STATUTORY INSTRUMENTS.

S.I. No. of 2026

PLANNING AND DEVELOPMENT (ARCHITECTURAL HERITAGE) REGULATIONS 2026

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PLANNING AND DEVELOPMENT (ARCHITECTURAL HERITAGE) REGULATIONS 2026

I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 4, 306(2), 309(2)(b), 310(13), 331(3), 333(11) and (12), 336(1) and (9), 337(2) and (10)(c), and 338(13), of the Planning and Development Act 2024 (No. 34 of 2024), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Planning and Development (Architectural Heritage) Regulations 2026.

Definitions

2. In these Regulations—

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

"Act of 2023" means the Historic and Archaeological Heritage and Miscellaneous Provisions Act of 2023 (No. 26 of 2023);

"declaration" shall be construed, as the case may be, in accordance with section 310, 333 or 338 of the Principal Act;

"Eircode" means a postcode allocated under the national postcode system, within the meaning given to it in section 66 of the Communications Regulation (Postal Services) Act 2011 (No. 21 of 2011);

"ITM coordinates" means a grid reference in terms of the Irish Transverse Mercator;

"National Monuments Acts" means the National Monuments Acts 1930 to 2014;

"NIAH" means the National Inventory of Architectural Heritage maintained under section 158(2)(b) of the Act of 2023;

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

"register" shall be construed in accordance with section 382 of the Principal Act;

"RPS" means a record of protected structures, within the meaning of section 51 of the Act of 2000 or prepared and maintained under section 306 of the Principal Act.

Record of protected structures

3. (1) A record of protected structures, within the meaning of section 306(1) of the Principal Act, shall contain the following:

(a) in respect of each protected structure, the following:

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(i) a unique RPS identification number of the protected structure concerned;

(ii) an address, including, where applicable, its road, street or townland;

(iii) where assigned, an Eircode;

(iv) its ITM coordinates;

(b) one, or more, maps showing the location of each protected structure to a scale that enables clear identification of such structures;

(c) any other information that the planning authority concerned considers necessary.

(2) A map referred to in paragraph (1)(b) may, in addition to the information referred to in that paragraph, contain other information.

Prescribed bodies under section 309(2) of Principal Act

4. The following bodies are hereby prescribed for the purposes of section 309(2)(b) of the Principal Act:

(a) The Heritage Council;

(b) An Taisce – the National Trust for Ireland;

(c) An Chomhairle Ealaíon;

(d) Fáilte Ireland.

Form of declaration, form of request for declaration and manner in which declaration may be requested under section 310 of Principal Act

5. (1) The form of a declaration, within the meaning of section 310 of the Principal Act, shall include the following:

(a) the requester's name and contact details;

(b) the RPS identification number of the protected structure concerned, or the proposed protected structure name or reference number;

(c) the designation of the structure under—

(i) section 306 of the Principal Act, and

(ii) where the structure is so designated, section 331 of the Principal Act;

(d) the identification of paragraph (a) or (b), as the case may be, of subsection (1) of section 310 of the Principal Act under which the declaration has been requested and made;

(e) the dates of the following:

(i) the request in respect of the declaration concerned,

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(ii) a request for, and receipt of, further information,

(iii) the inspection by the planning authority concerned, and

(iv) the issue of the declaration;

(f) the register reference of any previous declaration made under section 10, 310, 333 or 338 of the Principal Act, or an equivalent section of the Act of 2000, and the date of any such entry;

(g) the NIAH registration number if applicable;

(h) whether the structure or the land in question is, or contains, either of the following:

(i) place, area or monument, which is subject to protection under the National Monuments Acts;

(ii) a monument subject to general protection or special protection under the Act of 2023,

insofar as the existence of such protection is known to the planning authority concerned;

(i) visual information, which shall include—

(i) a map, and

(ii) photographs or other visual material that—

(I) identity features in attendant grounds or the extent of the curtilage of the structure, as applicable, and

(II) illustrate the character of the areas which are subject to the request made under section 310(1)(a) of the Principal Act;

(j) a written description of the structure and a statement on the proposed works, which shall include the following:

(i) a brief description of the structure;

(ii) a description of works requested under section 310(1)(a) of the Principal Act and an opinion of the planning authority concerned on whether those works would materially affect the character of the structure or of any element of that structure;

(iii) a description of the features within the attendant grounds that are to be protected, where requested under section 310(1)(b)(i) of the Principal Act;

(iv) a description of the extent of the curtilage, where requested under section 310(1)(b)(ii) of the Principal Act;

(v) a description of works applicable to section 310(6) of the Principal Act and an opinion of the planning authority concerned on—

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(I) whether the works would materially affect the character of the exterior of the structure, or divide the structure into more than one dwelling, and

(II) whether the works would be necessary, proportionate and appropriate to enabling a residential use while protecting the structure;

(k) any additional remarks or other documentation that the planning authority considers necessary to explain its declaration.

(2) The form and content of a request for a declaration, within the meaning of section 310 of the Principal Act, shall include the following:

(a) the requester's name and contact details;

(b) the RPS identification number of the protected structure concerned, or the proposed protected structure name or reference number;

(c) the provision under section 310(1) of the Principal Act under which the declaration is requested;

(d) the completed form, submitted in writing, specifying the information set out in subparagraphs (a), (b) and (c);

(e) all such information and documentation as is necessary to enable the planning authority concerned to perform its functions in relation to the request made.

Architectural conservation area

6. The particulars of an architectural conservation area recorded in the development plan, for the purposes of section 331(3) of the Principal Act, shall contain the following:

(a) a unique architectural conservation area identification number;

(b) a title by which the architectural conservation area will be known;

(c) a digital shapefile to confirm the spatial coordinates of the points of the polygon which describes the area;

(d) one, or more, maps showing the boundaries of the architectural conservation area to a scale that enables clear identification of the area, which shall identify the following:

(i) the location of any protected structures within the architectural conservation area;

(ii) the location of any site or structure subject to an NIAH designation within the area if available;

(e) a written description of the character and special interest or value of the architectural conservation area.

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Form of declaration, form of request for declaration and manner in which declaration may be requested under section 333 of Principal Act

7. (1) The form of a declaration, within the meaning of section 333 of the Principal Act, shall include the following:

(a) the requester's name and contact details;

(b) the title of the architectural conservation area concerned;

(c) the location particulars of the land concerned, which shall include the following:

(i) its address, including the road, street or townland;

(ii) its Eircode where assigned;

(iii) the RPS identification numbers of protected structures on, or in the vicinity of, the land concerned, if applicable;

(d) the dates of the following:

(i) the request in respect of the declaration concerned;

(ii) a request for, and receipt of, further information;

(iii) the inspection by the planning authority concerned;

(iv) the issue of the declaration;

(e) the register reference of any previous declaration made under section 10, 310, 333 or 338 of the Principal Act, or an equivalent section of the Act of 2000, and the date of any such entry;

(f) the NIAH registration number, if applicable;

(g) whether the structure or the land in question is, or contains, either of the following:

(i) a place, area or monument which is subject to protection under the National Monuments Acts;

(ii) a monument subject to general protection or special protection under the Act of 2023,

insofar as the existence of such protection is known to the planning authority concerned;

(h) a written and visual description of the land and a statement on the proposed works, which shall include the following:

(i) a brief description of the land noting any reference to the character of the architectural conservation area in the development plan;

(ii) visual information, which shall include—

(I) a map, and

(II) photographs or other visual material;

that identify the location of the land, in relation to the character and special interest or value of the architectural

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conservation area, noting the location of protected structures on, or in the vicinity of, the land concerned;

(i) a description of works requested under section 333(1) of the Principal Act and an opinion of the planning authority concerned on whether the works would materially affect the character and special interest or value of the architectural conservation area;

(j) any additional remarks or other documentation that the planning authority concerned considers necessary to explain its declaration.

(2) The form and content of a request for a declaration, within the meaning of section 333 of the Principal Act, shall include the following:

(a) the requester's name and contact details;

(b) the title of the architectural conservation area concerned;

(c) the RPS identification number of protected structures on, or in the vicinity of, the land concerned;

(d) the location particulars of the land concerned, which shall include the following:

(i) its address, including the road, street or townland;

(ii) its Eircode, where assigned;

(e) the specified works for which the declaration is requested;

(f) the completed form, submitted in writing, containing the information set out in subparagraphs (a) to (e), and

(g) all such information and documentation as is necessary to enable the planning authority concerned to perform its functions in relation to the request made.

Prescribed bodies under section 336 of Principal Act

8. The following bodies are hereby prescribed for the purposes of section 336(1)(a), (1)(b) and (9)(c) of the Principal Act:

(a) The Heritage Council;

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

(c) An Chomhairle Ealaíon;

(d) Fáilte Ireland;

(e) where constituted, the chamber of commerce whose functional area includes the area of special planning control concerned.

Prescribed bodies under section 337 of Principal Act

9. The following bodies are hereby prescribed for the purposes of section 337(2)(a), (2)(b) and (10)(c) of the Principal Act:

(a) The Heritage Council;

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

(c) An Chomhairle Ealaíon;

(d) Fáilte Ireland;

(e) where constituted, the chamber of commerce whose functional area includes the area of special planning control concerned.

Form of declaration, form of request for declaration and manner in which declaration may be requested under section 338 of Principal Act

10. (1) The form of a declaration, within the meaning of section 338 of the Principal Act, shall include the following:

(a) the requester's name and contact details;

(b) the title of the area of special planning control concerned;

(c) the location particulars of the land concerned, which shall include the following:

(i) its address, including the road, street or townland;

(ii) its Eircode where assigned;

(iii) the RPS identification numbers of protected structures on, or in the vicinity of, the land concerned, if applicable;

(d) identification of the paragraph of subsection (1) of section 338 of the Principal Act under which the declaration has been requested and made;

(e) the dates of the following:

(i) the request in respect of the declaration concerned,

(ii) a request for, and receipt of, further information,

(iii) the inspection by the planning authority concerned, and

(iv) the issue of the declaration;

(f) the register reference of any previous declaration made under section 10, 310, 333 or 338 of the Principal Act, or an equivalent section of the Act of 2000, and the date of any such entry;

(g) the NIAH registration number, if applicable;

(h) whether the structure or the land in question is, or contains, either of the following:

(i) a place, area or monument which is subject to protection under the National Monuments Acts;

(ii) a monument subject to general protection or special protection under the Act of 2023,

insofar as the existence of such protection is known to the planning authority concerned;

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(i) a written and visual description of the land, which shall include the following:

(i) a brief description of the land noting any relevant references in the policies and objectives of special planning control scheme;

(ii) visual information, which shall include—

(I) a map, and

(II) photographs or other visual material;

that identify the location of the land, its location within the area of special planning control and the location of protected structures on, or in the vicinity of, the land concerned;

(j) a description of the request being made under section 338(1) of the Principal Act, and a statement, which shall include an opinion of the planning authority concerned, on the proposed works in connection with one, or more, of the following:

(i) developments or classes of development proposed for the land;

(ii) objectives or provisions of the special planning control scheme that apply to the land;

(iii) measures required to comply with such objectives or provisions, referred to in clause (ii);

(k) any additional remarks or other documentation that the planning authority concerned considers necessary to explain its declaration.

(2) The form of request for a declaration, within the meaning of section 338 of the Principal Act, shall include the following:

(a) the requester's name and contact details;

(b) the title of the area of special planning control;

(c) the RPS identification number of protected structures on, or in the vicinity of, the land concerned;

(d) the location particulars of the land concerned, which shall include the following:

(i) its address, including the road, street or townland;

(ii) its Eircode where assigned;

(e) the provision or provisions under section 338 of the Principal Act for which the declaration is requested;

(f) the completed form, submitted in writing, containing the information set out in subparagraphs (a) to (e);

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(g) all such information and documentation as is necessary to enable to planning authority concerned to perform its functions in relation to the request.

Transitional provision

11. Notwithstanding the repeal of the Act of 2000—

(a) a notice issued by a sanitary authority pursuant to section 3 (amended by section 327(a) of the Principal Act), in accordance with the procedures mentioned in section 3A (inserted by section 327(b) of the Principal Act), of the Local Government (Sanitary Services) Act 1964 (No. 29 of 1964), and

(b) a notice issued under section 86(3) of the Act of 2000,

shall continue to have effect as if the Act of 2000 had not been repealed.

Revocation

12. Part 6 of the Planning and Development Regulations 2001 (S.I. No. 600 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.)

These Regulations prescribe information and procedures to support the administration by planning authorities of Part 10 of the Planning and Development Act 2024.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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