



STATUTORY INSTRUMENTS.

S.I. No. 459 of 2021



PLANNING AND DEVELOPMENT (AMENDMENT) (NO. 3)
REGULATIONS 2021

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I, DARRAGH O'BRIEN, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by section 43 of the Planning and Development Act 2000 (No. 30 of 2000) (as adapted by the Housing, Planning and Local Government (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 408 of 2020)), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Planning and Development (Amendment) (No. 3) Regulations 2021.

Commencement

2. (1) These Regulations shall come into operation on 9 September 2021.
- (2) These Regulations apply until 31 December 2023.

Definitions

3. In these Regulations, "Principal Regulations" means the Planning and Development Regulations 2001 (S.I. No. 600 of 2001), as amended.

Amendment of article 41 of the Principal Regulations

4. Article 41 of the Principal Regulations is amended by substituting "An application under section 42 (other than an application to which subsection (1A)(a)(V)(A) or subsection (1B)(vi)(I) of that section relates)" for "An application under section 42 (other than an application to which subsection (1A)(a)(V)(A) of that section relates)".

Amendment of article 43 of the Principal Regulations

5. Article 43 of the Principal Regulations is amended by substituting "An application under section 42 (other than an application to which subsection (1B) of that section relates)" for "An application under section 42".

Insertion of new article 43A of the Principal Regulations

6. The Principal Regulations are amended by inserting after article 43 the following article:

"Content of application to further extend appropriate period under section 42(1B) of the Act

43A. An application under subsection (1B) of section 42 of the Act to extend further the appropriate period, as extended or further extended, as regards a particular permission shall be made in writing and shall contain the particulars referred to at paragraphs (a) to (g) inclusive of article 42 and the following additional particulars—

- (a) the date of commencement of the development to which the permission relates,
- (b) the additional period by which the permission is sought to be extended further,
- (c) the date on which the development is expected to be completed,
- (d) the date on which the permission ceased to have effect or will cease to have effect, as the case may be,
- (e) particulars of the substantial works carried out or which will be carried out pursuant to the permission before the expiration of the appropriate period, as extended or further extended, and
- (f) a statement setting out the reasons why the development cannot be reasonably completed within the appropriate period, as extended or further extended.”.

Amendment of Article 44 of the Principal Regulations

7. Article 44 of the Principal Regulations is amended –

- (a) in paragraph (b) of sub-article (1) by substituting “article 42, 43 or 43A” for “article 42 or 43”,
- (b) in paragraph (a) of sub-article (2) by substituting “article 42, 43 or 43A” for “article 42 or 43”, and
- (c) in paragraph (b) of sub-article (2) by substituting “article 42, 43 or 43A” for “article 42 or 43”.



GIVEN under my Official Seal,
8 September, 2021.

DARRAGH O’BRIEN,
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 amend Chapter 3 of Part 4 of the Planning and Development Regulations 2001, as amended, to provide for matters relating to applications to planning authorities under section 42(1B) of the Planning and Development Act 2000, as amended, for a further extension of the appropriate period of certain planning permissions by an additional period of up to 2 years or until 31 December 2023, whichever first occurs. Subsection (1B) of section 42 of the Planning and Development Act 2000 is a temporary provision in operation during the period from the commencement date of section 7 of the Planning and Development (Amendment) Act 2021 until 31 December 2023. Similarly, these Regulations come into force on 9 September 2021 and apply until 31 December 2023.

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