STATUTORY INSTRUMENTS.

S.I. No. of 2026

PLANNING AND DEVELOPMENT (STATE AUTHORITY DEVELOPMENT) REGULATIONS 2026

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I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 4(1), 154(1), 158(1) and (2), and 183(2) 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 (State Authority Development) Regulations 2026.

Interpretation

2. In these Regulations—

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

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

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

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

Part 2

State authority developments

Development which relates to establishment to which Regulations of 2015 apply

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

State authority development not requiring environmental impact assessment or appropriate assessment

4. These Regulations shall not apply to State authority development where a State authority, or the Commission on appeal, has made a determination under—

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(a) section 213 of the Principal Act that an appropriate assessment is required, or

(b) section 230 of the Principal Act that an environmental impact assessment is required.

Specified development for purposes of section 154 of Principal Act

5. (1) In accordance with section 154 of the Principal Act, the provisions of the Principal Act shall not apply to the following classes of development:

(a) development consisting of the provision of—

(i) Garda stations or other buildings, or other premises or installations, or other structures or facilities, used for the purposes of or in connection with the operations of An Garda Síochána,

(ii) prisons or other places of detention,

(iii) courthouses or other buildings, or other premises or installations, or other structures or facilities, whether provided on a permanent or temporary basis, used for the purposes of or in connection with the transaction of any business relating to courts, tribunals, inquiries or inquests established by statute,

(vi) barracks or other buildings, or other premises or installations (including airfields and naval yards), or other structures or facilities, used for the purposes of or in connection with the operations of the Defence Forces, or

(v) office buildings or other premises used for the purposes of or in connection with the business of Uachtarán na h-Éireann, Dáil Éireann, Seanad Éireann, the Department of the Taoiseach, the Office of the Tánaiste, the Department of Defence, the Department of Foreign Affairs and Trade, the Department of Justice, Home Affairs and Migration, the Courts Service, the Office of the Attorney General, the Chief State Solicitor's Office and the Office of the Director of Public Prosecutions;

(b) development consisting of the provision of—

(i) an extension to any building referred to in subparagraph (a), where such extension will be situated, in whole or in part, outside the curtilage of that existing building or, where the building is situated within a premises or other installation referred to in that subparagraph, outside the curtilage of the premises or other installation, or

(ii) an extension of a premises or other installation, other than a building referred to in subparagraph (a), which will extend the premises or other installation beyond the curtilage of the existing premises or other installation;

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(c) subject to subparagraph (e), where any building, premises or other installation referred to in subparagraph (a) is a protected structure or a proposed protected structure, any works which would materially affect the character of the protected structure or proposed protected structure;

(d) development consisting of the carrying out of any works within, or bounding, the curtilage of a building, premises or other installation referred to in subparagraph (a), insofar as the works are incidental to the use of such building, premises or installation;

(e) development consisting of—

(i) the carrying out of any works, for reasons of national security, within, or bounding, the curtilage of any building, premises or other installation occupied by, or under the control of, a State authority, other than a building, premises or other installation referred to in subparagraph (a),

(ii) the carrying out, by or on behalf of a State authority, for reasons of national security, of any works within, or bounding, the curtilage of the residence of a holder, or former holder, of a public office, or any other public servant or former public servant, or

(iii) the carrying out, by or on behalf of a State authority in connection with the administration of justice, of any works within, or bounding, the curtilage of the residence of a person in receipt of protection from An Garda Síochána.

(2) For the purposes of this Regulation, a building, premises, installation, structure or facility may be provided by the carrying out of works or by the making of a material change in the use of a building, premises, installation, structure or facility.

Part 3

Proposed developments

Public notice of proposed development

6. (1) These Regulations shall apply to the classes of development specified in Regulation 5(1)(a), (b) or (c) (other than development consisting of the construction or erection of such temporary structures for the purposes of or in connection with the operations of the Defence Forces or An Garda Síochána as are urgently required for reasons of national security) and the development to which this Regulation applies (in this Part, referred to as a proposed development).

(2) A State authority shall, in accordance with this Regulation—

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

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(b) erect or fix a site notice or site notices of proposed development on the land or structure where the proposed development would be situated.

(3) A notice published pursuant to paragraph (2)(a) shall contain as a heading the name of the State authority by which the development is proposed to be carried out and shall state (or otherwise identify or refer to)—

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

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

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

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

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

an indication of that fact,

(d) the determination of the State authority concerned following screening for environmental impact assessment as required under sections 225 and 230(7) of the Principal Act,

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

(f) that drawings and particulars of the proposed development will be available for inspection, at the head offices of the State authority and at a specified location in the area in which the development would be situated, at specified times during a period of six weeks beginning on the date of publication of the notice, and

(g) that submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the development would be situated, may be made in writing to the State authority within a period of six weeks beginning on the date of publication of the notice.

(4) (a) A site notice erected or fixed pursuant to paragraph (2)(b) shall contain as a heading the name of the State authority by which the development is proposed to be carried out and shall state—

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

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

(iii) the locations and the times at which, and the period during which, drawings and particulars of the proposed development will be available for inspection,

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

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

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

an indication of that fact, and

(v) the period during which submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the development would be situated, may be made in writing to the State authority.

(b) A site notice erected or fixed pursuant to paragraph (2)(b)—

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

(ii) subject to paragraph (c), shall be 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 or structure 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.

(c) Where the land or structure concerned 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.

(d) A site notice shall be erected or fixed on the land or structure concerned not later than the day of publication of notice of the proposed development in a newspaper pursuant to paragraph (2)(a), shall be maintained in position for a period of at least four weeks after publication of the said notice and shall be renewed or replaced if it is removed or becomes defaced or illegible within that period.

(5) Notice under this Regulation or under Regulation 7 shall be given once only in respect of proposed development referred to in Regulation 5(1)(a)(iii) which is used on a temporary basis.

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Notice of proposed development to certain bodies

7. (1) A State authority shall send notice of a proposed development to any planning authority for the area in which the proposed development would be situated.

(2) The notice of the proposed development referred to in paragraph (1) shall include—

(a) (i) a copy of the drawings and particulars of the proposed development made available for inspection in accordance with Regulation 6, and

(ii) the State authority's conclusion regarding environmental impact assessment under sections 225 and 230 of the Principal Act.

(b) the description if any regarding screening for appropriate assessment, provided under section 213(2) of the Principal Act,

(c) where the proposed development would materially affect a protected structure or is within an architectural conservation area, indicate this fact, and

(d) state that submissions or observations with respect to the proposed development, dealing with the proper planning and sustainable development of the area in which the development would be situated, may be made in writing to the State authority concerned within a period of six weeks beginning on the date on which the most recent notice under paragraph (1) is sent.

Availability for inspection of plans and particulars

8. A State authority shall make available for inspection at the locations and times specified in, and during the period of six weeks beginning on the date of publication of, the notice of proposed development published in accordance with Regulation 6(2)(a)—

(a) a document describing, in outline, the nature and extent of the proposed development,

(b) a location map, drawn to a scale of not less than 1:1000 in built up areas and 1:2500 in all other areas (which shall be identified thereon) and marked or coloured so as to identify clearly the land on which it is proposed to carry out the development,

(c) in the case of proposed development referred to in Regulation 5(1)(a) or (b), drawings or particulars describing, in outline, the external appearance of the building, or other premises or installation, or other structure or facility, to be provided or extended (as the case may be), and

(d) in the case of proposed development referred to in Regulation 5(1)(c), such drawings or particulars as are necessary to show how the development would affect the character of the structure.

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PART 4

Transitional and revocation

Transitional

9. Where notice of State authority development was published in accordance with article 87 of the Regulations of 2001 prior to the date of the coming into operation of these Regulations, the development shall continue to follow the procedures as set out in section 181 of the Act of 2000 and any Regulations made under that section.

Revocation

10. Part 9 of the Regulations of 2001 is revoked**.**

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GIVEN under my Official Seal,

____ _____ 2026.

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Minister for Housing, Local Government and Heritage.

EXPLANATORY NOTE

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

The purpose of these Regulations is to set out the type of development for which State Authorities must undertake the process specified under Chapter 6 of Part 4 of the Planning and Development Act 2024 and associated administrative procedures.

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