STATUTORY INSTRUMENTS.

S.I. No. of 2026

PLANNING AND DEVELOPMENT (PART 6) (ENVIRONMENTAL IMPACT ASSESSMENT REPORT) REGULATIONS 2026

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PLANNING AND DEVELOPMENT (PART 6) (ENVIRONMENTAL IMPACT ASSESSMENT REPORT) REGULATIONS 2026

I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 4(2) and 234(2) of the Planning and Development Act 2024 (No. 34 of 2024), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Planning and Development (Part 6) (Environmental Impact Assessment Report) Regulations 2026.

Definitions

2. In these Regulations –

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

"Nuclear Safety Directive" means Council Directive 2009/71/Euratom of 25 June 2009[1];

"relevant development" has the same meaning as it has in section 195 of the Act.

Information to be contained in environmental impact assessment report

3. An environmental impact assessment report shall take into account the available results of other relevant assessments under European Union legislation, regulations giving effect to such legislation under the European Communities Act 1972, or any enactment with a view to avoiding duplication of assessments and shall contain—

(a) the information specified in paragraph 1 of the Schedule,

(b) any additional information specified in paragraph 2 of the Schedule relevant to the specific characteristics of the relevant development or type of relevant development concerned and to the environmental features likely to be affected, and methods of assessment,

(c) a summary in non-technical language of the information required under paragraphs (a) and (b),

(d) a reference list detailing the sources used for the descriptions and assessments included in the report, and

(e) a list of the experts who contributed to the preparation of the environmental impact assessment report, identifying for each such expert—

[1] OJ No. L 172, 2.7.2009, p.18

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(i) the part or parts of the report which he or she is responsible for or to which he or she contributed,

(ii) his or her competence and experience, including relevant qualifications, if any, in relation to such parts, and

(iii) such additional information in relation to his or her expertise that the person or persons preparing the report consider demonstrates the expert's competence in the preparation of the report and ensures its completeness and quality.

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SCHEDULE

Regulation 3

INFORMATION TO BE CONTAINED IN ENVIRONMENTAL IMPACT ASSESSMENT REPORT

1. A description of—

(a) the relevant development comprising information on the site, design, size and other relevant features of the relevant development,

(b) the likely significant effects on the environment of the relevant development,

(c) the features, if any, of the relevant development and the measures, if any, envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects on the environment of the relevant development, and

(d) the reasonable alternatives studied by the person or persons who prepared the environmental impact assessment report, which are relevant to the relevant development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the relevant development on the environment.

2. Additional information, relevant to the specific characteristics of the relevant development or type of relevant development concerned and to the environmental features likely to be affected, on the following matters, by way of explanation or amplification of the information referred to in paragraph 1:

(a) a description of the relevant development, including, in particular—

(i) a description of the location of the relevant development,

(ii) a description of the physical characteristics of the whole relevant development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases,

(iii) a description of the main characteristics of the operational phase of the relevant development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used, and

(iv) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation) and quantities and types of waste produced during the construction and operation phases;

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(b) a description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the person or persons who prepared the environmental impact assessment report, which are relevant to the relevant development and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects;

(c) a description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without the relevant development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge;

(d) a description of the factors specified in subsection (2)(a) to (e) of section 236 of the Act likely to be significantly affected by the relevant development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape which should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium term and long-term, permanent and temporary, positive and negative effects of the relevant development, taking into account the environmental protection objectives established at European Union level or by a Member State which are relevant to the relevant development;

(e) a description of the likely significant effects on the environment of the relevant development resulting from, amongst other things—

(i) the construction and existence of the relevant development, including, where relevant, demolition works,

(ii) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources,

(iii) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste,

(iv) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters),

(v) the cumulation of effects with other existing or approved developments, or both, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources,

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(vi) the impact of the relevant development on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the relevant development to climate change, and

(vii) the technologies and the substances used;

(f) a description of the forecasting methods or evidence used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information, and the main uncertainties involved;

(g) a description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of an analysis after completion of the development), explaining the extent to which significant adverse effects on the environment are avoided, prevented, reduced or offset during both the construction and operational phases of the relevant development;

(h) a description of the expected significant adverse effects on the environment of the relevant development deriving from its vulnerability to risks of major accidents and/or disasters which are relevant to it. Relevant information available and obtained through risk assessments under European Union legislation such as the Seveso III Directive or the Nuclear Safety Directive or relevant assessments carried out pursuant to national legislation may be used for this purpose, provided that the requirements of the Environmental Impact Assessment Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for, and proposed response to, emergencies arising from such events.

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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 provide for matters be contained in an environmental impact assessment report.

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