STATUTORY INSTRUMENTS.

S.I. No. of 2026

PLANNING AND DEVELOPMENT (HOUSING SUPPLY – EXEMPTION CERTIFICATES) REGULATIONS 2026

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PLANNING AND DEVELOPMENT (HOUSING SUPPLY – EXEMPTION CERTIFICATES) REGULATIONS 2026

I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 4(1) and 254(5)(e) and (8) 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 (Housing Supply – Exemption Certificates) Regulations 2026.

Definitions

2. In these Regulations—

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

"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).

Applications for certificate under section 254 of Act – additional information

3. A statutory declaration accompanying an application for a certificate under section 254 of the Act shall, in addition to the requirements of subsection (5) of that section, give the following prescribed information, namely —

(a) state the name and address (including the Eircode), and telephone number and e-mail address, if any, of the applicant and of the person, if any, acting on behalf of the applicant,

(b) where the applicant is a company registered under the Companies Act 2014, state the names of the company directors and the address (including Eircode) and registration number of the company,

(c) state the location, townland, postal address or Eircode (as may be appropriate) of the land in respect of which it is intended to apply for permission,

(d) indicate the number of houses for which it is intended to apply for permission,

(e) indicate the area of the land in respect of which it is intended to apply for permission,

(f) be accompanied by a location map of sufficient size and containing details of features in the vicinity such as to permit the

DRAFT

identification of the land to which the application relates, 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 to which the application relates and the boundaries thereof, and

(g) state whether the applicant, or any person with whom the applicant is acting in concert —

(i) has been granted, within the period of 5 years prior to the date of making of the application, a certificate under section 254 of the Act in respect of the land on which it is proposed to carry out the development or land in its immediate vicinity which at the time of the application remains in force,

(ii) has carried out, or has been granted permission to carry out, a development consisting of the provision of 4 or fewer houses or of housing on land of 0.1 hectares or less, within the period of 5 years prior to the date of making of the application for a certificate, on land in respect of which the certificate is being sought or land in its immediate vicinity, and

(iii) where the applicant is acting in concert with another person, the other person's name and address (including the Eircode), and telephone number and e-mail address, if any.

Application form

4. An application for a certificate under section 254 of the Act shall be completed on the form set out in the Schedule.

Application in electronic form

5. An application for a certificate under section 254 of the Act, with the consent of the planning authority to whom the application is made, may be made in electronic form.

Revocation

6. The Planning & Development Regulations 2001 (S.I. No. 600 of 2001) are amended in Part 5 by the deletion of articles 48, 49 and 50.

DRAFT

Regulation 4

SCHEDULE

Form

Certification of Exemption Application

Section 254 of Planning and Development Act 2024

LA Name

LA Logo

Section 254 application for certificate of exemption from section 246 of Planning and Development Act 2024

Planning Authority Address

Telephone: XXXXX **Email: X@X.ie**

Insert data protection overview and link to relevant page on local authority's website for applicants to review.

Please read prior to submitting an application

1. Have you answered all questions on the application form/have you used the correct application form - check that all relevant pages of the application form are included.

2. Have you submitted 2 copies of site location map with site clearly outlined in red?

Notes:

In accordance with section 254(3) of the Planning and Development Act 2024 an application for a certificate of exemption should be made before an application for planning permission.

This application must be accompanied by a Statutory Declaration made under Section 3 of this form and give the information required under section 254(5) of that Act and Regulation 3 of the Planning and Development (Housing Supply – Exemption Certificates) Regulations 2026 (S. I. No. __of 2026).

The applicant shall comply with the requirements of section 254 of that Act and Regulations 3 and 4 of those Regulations in the making of this application for a certificate of exemption.

Section 1: Details of Proposed Development

1. Applicant name:

Address to be supplied at end of this application form - **Question 12**

2. Person acting on behalf of the applicant (if any):

Address to be supplied at end of this application form - **Question 13**

DRAFT

3. Location (townland or postal address or Eircode as may be appropriate) of proposed development:

Note: **2 copies** of site location map with site clearly outlined in red must be submitted (scale of not less than 1:1000 in built up areas and 1:2500 in all other areas).

4. Description of proposed development:

5. Number of dwelling units proposed:

6. Site area (hectares):

7. Applicant's interest in site:

DRAFT

8. Particulars of legal and beneficial ownership of the land over the last 5 years on which it is proposed to carry out the development to which the application relates as are within the applicant's knowledge or procurement:

(If necessary, please attach a separate document of such details)

9. Details of any persons with whom the applicant is acting in concert:

(If necessary, please attach a separate document of such details)

10. Particulars of:

(i) any interest that the applicant has, or had, at any time during the last 5 years, in any land in the immediate vicinity of the land on which it is proposed to carry out such development:

(If necessary, please attach a separate document of such details)

(ii) any interest that any person with whom the applicant is acting in concert has, or had, at any time during the last 5 years, in any land in the said immediate vicinity of which the applicant has knowledge:

(If necessary, please attach a separate document of such details)

11. Particulars:

(i) Particulars of whether the applicant, or any person with whom the applicant is acting in concert, has been granted, within the period of 5 years prior to the date of making of the application, a certificate under section 254 of the Act which at the time of this application remains in force:

(If necessary, please attach a separate document of such details)

(ii) Particulars as to whether the applicant, or any person with whom the applicant is acting in concert, carried out, or has been granted permission to carry out, a development consisting of the provision of 4 or fewer houses or of housing on land of 0.1 hectares or less, within the period of 5 years prior to the date of making of the application for a certificate, on land in respect of which the certificate is being sought or land in its immediate vicinity:

(If necessary, please attach a separate document of such details)

Signed (Applicant or Agent as appropriate)	
Date:	

Section 2: Additional Contact Information

Important

This section must be submitted on completely separate pages as it will not form part of the public file

Office use only – Reg. Ref:

Please note:

- The applicant's address **must** be submitted in this section.
- If the applicant/agent wishes to submit additional contact information, this may be included here.
- This section will not be published as part of the file.

12.Applicant (not agent acting on behalf of applicant):

Address (Required)	
Telephone No.	
Email Address	

Where the applicant is a company registered under the Companies Act 2014, please state:

(a) Name of Company	
(b) Names of Company Directors	
(c) Address of Company	
(d) Registration No.	

13. Person/Agent acting on behalf of the Applicant (if any):

Address (Required)	
Telephone No.	
Email Address (if any)	

DRAFT

Should all correspondence be sent to the above address? (Please tick appropriate box) (Please note that if the answer is 'No', all correspondence will be sent to the Applicant's address stated in Question 12.) Yes [ ] No [ ]

14. Person with whom the applicant is acting in concert (if applicable):

Address (Required)	
Telephone No.	
Email Address	
If the applicant is acting in concert with more than one person, please attach an additional document of such details.	

Section 3: Statutory Declaration:

I……..of……
make OATH that all the foregoing statements and particulars in this application in question nos. 8 to 11 are true, complete and accurate in every respect, to the best of my knowledge and belief. I am not aware of any facts or circumstances that would constitute grounds under subsection (11) of section 254 of the Planning and Development Act 2024, for the refusal by _____Planning Authority to grant a Certificate.

SWORN AT……in the County of ……., this…….. day of ……20..... before me Commissioner of Oaths/Practising Solicitor and I know the deponent.

Signature:_____

Warning:

Section 255(1) of the Planning and Development Act 2024 makes it an offence for a person to make false or misleading statements in making this statutory declaration and is liable to the penalties stated in that section.

DRAFT

This section to be completed by the Planning Authority

1.	Date received			
2.	Date of expiry (4 weeks from receipt)			
3.	Date further information requested			
4.	Date further information received			
5.	Expiry date (4 weeks from receipt of further information)			
6.	Determination Date			
7.	Site Size Checked	Date	Initials	Accurate: Yes ☐ No☐
	Comments			
8.	Documentation Checked	Date	Initials	Accurate: Yes ☐ No☐
	Comments			
9.	Certificate Granted ☐	Certificate Refused ☐	Granted by Default ☐	Refused by Default ☐
10.	Grounds for refusal or Default Decision?			

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GIVEN under my Official Seal,

____ _____ 2026.

_____

JAMES BROWNE,

Minister for Housing, Local Government and Heritage.

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EXPLANATORY NOTE

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

These Regulations provides the application form and prescribes additional information required to accompany a declaration when applying for a housing supply exemption certificate.

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