with sections 90 and 91 of the Planning and Development Act 2024, as amended**,** and Regulation 4 of the **Planning and Development (Control of Development - Planning Authorities) Regulations 2026**, **[insert prospective applicant name]** formally requests to enter into a Section 90 consultation /LRD meeting with **[insert Planning Authority name]** regarding the development of a Large-scale Residential Development of **[insert number]** residential units at **[insert Proposed development address].**

7) Information to be included where relevant, with an LRD Meeting Request under section 91 of the Planning and Development Act 2024, as amended and Regulation 4 of the Planning and Development (Control of Development - Planning Authorities) Regulations 2026.			
Information	**Enclosed with Request**		
A site location map sufficient to identify the land on which the proposed development would be situated	Yes: [ ]	No: [ ]	
A brief description of the nature and purpose of the proposed development and of its possible effects on the environment	Yes: [ ]	No: [ ]	
A draft layout plan of the proposed development	Yes: [ ]	No: [ ]	
A brief description of any proposals to provide for water services infrastructure, including, in the case where it is proposed to connect the proposed development to a public water or wastewater network or both, evidence that Uisce Éireann has confirmed that it is feasible to provide the appropriate service or services and that the relevant network or networks have the capacity to service the proposed development	Yes: [ ]	No: [ ]	N/A: [ ]
Details of any consultations that have taken place with prescribed bodies or the public	Yes: [ ]	No: [ ]	N/A: [ ]
Such other information, drawings or representations as the prospective LRD applicant may wish to provide or make available	Yes: [ ]	No: [ ]	N/A: [ ]
A statement setting out how the proposed LRD has had regard to the relevant objectives of the development plan or Urban Area Plan/Priority Area Plan/Coordinated Area Plan in whose area or areas the proposed LRD would be situated	Yes: [ ]	No: [ ]	

DRAFT

A brief description of the proposed numbers and types of houses or numbers of student accommodation units and bedspaces, or both, as appropriate, and their design, including proposed gross floor spaces, internal floor areas and principal dimensions, housing density, plot ratio, site coverage, building heights, proposed layout and aspect	Yes: [ ]	No: [ ]	
A brief description of proposed public and private open space provision, landscaping, play facilities, pedestrian permeability, vehicular access and parking provision, where relevant	Yes: [ ]	No: [ ]	N/A: [ ]
A brief description of the proposed provision of ancillary services, where required, including childcare facilities	Yes: [ ]	No: [ ]	N/A: [ ]
Where relevant, any other proposed use in the development, the zoning of which facilitates such use, including the proposed gross floor space for each such use	Yes: [ ]	No: [ ]	N/A: [ ]
A brief description of any proposals to address or, where relevant, integrate the proposed development with surrounding land uses	Yes: [ ]	No: [ ]	N/A: [ ]
A description of the capacity of existing or planned infrastructure to serve the proposed development, of the impact of the proposed development on existing /planned infrastructure and of any proposals to provide for other services infrastructure (including cabling such as broadband provision) and any phasing proposal	Yes: [ ]	No: [ ]	N/A: [ ]
A brief description of proposals under Part 7 of the Planning and Development Act 2024, where relevant	Yes: [ ]	No: [ ]	N/A: [ ]
Details of protected structures, national monuments or other monuments included in the Record of Monuments and Places, where relevant	Yes: [ ]	No: [ ]	N/A: [ ]
Details of traffic and transport assessment where relevant and of traffic, cycle and pedestrian safety	Yes: [ ]	No: [ ]	N/A: [ ]
Details relating to residential amenity including the assessment of sunlight, daylight, shadow, overlooking and overbearance, where relevant; for	Yes: [ ]	No: [ ]	N/A: [ ]

DRAFT

existing properties and proposed residential units			
Flood risk, risk of major accident and ecological impacts	Yes: [ ]	No: [ ]	N/A: [ ]
Landowner consent	Yes: [ ]	No: [ ]	
The appropriate fee	Yes: [ ]	No: [ ]	

Planning Authority Official Use only:	
8) Planning Reference:	
Planning Authority Stamp:	

DRAFT

Form No. 2

NAME OF PLANNING AUTHORITY[1]

SITE NOTICE

I, ...[2], intend to apply for :

Please mark [x] where relevant [3]

Outline Permission	[ ]		
Permission	[ ]		
Retention Permission	[ ]		
Permission consequent to Outline Permission	[ ]	Ref. No.	
Alteration to an existing permission	[ ]	Ref. No.	

for development at this site:[4]

The development will consist/consists[5] of[6]

Please mark [x] where relevant [7]

Large-scale Residential Development (LRD)	[ ]	No. of Residential Units	
Environmental Impact Assessment (EIAR)	[ ]		
Appropriate Assessment (NIS)	[ ]		
Nearshore Development	[ ]		
Renewable Energy	[ ]		
Protected Structure	[ ]		

The planning application may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority during its public opening hours. Additionally, in accordance with Regulation 15 of the Planning and Development (Control of Development - Planning Authorities) Regulations 2026 the application will be made available online by the Planning Authority.

A submission or observation in relation to the application may be made in writing to the planning authority on payment of the prescribed fee, €20, and accompanied by the relevant declaration within the period of 5 weeks beginning on the date of receipt by the authority of the application, and such submissions or observations will be considered by the planning authority in making a decision on the application. The planning authority may grant permission subject to or without conditions, or may refuse to grant permission.

Signed:.....[8]

Date of erection of site notice.....[9]

DRAFT

Directions for completing this notice

1. The name of the planning authority to which the planning application will be made should be inserted here

2. The name of the applicant for permission (and not his or her agent) should be inserted here

3. Mark as appropriate. The types of permission which may be sought are—

   (a) permission,

   (b) retention permission,

   (c) outline permission,

   (d) permission consequent on the grant of outline permission. If this type of permission is being sought, the reference number on the planning register of the relevant outline permission should be included

(e) Alteration to an existing permission

4. The location, townland, or postal address and Eircode (if available) of the land or structure to which the application relates should be inserted here

5. Delete as appropriate. The present tense should be used where retention permission is being sought

6. A brief description of the nature and extent of the development should be inserted here. The description should include—

   (a) where the application relates to development consisting of or comprising the provision of houses, the number of houses to be provided. 'Houses' includes buildings designed as 2 or more dwellings or flats, apartments or other dwellings within a building,

   (b) where the application relates to the retention of a structure, the nature of the proposed use of the structure and, where appropriate, the period for which it is proposed to retain the structure,

   (c) where the application relates to development which would consist of or comprise the carrying out of works to a protected structure or proposed protected structure, an indication of that fact,

   (d) where an environmental impact assessment report or Natura impact statement has been prepared in respect of the planning application, an indication of that fact

   (e) where the application relates to development which comprises or is for the purposes of an activity requiring an integrated pollution control licence or a waste licence, an indication of that fact,

   (f) where a planning application relates to development consisting of the provision of, or modifications to an establishment within the meaning of the Planning and Development (Major Accident) Regulations 2026, an indication of that fact,

DRAFT

(g) where the application is accompanied by an opinion on unconfirmed details an indication of that fact.

7. Mark as appropriate if the proposed development

(a) Includes a Large-scale Residential Development (LRD)

(b) Requires an Environmental Impact Assessment (EIAR)

(c) Requires Appropriate Assessment (NIS)

(d) Is located within the Nearshore

(e) Includes Renewable Energy generation

(f) Affects a protected structure

8. Either the signature of the applicant or the signature and contact address of the person acting on behalf of the applicant should be inserted here

9. The date that the notice is erected or fixed at the site should be inserted here

DRAFT

Form No. 3

Planning Application Form

1.	Name of Relevant Planning Authority:	
2.	Location of Development: *Postal Address or Townland or Location (as may best identify the land or structure in question)* *Ordnance Survey Map Ref. No. (and the Grid Reference where available)*	

3. Type of planning permission (please tick appropriate box):

☐	Permission
☐	Permission for retention
☐	Outline Permission
☐	Permission consequent on Grant of Outline Permission
☐	Alteration of existing permission

4. Where planning permission is consequent on grant of outline permission:

Outline Permission Register Reference Number:	
Date of Grant of Outline Permission:	

5.	Applicant:	

6. Where applicant is a company (registered under the Companies Act):

Name(s) of company director(s)	
Registered Address (of company)	
Company Registration number	

7.	Person/agent acting on behalf of the applicant (if any):	
8.	Person responsible for preparation of drawings and plans: *Firm/Company*	

9. *Description of proposed development:*

DRAFT

Brief description of nature and extent of development	

10. Legal interest of applicant in the land or structure:

☐	Owner
☐	Occupier
☐	Other
If you are not the legal owner, please state the name of the owner and supply a letter from the owner of consent to make the application as listed in the accompanying documentation , or provide proof of eligibility to apply in accordance with section 85 of the Act.	

11. Area of site to which the application relates in hectares

12. Where the application relates to a building or buildings:

Gross floor space of any existing building(s) in m2	
Gross floor space of proposed works in m2	
Gross floor space of work to be retained in m2 (if appropriate)	
Gross floor space of any demolition in m2 (if appropriate)	

13. In the case of mixed development (e.g. Residential, commercial, industrial, etc), please provide breakdown of the different classes of development and breakdown of the gross floor area of each class of development:

Class of Development	*Gross floor area in m^2*

14. In the case of residential development please provide breakdown of residential mix:

Number of	Studio	1 Bed	2 Bed	3 Bed	4 Bed	4+ Bed	Total
Houses							
Apartments							
Number of car-parking spaces to be provided							

DRAFT

15. Where the application refers to a material change of use of any land or structure or the retention of such a material change of use:

Existing use (or previous use where retention permission is sought)	
Proposed use (or use it is proposed to retain)	
Nature and extent of any such proposed use (or use it is proposed to retain)	

16. Social and affordable housing:

Is the application an application for permission for development to which Part 7 of the Planning and Development Act 2024 applies?	*Y/N*

If the answer to the above question is "yes" but you have obtained a Certificate of Exemption under Part 7 of the Planning and Development Act 2024 please attach a copy of the Certificate.
(or, where an application for a certificate of exemption has been made but has not yet been decided, a copy of the Part 7 Acknowledgement letter should be submitted).

☐ Part 7 Exemption Certificate attached, or
☐ Part 7 Acknowledgement letter attached

If the answer to the above question is "yes" and the development is not exempt, you must provide, as part of your application, details as to how you propose to comply with sections 244 to 253 of Part 7 of the Act including, for example,

(i) details of such part or parts of the land which is subject to the application for permission or is or are specified by the Part 7 agreement, or houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be transferred to the planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be leased to the planning authority, or details of any combination of the foregoing.

If the answer to the above question is "no" by virtue of section 254(2) of the Planning and Development Act 2024, details indicating the basis on which section 254(2) is considered to apply to the development should be submitted.

17. Development Details:

	Yes/No

DRAFT

Does the proposed development consist of work to a protected structure and/or its curtilage or proposed protected structure and/or its curtilage?	
Does the proposed development consist of work to the exterior of a structure which is located within an architectural conservation area (ACA)?	
Does the application relate to development which affects or is close to a monument or place recorded under section 12 of the National Monuments (Amendment) Act 1994 or under Section 14 of the Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023?	
Does the proposed development require the preparation of an Environmental Impact Assessment Report?	
Does the application relate to work within or close to a European Site (under S.I. No. 94 of 1997) or a Natural Heritage Area?	
Does the application relate to a development which comprises or is for the purposes of an activity requiring a licence from the Environmental Protection Agency other than a waste licence?	
Does the application relate to a development which comprises or is for the purposes of an activity requiring a waste licence?	
Do the Major Accident Regulations apply to the proposed development?	
Does the application relate to a development in a Strategic Development Zone or Urban Development Zone?	
Does the proposed development involve the demolition of any structure?	
Does the proposed development relate to a development of Renewable Energy? *If yes, please submit details separately – section, type, Class, size*	

18. Site History:

Has the site in question ever, to your knowledge, been flooded or located in Flood Zone A or Flood Zone B?	Yes/No
If yes, please give details e.g. year, extent, proximity to watercourse / waterbody.	
Are you aware of previous uses of the site e.g. dumping or quarrying?	Yes/No
If yes, please give details e.g. year, extent.	

DRAFT

Are you aware of any valid planning applications previously made in respect of this land/structure?	*Yes/No*
If yes, please state planning reference number(s) and the date(s) of receipt of the planning application(s) by the planning authority if known: Reference No.: ..... Date of application:.....	
Is the site of the proposal subject to a current appeal to An Coimisiún Pleanála in respect of a similar development**?**	Yes/No
If yes, An Coimisiún Pleanála reference……..	

19. **Pre-application consultation:**

Has a pre-application consultation taken place in relation to the proposed development?	Yes/No
Reference No. (if any):	
Date(s) of latest consultation:	
Persons involved:	

20. **Services**

Proposed Source of Water Supply		Existing connection	☐	New connection	☐
Public Mains	☐	Group Water Scheme	☐	Private Well	☐
Other (Please specify)					
Name of Group Water Scheme (where applicable)					

Proposed Wastewater Management/Treatment	Existing	☐	New	☐
Public Sewer	☐	Conventional septic tank system		☐
Other on-site treatment system (Please specify)				

Proposed Surface Water Disposal		Existing connection	☐	New connection	☐
Public Sewer/Drain	☐	Soakpit	☐	Watercourse	☐
Other (Please specify)					

21. **Details of public notice:**

Approved newspaper in which notice was published	
Date of publication	
Date on which site notice was erected	

22. **Application Fee**

Fee payable	

DRAFT

Basis of Calculation	

23. **Declaration**

I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the Planning and Development Act 2024, as amended, and the Regulations made thereunder. Where an application is made in electronic form with the consent of the Planning Authority, valid login credentials will replace the need for a signature and satisfy the declaration.	
Signed *(Applicant or Agent as appropriate)*	
Date	

<u>CONTACT DETAILS — NOT TO BE PUBLISHED</u>

24. **APPLICANT ADDRESS/CONTACT DETAILS:**

Address	
Email Address	
Telephone number (optional)	

25. **AGENT'S (IF ANY) ADDRESS/CONTACT DETAILS:**

Address	
Email Address	
Telephone number (optional)	
Should all correspondence be sent to the agent's address (where applicable)? Please tick appropriate box. (Please note that if the answer is 'No', all correspondence will be sent to the applicant's address) Yes ☐ / No ☐ **<u>A contact address must be given, whether that of the applicant or that of the agent.</u>**	

DRAFT

This form should be accompanied by the following documentation:

Please note that if the appropriate documentation is not included, your application will be deemed invalid.

ALL Planning Applications

- The relevant page of newspaper that contains notice of your application
- A copy of the site notice
- location map
- or layout plan
- plans and other particulars required to describe the works to which the development relates (include detailed drawings of floor plans, elevations and sections — except in the case of outline permission)
- The appropriate Planning Fee

Where the applicant is not the legal owner of the land or structure in question:

- Proof of eligibility to apply for planning permission in accordance with section 85 of the Act

Where an application is for development types listed under Renewable Energy Directives:

- Details of the class of development by type, scale etc. in any form prescribed under the Planning and Development Act 2024 or any other Enactment.

Where the application is for residential development that is subject to Part 7 of the 2024 Act:

- Details of the manner in which it is proposed to comply with Part 7 of the Act including, for example.

(i) details of such part or parts of the land which is subject to the application for permission or is or are specified by the Part 7 agreement, or houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be transferred to the planning authority, or details of houses situated on such aforementioned land or elsewhere in the planning authority's functional area proposed to be leased to the planning authority, or details of any combination of the foregoing,

or

- A certificate of exemption from the requirements of Part 7 of the Act

or

- A copy of the Part 7 acknowledgment letter.

Where the application is for residential development that is not subject to Part 7 of the 2024 Act by virtue of section 245(2) of the Act:

- Information setting out the basis on which section 245(2) is considered to apply to the development.

Where the disposal of wastewater for the proposed development is other than to a public sewer:

- Information on the on-site treatment system proposed and evidence as to the suitability of the site for the system proposed.

Where the application refers to a protected structure/ proposed protected structure/ or the exterior of a structure which is located within an architectural conservation area (ACA):

- Photographs, plans and other particulars necessary to show how the development would affect the character of the structure.

Applications that refer to a material change of use or retention of such a material change of use:

- Plans (including a site or layout plan and drawings of floor plans, elevations and sections which comply with the requirements of Regulation 12) and other particulars required describing the works proposed.

Where an application requires an Environmental Impact Report:

DRAFT

- An Environmental Impact Assessment Report, and
- A copy of the confirmation notice received from the EIA portal

Applications that are exempt from planning fees:

- Proof of eligibility for exemption

DRAFT

Form No. 4 *Regulation 11*

Form to be included with an application for permission for a Large-scale Residential Development

BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING

Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information, will lead to the planning authority refusing to deal with your request. Therefore, ensure that each section of this request form is fully completed and signed, entering n/a (not applicable) where appropriate, and that all necessary documentation is attached to the request form.

DATA PROTECTION

It is the responsibility of persons or entities wishing to use any personal data on this form for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1988 to 2018. The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution.

DRAFT

Form No. 4 **Planning Authority Logo**

Large-scale Residential Development
Supplementary information to accompany an application for a

Prospective Applicant's Name:	

Contact details of person authorised to operate on behalf of the Prospective Applicant (Applicant or Agent): (Not for public release)	
Name:	
Correspondence Address:	
Telephone:	
Email:	

Declaration:
I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the Planning and Development Act 2024, as amended, and the Regulations made thereunder.
Signature of person authorised to operate on behalf of the Prospective Applicant:
Date:

Address of the proposed Large-scale Residential Development:

DRAFT

Zoning:	
Site zoning in current Development Plan or Urban Area Plan/Priority Area Plan/Coordinated Area Plan for the area:	
Existing use(s) of the site and proposed use(s) of the site:	

Supporting Documents:	**Enclosed**		
Site location map sufficient to identify the land, at appropriate scale.	Yes: [ ]	No: [ ]	
Layout plan of the proposed development, at appropriate scale.	Yes: [ ]	No: [ ]	
Statement of consistency with the Development Plan	Yes: [ ]	No: [ ]	
Where the planning authority notified the applicant of its opinion that the documents enclosed with the request for LRD meeting required further consideration and amendment in order to constitute a reasonable basis for an application for permission, a statement of response to the issues set out in the LRD Opinion.	Yes: [ ]	No: [ ]	N/A: [ ]
Where the planning authority notified the applicant that specified additional information should be submitted with any application for permission, a statement setting out that such information accompanies the application.	Yes: [ ]	No: [ ]	N/A: [ ]
Design:			
A design statement that addresses the site's location and context and the proposed design strategy.	Yes: [ ]	No: [ ]	
A schedule of accommodation that details the number and type of housing units proposed, the individual unit floor areas, bedrooms and bed spaces, private amenity space associated with each unit, the storage space associated with each unit, the principal dimensions and in the case of apartments the aggregate floor area of each room and whether the unit is dual or single aspect**.**	Yes: [ ]	No: [ ]	
Water Services:	**Enclosed**		
Where the proposed development has the potential to impact on a public water supply source, irrespective of whether or not a connection to a water/wastewater network is required, this application must be accompanied by evidence of engagement with Uisce Éireann and its outcome.	Yes: [ ]	No: [ ]	

DRAFT

A current/valid Confirmation of Feasibility Statement from Uisce Éireann in relation to the proposed development confirming that there is or will be sufficient water network treatment capacity to service the development.	Yes: [ ]	No: [ ]	
A Statement of Compliance with Uisce Éireann's Standard Details and Codes of Practice for water and/or wastewater infrastructure proposals (designs, layouts, etc.).	Yes: [ ]	No: [ ]	
An indication of timelines and phasing for water demand or wastewater collection requirements, or both, as appropriate.	Yes: [ ]	No: [ ]	
Where the proposed development will impact on assets of Uisce Éireann, details of proposals for protection or diversion of such assets.	Yes: [ ]	No: [ ]	
Traffic and Transport:	**Enclosed**		
Is a Traffic / Transportation Impact Assessment included with the application, having regard to the relevant Development Plan / Urban Area Plan/Priority Area Plan/Coordinated Area Plan requirements and the Traffic and Transport assessment Guidelines (TII)?	Yes: [ ]	No: [ ]	
Is a Travel Plan included with the application, having regard to the relevant Development Plan /Urban Area Plan/Priority Area Plan/Coordinated Area Plan requirements?	Yes: [ ]	No: [ ]	N/A: [ ]
Taking in Charge:	**Enclosed**		
Is it intended that any part of the proposed development will be taken in charge by the planning authority? If the answer is "Yes", please attach site plan clearly showing area(s) intended for taking in charge.	Yes: [ ]	No: [ ]	
Maps, Plans and Drawings:	**Enclosed**		
List in a schedule accompanying this application all maps, plans and drawings enclosed with the application, stating title, scale and number.	Yes: [ ]	No: [ ]	

Large-scale Residential Development Details:

Note: If the answer to any of the below statements is "Yes", please submit a brief statement in support of your application.

Please tick appropriate box:	**Yes**	**No**
(a) Are details of housing density, plot ratio, site coverage, building heights, proposed layout and aspect enclosed with the application?		

DRAFT

(b) Are details of public and private open space provision, landscaping, play facilities, pedestrian permeability, vehicular access and parking provision, where relevant, enclosed with the application?		
(c) Are details of any proposals to address or, where relevant, integrate the proposed development with surrounding land uses enclosed with the application?		
(d) Are details of any proposals to provide for services infrastructure other than water, such as cabling (including broadband provision) and any phasing proposals enclosed with the application?		
(e) Does the proposed development involve the demolition of a Protected Structure(s), in whole or in part? If "Yes", an explanation as to the need for the demolition of a Protected Structure(s) should be enclosed with this application.		
(f) Do any statutory notices (e.g. Fire Safety, Enforcement, Dangerous Buildings, Derelict Sites, Building Control, etc.) apply to the site and/or any building thereon? If "Yes", enclose details with this application.		
(g) Is information specified by the planning authority as necessary for inclusion in any application for permission for the proposed LRD, so included? If "Yes", give details of the specified information accompanying this application.		

Breakdown of Housing units:

Houses		
Unit Type	**No. of Units**	**Gross floor space in m²**
1-bed		
2-bed		
3-bed		
4-bed		
4+ bed		
Total		

Apartments		
Unit Type	**No. of Units**	**Gross floor space in m²**
Studio		
1-bed		
2-bed		
3-bed		
4-bed		
4+ bed		
Total		

DRAFT

Student Accommodation			
Unit Types	**No. of Units**	**No. of Bedspaces**	**Gross floor space in m²**
Studio			
1-bed			
2-bed			
3-bed			
4-bed			
4+ bed			
Total			

State total number of residential units in proposed development	

LRD Floor Space	**Gross Floor Space in m²**
(a) State the cumulative gross floor space of residential accommodation, in m²:	
(b) State the cumulative gross floor space of the development proposed which is disregarded on foot of the LRD floor space definition in section 82 of the Act and provide the details of the different classes of disregarded floor space below:	
(i) e.g. Parking	
(ii) e.g. Childcare	
(iii)	
(c) State the cumulative gross floor space of the non-residential development proposed in m² including any ancillary non-residential development (excluding disregarded floor space for the purposes of (b) above) and provide the details of the different classes below:	
Class of Development	**Gross Floor Space in m²**
(i)	
(ii)	
(iii)	
(d) State the total LRD Floor space as per the definition in section 82 of the Act ((a) plus (c))	
	Percentage
(e) Express (a) as a percentage of (d):	
(f) Express (c) as a percentage of (d):	
(e) plus (f)	**100%**

DRAFT

Form No. 5

Insert Logo and Letterhead

Form No. 5

Planning and Development Act 2024

Submissions and Observations

I hereby make the following submission or observation

Name:	
Address:	

In relation to Application:

Planning reference:	

This Submission or observation must be accompanied by a Declaration in the form prescribed under section 588(1) of the Planning and Development Act 2024. Any submission or observation cannot be accepted where not accompanied by a valid declaration. *Only individuals over 18 years of age may make submissions or observations and sign declarations. Where an individual is younger than 18 years of age a legal guardian must make the submission on their behalf.*

Submission or Observation
Box to be expanded as required

DRAFT

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 or An Coimisiún Pleanála as appropriate, 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 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 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. Declaration

Any submission or observation must be accompanied by a Declaration in the form prescribed under section 588(1) of the Planning and Development Act 2024. Any submission or observation cannot be accepted where not accompanied by a valid declaration. Only individuals over 18 years of age may make submissions or observations and sign declarations under section 588 of the Planning and Development Act 2024.

4. GDPR

DRAFT

- 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 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.

5. Fee

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

DRAFT

Form No. 6 *Section 588(1)*

Insert Logo and Letterhead

Planning and Development Act 2024
Declaration under Section 588(1)
Submissions and Observations

Any submission or observation cannot be accepted where not accompanied by this declaration.

I/We:	
Residing at:	
Email:	
Telephone:	

do solemnly and sincerely declare that the making of the submission or observation in relation to application:

Planning Reference:	

is not made for the purpose of
(a) delaying the carrying out of any development or proposed development, or
(b) securing the payment of any consideration to, or the doing of any other thing for the benefit of, any person.

Signed: _____ *Date:* _____

Only individuals over 18 years of age may make this declaration.

This form shall not be published to the public in any manner, a copy of this declaration shall be provided to Planning Authorities, An Coimisiún Pleanála or the Courts when required for the undertaking of their statutory functions under the Planning and Development Act 2024.

Warning: A person who fails to comply with section 588 of the Planning and Development Act 2024 or in purported compliance with section 588, makes a declaration that is false or misleading in any material respect, knowing it to be so false or misleading, shall be guilty of an offence and shall be liable, on summary conviction, to a class A fine or to imprisonment for a term not exceeding 12 months or to both.

DRAFT

Form No. 7
ACKNOWLEDGEMENT of RECEIPT of SUBMISSION or OBSERVATION on a PLANNING APPLICATION

THIS IS AN IMPORTANT DOCUMENT

Keep this document safely. You will be required to produce this acknowledgement to An Coimisiún Pleanála if you wish to appeal the decision of the planning authority. It is the only form of evidence which will be accepted by An Coimisiún Pleanála that a submission or observation has been made to the planning authority on the planning application.

PLANNING AUTHORITY NAME	
PLANNING APPLICATION REFERENCE No.	

A submission/observation in writing, has been received from:
in relation to the above planning application.

Date Received:	

The appropriate fee of _____ (insert amount) has been paid. (Fee not applicable to prescribed bodies or elected members)

The submission/observation is in accordance with the appropriate provisions of the Planning and Development Act 2024 and Regulations made under that Act and will be taken into account by the planning authority in its determination of the planning application.

Signed: _____

DRAFT

Form No. 8 *Regulation 22*

NAME OF PLANNING AUTHORITY[1]

SITE NOTICE OF FURTHER INFORMATION/REVISED PLANS

Name of applicant _____[2]

Reference number of the application _____[3]

The development applied for consisted of

_____

_____

_____[4]

Additional Material Further Information/Revised Plans[5] has/have[5] been furnished to the planning authority in respect of this proposed development, and is/are5 available for inspection or purchase at the offices of the authority during its public opening hours.

A submission or observation in relation to the further information or revised plans may be made in writing to the planning authority within the statutory time limit. A submission or observation must be accompanied by the prescribed fee, except in the case of a person or body who has already made a submission or observation.

Signed:

_____[6]

Date of erection of site notice: _____[7]

DRAFT

Directions for completing this notice.

1. The name of the planning authority to which the planning application was made should be inserted here.
2. The name of the applicant for permission (and not his or her agent) should be inserted here.
3. Reference number of the planning application on the register of the planning authority.
4. This description should be identical to that used on the site notice (Form No. 2).
5. Delete as appropriate.
6. Either the signature of the applicant or the signature and contact address of the person acting on behalf of the applicant should be inserted here.
7. The date that the notice is erected or fixed at the site should be inserted here.

DRAFT

Form No. 9 *Regulation 23*

Notice of proposed material contravention of development plan.

PLANNING AND DEVELOPMENT ACT 2024

MATERIAL CONTRAVENTION OF DEVELOPMENT PLAN FOR

_____[1]

Ref. No. in register _____

Notice is hereby given in accordance with section 99 of the Planning and Development Act 2024 that

_____[2] intends to consider deciding to grant a permission/retention permission / outline permission/ permission consequent on the grant of outline permission (Ref. No. of outline permission)[3] for

_____

at

_____

The development would contravene materially the following objective of the development plan:

_____

_____

_____

Particulars of the development may be inspected or purchased at the offices of the planning authority during its public opening hours. Any submission or observation as regards the making of a decision to grant permission received not later than 4 weeks after _____[7] will be duly considered by the planning authority.

Signed:_____

Date:_____

DRAFT

Directions for completing this form

1. Insert title of development plan.
2. Insert name of planning authority.
3. Omit words which do not apply.
4. Indicate nature and extent of development.
5. Indicate location, townland or postal address of the land or structure concerned (as may best identify the land or structure in question).
6. State which objective of the development plan would be materially contravened by granting the permission.
7. Insert date of first publication of notice.
8. Insert description of the person signing form, e.g. Clerical Officer

DRAFT

Form No. 10 *Regulation 27*

Flexibility Meeting Request Form

BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING

Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information, will lead to the planning authority or An Coimisiún Pleanála refusing to deal with your request. Therefore, ensure that each section of this request form is fully completed and signed, entering n/a (not applicable) where appropriate, and that all necessary documentation is attached to the request form.

HOLDING OF PRE-APPLICATION MEETING WITH THE PLANNING AUTHORITY OR AN COIMISIÚN PLEANÁLA

Under section 167(1)(e) and (f) of the Planning and Development Act 2024, neither the taking place of a meeting under section 93 or 118 nor the provision of an opinion under section 94 or 119 shall prejudice the performance by the planning authority or the Commission of its functions under this Act or any regulations under this Act or any other enactment and cannot be relied upon in the formal planning process or in legal proceedings.

DATA PROTECTION

It is the responsibility of persons or entities wishing to use any personal data on this form for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1988 to 2018. The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution.

DRAFT

Form No. 10	**Planning Authority Logo**

Flexibility Meeting Request to [**Insert Planning Authority or An Coimisiún Pleanála Name]** regarding

Flexibility with regard to Proposed Application for Permission or Approval

1) Prospective Applicant's Name:	

2) Request for meeting	
☐	**Section 93(1) Request- section 95 application (Standard Development)**
☐	**Section 118(1) Request- section 120 application (Chapter 4 Development**

3) Contact details of person authorised to operate on behalf of the Prospective Applicant (Applicant or Agent): (Not for public release)	
Name:	
Correspondence Address:	
Telephone:	
Email:	

4) Proposed Development	
Address of the proposed development:	
Description of the proposed development:	

5) Declaration:	
I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the Planning and Development Act 2024, and the Regulations made thereunder.	
6) Signature of person authorised to operate on behalf of the Prospective Applicant:	
Date:	

7) Formal Request:
In accordance with section [93, 118] [delete as appropriate] of the Planning and Development Act 2024 , and Regulation 27 of the Planning and Development (Control of Development - Planning Authorities) Regulations 2026, **[insert prospective applicant name]** formally requests to enter into a meeting with **[insert Planning Authority or An Coimisiún Pleanála name]** regarding **[insert description of development]** at **[insert proposed development address].**

DRAFT

8) Information to be included where relevant, with a Meeting Request under section 93 or 118 of the Planning and Development Act 2024 , and Regulation 27 of the Planning and Development (Control of Development - Planning Authorities) Regulations 2026.			
Information	**Enclosed with Request**		
(a) A site location map sufficient to identify the land on which the proposed development would be situated.	Yes: [ ]	No: [ ]	
(b) A brief description of the nature and purpose of the proposed development and of its possible effects on the environment.	Yes: [ ]	No: [ ]	
(c) A draft layout plan of the proposed development.	Yes: [ ]	No: [ ]	
(d) A description of the aspects, or aspects falling within a specified category, of the proposed development that, owing to the circumstances set out in paragraph (e) below, are not likely to be confirmed by the time the application is made.	Yes: [ ]	No: [ ]	
(e) A description of the circumstances relating to the proposed development, that would justify the making of the application before the confirmation of those aspects, before the prospective applicant has confirmed the details referred to in paragraph (d) above.	Yes: [ ]	No: [ ]	
(f) An undertaking to provide with the proposed application, either - i. a description of not less than 2 approaches, in relation to each aspect or category referred to in paragraph (d) above, containing information on the basis of which the proposed application may be made and decided, or ii. a statement of the range within which each such aspect or category referred to in paragraph (d) above falls and on the basis of which the proposed application may be made and decided, or iii. a combination of i and ii.	Yes: [ ]	No: [ ]	
(g) Such other information, drawings or representations as the prospective applicant may wish to provide or make available.	Yes: [ ]	No: [ ]	N/A: [ ]
(h) The appropriate fee.	Yes: [ ]	No: [ ]	

9) Official Use only:

DRAFT

Planning Reference:	
Planning Authority/ An Coimisiún Pleanála Stamp:	

DRAFT

Form No. 11 *Regulation 27*

Opinion Form Where Certain Aspects Of Proposed Development Not Confirmed

THIS IS AN IMPORTANT DOCUMENT

KEEP THIS DOCUMENT SAFELY. YOU WILL BE REQUIRED TO SUBMIT THIS OPINION TO THE PLANNING AUTHORITY OR AN COIMISIÚN PLEANÁLA IF YOU WISH TO MAKE AN APPLICATION ON THE BASIS OF OPTIONS, PARAMETERS OR BOTH.

DRAFT

Form No. 11	Planning Authority Logo

Opinion on unconfirmed details

1) Planning Authority or An Coimisiún Pleanála Name:	

2) Request for meeting	
Request under section 93 or 118 of the Act:	
Request Reference Number:	
Name of the requester/ prospective applicant:	
Location, townland or postal address of the land or structure to which the application relates (as may be appropriate):	
Nature and extent of the proposed development:	
Date of receipt of the request:	
Opinion Reference Number:	
Date of Opinion:	

3) Was the following Information included where relevant with the Flexibility Meeting Request under section 93 or 118 of the Planning and Development Act 2024, as amended.			
Information	**Enclosed with Request**		
(a) A site location map sufficient to identify the land on which the proposed development would be situated.	Yes: [ ]	No: [ ]	
(b) A brief description of the nature and purpose of the proposed development and of its possible effects on the environment.	Yes: [ ]	No: [ ]	
(c) A draft layout plan of the proposed development.	Yes: [ ]	No: [ ]	
(d) A description of the details, or groups of details, of the proposed development that, owing to the circumstances set out in paragraph (e) below, are unlikely to be confirmed at the time of the proposed application.	Yes: [ ]	No: [ ]	
(e) A description of the circumstances relating to the proposed development that indicate that it is appropriate that the proposed application be made and decided, before the prospective	Yes: [ ]	No: [ ]	

DRAFT

applicant has confirmed the details referred to in paragraph (d) above.			
(f) An undertaking to provide with the proposed application, either - i. two or more options, in respect of each detail or group of details referred to in paragraph (d) above containing information on the basis of which the proposed application may be made and decided, ii. parameters within which each detail referred to in paragraph (d) above will fall and on the basis of which the proposed application may be made and decided, or iii. a combination of i and ii.	Yes: [ ]	No: [ ]	
(g) Such other information, drawings or representations as the prospective applicant may wish to provide or make available.	Yes: [ ]	No: [ ]	N/A: [ ]
(h) The appropriate fee.	Yes: [ ]	No: [ ]	

4) Opinion of the Planning Authority or An Coimisiún Pleanála under section 94 or 119 of the Planning and Development Act 2024, as amended.	
Information	**Details/ Circumstances**
a) The aspects of the proposed development that may be confirmed after the making of the application.	
b) The circumstances relating to the proposed development that justify the making of the application before the prospective applicant has confirmed the aspects referred to in paragraph (a) above.	

For each aspect, referred to in paragraph 4(a) above, the proposed application shall, in addition to any other requirement imposed by or under the Planning and Development Act 2024, as amended, be accompanied by the information referred to in the undertaking submitted with the flexibility meeting request under section 93 or 118 of the Planning and Development Act 2024, as amended.

Planning Authority/ An Coimisiún Pleanála Official Name:
Date:
Planning Authority/ An Coimisiún Pleanála Stamp:

DRAFT

Form No. 12 *Regulation 28*

Form to be included with an application for permission or approval accompanied by an opinion on unconfirmed details

BEFORE FILLING OUT THIS FORM PLEASE NOTE THE FOLLOWING

Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information, will lead to the invalidation of your application. Therefore, please ensure that each section of this form is fully completed and signed, entering n/a (not applicable) where appropriate, and that all necessary documentation is attached to the application form.

DATA PROTECTION

It is the responsibility of persons or entities wishing to use any personal data on a planning application form for direct marketing purposes to be satisfied that they may do so legitimately under the requirements of the Data Protection Acts 1988 to 2018. The Office of the Data Protection Commissioner states that the sending of marketing material to individuals without consent may result in action by the Data Protection Commissioner against the sender including prosecution.

DRAFT

Form No. 12	Planning Authority Logo

Supplementary information to accompany an application for permission or approval accompanied by an opinion on unconfirmed details

1) Prospective Applicant Name:	

2) Contact details of person authorised to operate on behalf of the Prospective Applicant (Applicant or Agent): (Not for public release)	
Name:	
Correspondence Address:	
Telephone:	
Email:	

3) Proposed Development	
Address of the proposed development:	
Description of the proposed development:	

4) Declaration:
I hereby declare that, to the best of my knowledge and belief, the information given in this form is correct and accurate and fully compliant with the Planning and Development Act 2024 and the Regulations made thereunder.
5) Signature of person authorised to operate on behalf of the Prospective Applicant:
Date:

6) Information on Flexibility Meeting Request and Opinion on Unconfirmed Details	
Meeting requested under section 93 or 118 of the Act:	
Meeting Reference Number:	
Date of Meeting Request:	
Date of Meeting:	
Opinion Reference Number:	
Date of Opinion:	

7) Document to be submitted	
Document	Enclosed with Request

DRAFT

A copy of the opinion issued under section 94 or 119 of the Planning and Development Act 2024	Yes: [ ]	No: [ ]	

8) Statement of unconfirmed details		
a) Outline all of the details, or groups of details, of the proposed development that are unconfirmed in the application:		
b) For each detail, or groups of details, referenced in paragraph (a) above confirm whether the application for permission or approval in respect of the unconfirmed details is being made on the basis of options, parameters, or both, and provide a description of the details of the options, parameters or both.		
Detail	**Options or Parameters**	**Details of options or parameters**

9) Official Use only:	
Planning Reference:	
Planning Authority Stamp:	

DRAFT

GIVEN under my Official Seal,

_____ 2026.

_____,
Minister for Housing, Local
Government and Heritage.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Teil: 046 942 3100
r-phost: publications@opw.ie
_____

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie
_____

€ 16.00

(PLRU-51) 30. 9/26. Propylon.

DRAFT