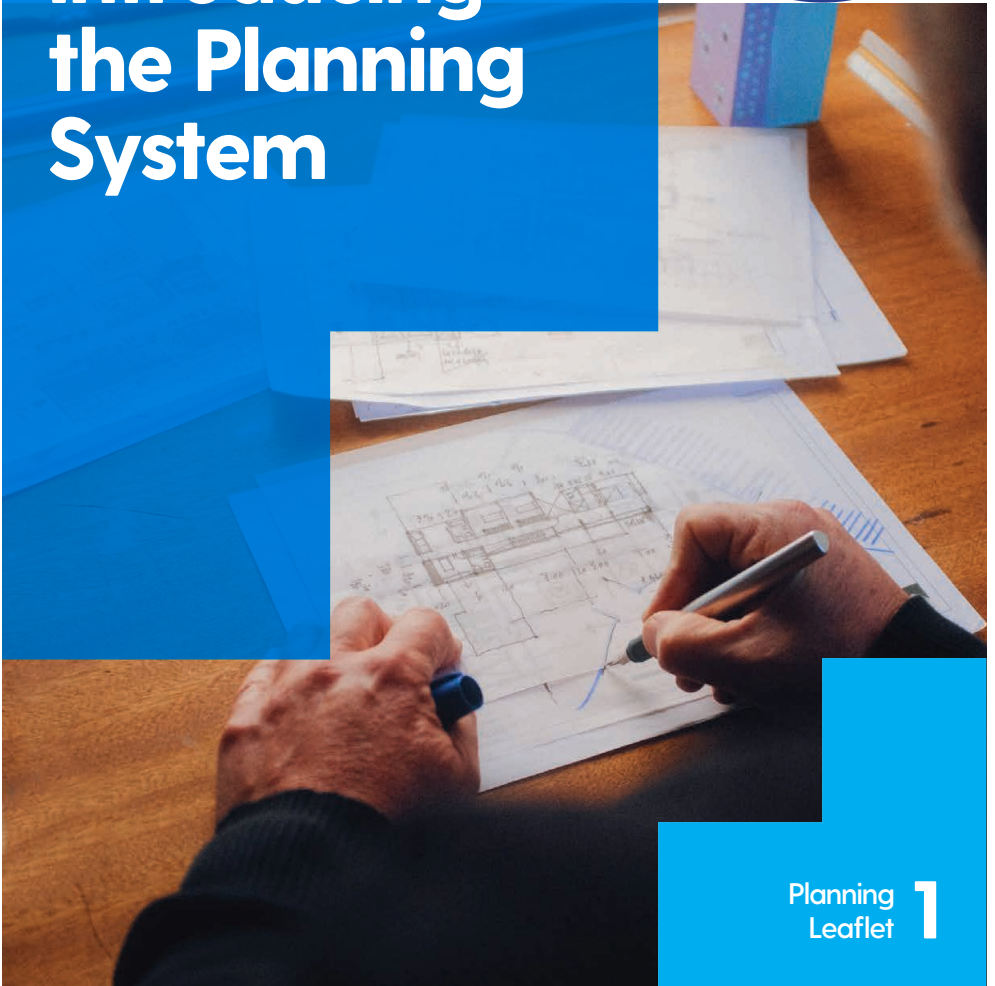
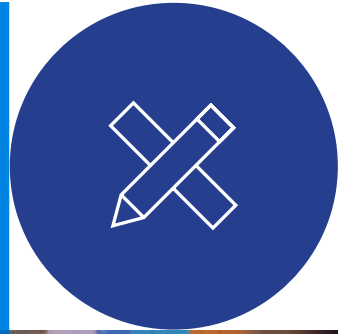


Introducing the Planning System



Planning
Leaflet **1**





Introducing the Planning System

This leaflet is a simple guide to understanding the planning system in Ireland and how it works. It explains the hierarchy of plans and who is responsible for each plan. Within this leaflet there is a brief explanation of the main planning matters. This leaflet is intended as a practical guide. It is not a definitive legal interpretation of planning law. For further information, you should consult with your planning authority (city or county council).

1. What is planning?

Planning plays an important role in our society. It enables us to make the best use of our resources and allows necessary and worthwhile development to go ahead. It also ensures that the environment and heritage of our towns, cities and countryside is protected. Planning authorities control the location, amount and type of development by making decisions on planning applications. Everyone has a right to comment on planning matters and to shape the planning and sustainable development of their area.

2. Why is planning important?

Planning ensures that the right development happens in the right place at the right time, benefitting communities and the economy. It plays a critical role in identifying what development is needed and where. It helps to decide what areas need to be protected or enhanced and assesses the suitability of proposed development.



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3. What are the main features of the planning system?

The main features of the planning system are:

- making development plans,
- the need for planning permission,
- exempted development (i.e. minor works where planning permission is not required),
- appeals against planning decisions, *and*
- planning enforcement.

4. The hierarchy of plans in Ireland



5. What is the National Planning Framework?

In 2018, the Government published the National Planning Framework (NPF) as part of Project Ireland 2040. It is the overarching policy and planning framework for Ireland's:

- social,
- economic,
- environmental, *and*
- cultural development.

The NPF replaced the National Spatial Strategy as Ireland's planning framework. The policies in the NPF must be taken into account when preparing Regional Spatial and Economic Strategies and development plans. The NPF addresses a range of issues including the development direction of our cities, towns and rural areas. The framework specifically addresses:

- compact growth,
- enhanced regional accessibility,
- strengthened rural economies and communities,
- high-quality international connectivity,
- sustainable mobility,
- a strong economy, supported by enterprise, innovation and skills,
- enhanced amenities and heritage,
- transition to sustainable energy,
- sustainable management of water and other environmental resources, *and*
- access to quality childcare, education and health services.

6. What is a Regional Spatial and Economic Strategy?

Regional Spatial and Economic Strategies (RSES) have replaced the Regional Planning Guidelines. The objective of each Regional Spatial and Economic Strategy is to support the NPF and the economic policies and objectives of the government. Each strategy is a long-term planning and economic framework for the development of each region. Ireland is split into three strategic planning areas:

- Eastern and Midland Region,
- Southern Region, *and*
- Northern and Western Region.

These regions are governed by regional assemblies. Regional assemblies consist of members of the local authorities within the region. The regional assembly adopts the Regional Spatial and Economic Strategy.

7. What is a development plan?

The development plan is the main public statement of planning policies for your local community. It sets out the land use, amenity and development objectives and policies of the planning authority, for a six-year period. The plan consists of a written statement of objectives and includes maps that give a graphic representation of how your city/county will develop and improve in a sustainable way in the six-year period. The core strategy of the plan shows that the plan is consistent with the National (NPF) and Regional (RSES) policies.

Elected members (councillors) are responsible for making, reviewing and varying the development plan. It is their duty to adopt the plan with the technical help of their officials (the chief executive, planners, etc.). Public consultation on the plan must also be carried out.

⋮ See *Planning Leaflet 2 – “A Guide to The Development Plan”* for more information.

8. What is a Local Area Plan?

A local area plan provides more detailed planning policies for areas where significant development and change is anticipated.

A local area plan must be compatible with national and regional guidance documents and the core strategy and policies of the development plan. A local area plan is valid for six years from the date it is adopted by the planning authority.

9. What is development management?

Development management is the term used for the process of deciding whether to grant or refuse planning permission. Your local planning authority will normally deal with applications for planning permission. In more complex larger scale developments, such as Strategic Infrastructure Development (SID) and An Bord Pleanála (the Board) is responsible for dealing with these applications.

10. When do I need to apply for planning permission?

Generally, you need planning permission for any development of land or property unless the development is specifically exempted. Development includes, carrying out work (building, demolition, alteration) on, in, over or under land or buildings and making a material (i.e. significant) change of use of land or buildings. Failure to obtain planning permission where it is required can result in penalties (e.g. significant fines and/or even imprisonment). Your local planning authority will be able to advise you about this.

⋮ For further information on planning permission please see *Planning Leaflet 3 – “A Guide to Planning Permission”*.

11. How are decisions made on planning applications?

The planning authority considers several matters when deciding on a planning application including:

- the proper planning and sustainable development of the area (e.g. appropriate land use (zoning), road safety, development density, size, location, adherence to established planning and development practices);
- provisions of the development plan;
- any other relevant plans (e.g. local area plan);
- Government or Ministerial policy and guidelines issued by the Minister under Section 28 of the Planning and Development Act 2000, as amended;



- the provision of a Special Amenity Area Order relating to the area;
- types of conditions that can be attached;
- any European site (e.g. Special Areas of Conservation; Special Protection Areas) *and*
- submissions and observations made by members of the public or prescribed bodies on the application.

12. How can I participate in the planning process?

You have the right to participate in the planning process. All plans go through a public consultation period where individuals and groups are invited to submit their views on the plan. You can also comment on planning applications.

13. Can I make an observation or submission on a planning application to the planning authority?

You have a right to make a written submission or observation on any planning application on payment of the appropriate fee. The submission or observation must be made in writing within five weeks of the date that the planning authority receives the application. If possible, you should quote the planning application reference number. You must give your name and indicate the address to which any correspondence relating to the application should be sent. Your submission or observation will be acknowledged by the planning authority and you will be notified of the decision.

Your submissions/observations must be based on planning considerations, not on personal likes, dislikes or grievances. Planning considerations include:

- national, regional plans and Government, Ministerial directives,
- development plan objectives and policies,
- local area plan objectives and policies,
- development management considerations such as density, parking provision, traffic hazards, overlooking, effects on residential amenities or services,
- environmental, amenity and shopping impacts,
- public health, *and*
- other planning matters.

If you have made a submission or observation that the planning authority has acknowledged, you have the right to appeal its decision to An Bord Pleanála.

14. How do I appeal against a decision made by a local authority?

Any person applying for planning permission, or who made written submissions or observations to the planning authority on a planning application, can appeal a decision made by a planning authority to An Bord Pleanála.

For example, you can:

- appeal against a refusal to grant you planning permission or conditions attached to your permission (this is called a first-party appeal) *or*

- appeal against a decision to give someone else planning permission (this is called a third-party appeal). In this case you must have made a written submission/observation to the planning authority on the relevant application.

⋮ See Planning Leaflet 5 – “A Guide to Making a Planning Appeal” for further information on planning appeals.

15. What is An Bord Pleanála?

An Bord Pleanála is the national planning appeals board. It is an independent body which was set up by the Government to operate an open and impartial planning appeal system. Anyone applying for planning permission and anyone who made written submissions or observations to the planning authority on a planning application, can appeal a subsequent decision to An Bord Pleanála. Strategic Infrastructure Development (SID) planning applications are also assessed by An Bord Pleanála.

⋮ For further information see Planning Leaflet 14 – “Strategic Infrastructure Development”.

16. What is enforcement?

Good planning decisions are key to our quality of life. Planning enforcement ensures that development is carried out in accordance with the planning permission that was granted. It addresses issues where people do not comply with planning law.

The planning system is operated by your local planning authority. The planning authority is generally responsible for granting individual planning permissions and for operating an enforcement regime to deal with unauthorised development. Planning authorities have discretionary powers to investigate and enforce these breaches.

For further information please see Planning Leaflet 6 – “A Guide to Planning Enforcement in Ireland”.

17. Where can I get more information?

Your local planning authority should be the starting point for planning enquiries. It can:

- tell you whether you need planning permission and how to apply;
- answer questions about how it deals with individual planning applications;

- give you advice about enforcement and local review procedures; *and*
- give you information about the contents of local development plans, strategic development plans and supplementary guidance.

The law governing the planning system is set out in the Planning and Development Act 2000, as amended and the Planning and Development Regulations 2001, as amended. You can purchase these from the Government Publications Office by phoning the call centre on 046 9423100 or at publications@opw.ie or download them for free from the Department of Housing, Local Government and Heritage’s website www.gov.ie/housing. Legislation is also available to view and download from: www.irishstatutebook.ie.



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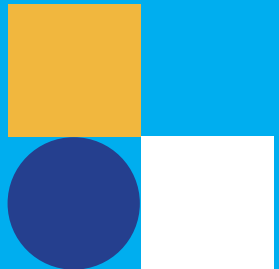
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