



An Roinn Tithíochta,  
Rialtais Áitiúil agus Oidhreachta  
Department of Housing,  
Local Government and Heritage

# Update on Planning and Development Act 2024

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# Planning Reform Agenda



- New **legislative** and revised **policy** frameworks
- Ensuring that the planning system is better **resourced**
- Supporting **housing** delivery and **infrastructure** incl. renewables, while balancing the needs of existing and future communities
- Ensuring more **sustainable** development and place-making
- Restoring **confidence** in the planning system

# Ireland in 1963 - First Act



**Population:** just above all-time low: 2.82m

**Second Programme for Economic Expansion:**  
“The impression appears to be that the country has reached the take-off stage in the new industrial revolution...it is becoming a fashionable place for investment from abroad” (ESRI 1963)

**First Planning and Development Act:**  
92 sections, 114 pages



# Ireland in 2000 - Second Act



**Population:** 1m more: 3.8m people

Based on GDP and adjusted for inflation, **economy** had grown by a factor of 7-8 since 1963 and had been transformed

After 37 years (27 in EU), second **Planning and Development Act:** 277 sections, 271 pages (2.5 - 3 times longer)



Grand Canal Dock, Dublin - 2000



# Ireland in 2024 - Third Act

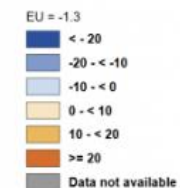
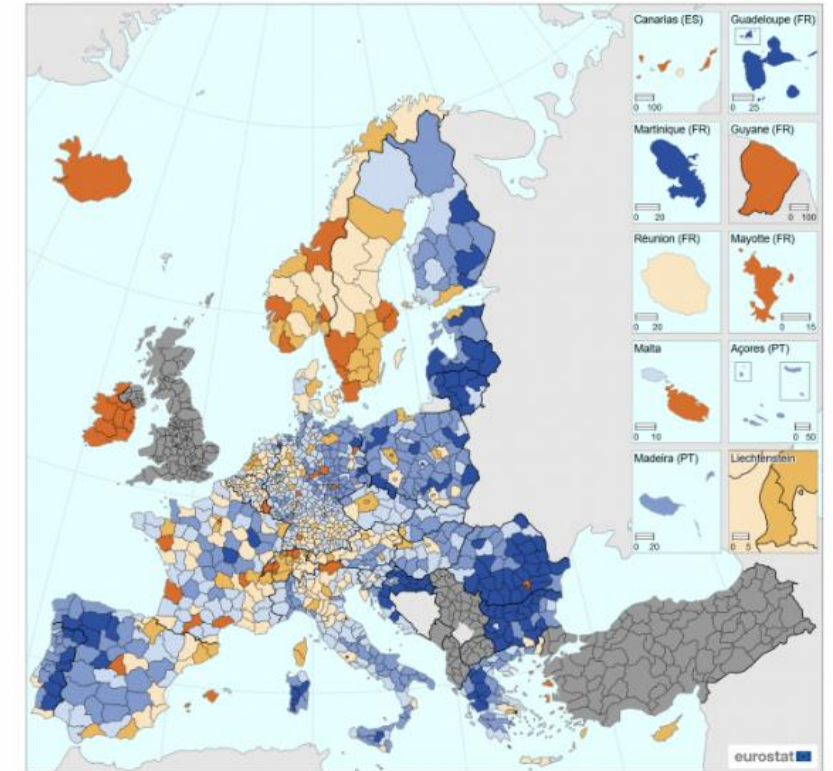


**Population:** 1.6m more: 5.4m people

Based on GDP and adjusted for inflation, **economy** has grown by a further factor of 3, remains attractive for investment, but critical constraints

After another 24 years, **Planning and Development Act 2024:** 637 sections + 7 schedules, 870 pages (2.5 - 3 times longer)

Projected relative change of the population, by NUTS 3 regions, 2019–50 (%)



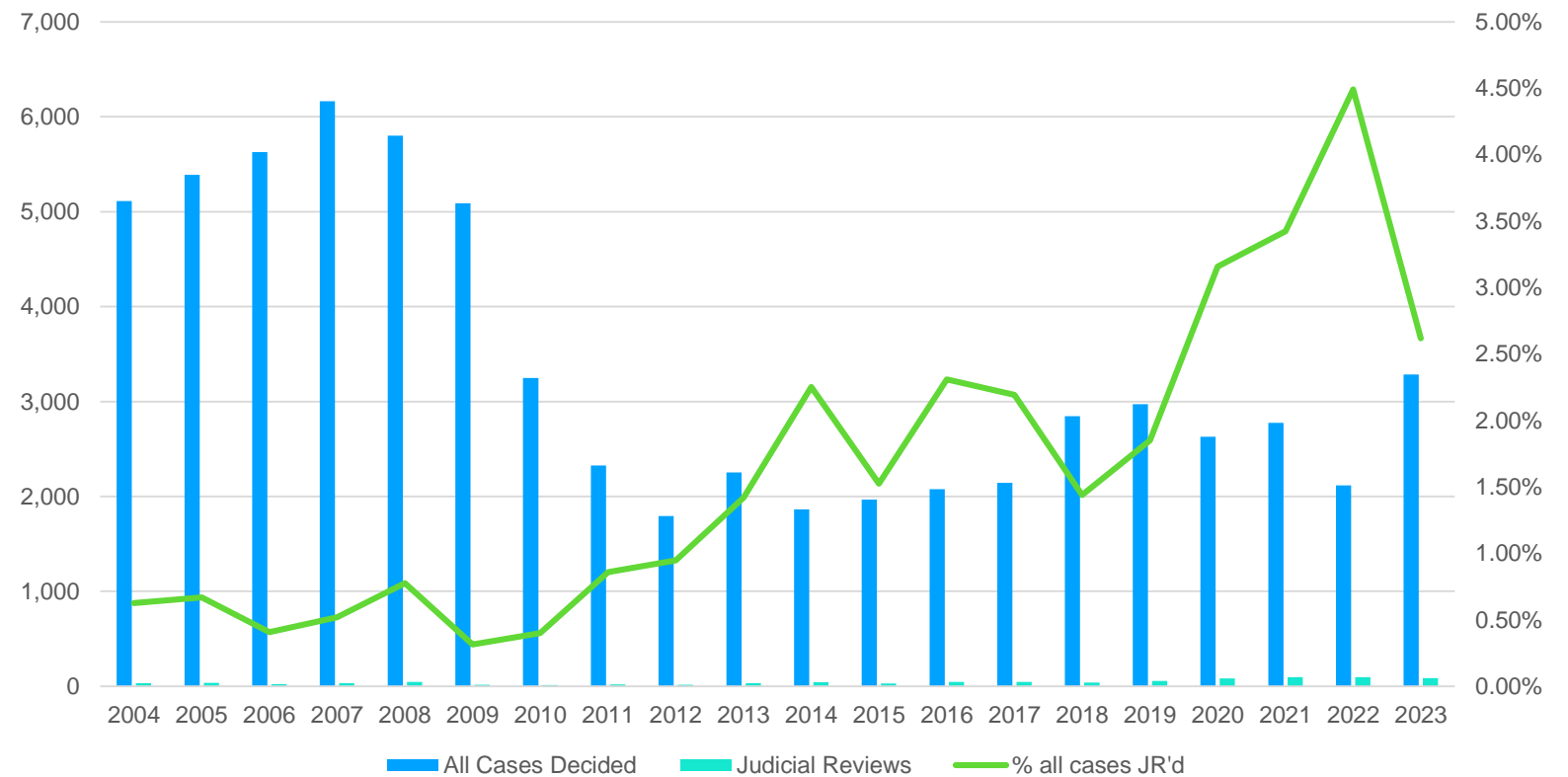
Administrative boundaries: © EuroGeographics © UN-FAO © Turstat  
Cartography: Eurostat - IMAGE, 03/2021  
0 200 400 600 800 km

# Increased Complexity



- Larger, wealthier population, open, participatory system
- EU and international obligations
- Significant and continuing growth

Judicial Review of An Bord Pleanála decisions as a proportion of caseload, 2004-2023



# Need for Reform



- 2000 Act unrecognisable - most recent May '24 consolidation has 515 sections and around 750 pages, arising from amendments
- Need to streamline and integrate changes in a more logical and hierarchical sequence, including EU Directive-related provisions
- Court judgments and case-law indicate that some elements of the code not sufficient to withstand levels of scrutiny now being applied
- Need to balance the common good and the rights of others

# What the Act seeks to do



- Ensure the planning system supports and regulates the development of land and infrastructure, enhances assets and amenities and preserves and protects the quality of the environment.
- When making statutory plans and consent decisions, that decision makers have due regard to the appropriate balance between the social, economic and environmental considerations in the interests of proper planning and sustainable development and the common good.
- Ensure there is transparent and timely decision-making within the framework of policy, strategies, plans and consents.
- Facilitate consistency and quality in decision-making that is proportionate and sound.
- Integrate the pursuit of the national climate objective with the plan-led development of the State.



# Key Measures 1 - Plans, Policies



- National Planning Statements to replace s28 Ministerial guidelines
- 10 year development plans, slightly longer timeline for completion
- Local Plans for specific purposes - urban, priority and co-ordinated, as well as bespoke plans for Gaeltacht and Islands
- Zoning of land only through the development plan or variation process
- Processes for all plans to effectively align to the NPF and NPSs

# Key Measures 2 - Consents



- Streamlined categories of consents
- **Timelines for decisions**
  - Standard applications - 8 weeks/with EIA 12 weeks;
  - An Bord/Coimisiún Pleanála – 18 to 48 weeks depending on type;
  - If time limits not met, system of escalating measures
- **Environmental Assessment**
  - Clarifies scope and role of environmental assessments in consents;
  - Better reflects intent and wording of relevant EU Directives

# Key Measures 3 - Judicial Review



- Must exhaust all administrative processes before taking JR
- Removal of leave stage
- Clarity on standing rights of Residents Associations
- Ability to ‘suspend time’ on permissions while in JR process
- Scale of fees to ensure that legal costs are not prohibitively expensive
- No order as to costs - winning applicants costs from respondent in line with scale of fees, to be regulated by secondary legislation
- Environmental Legal Costs Financial Assistance Mechanism to provide financial assistance to persons and organisations taking JR cases
- Courts can remit back to An Coimisiún Pleanála

# Key Measures 4 - ABP/OPR Governance



- An Bord Pleanála to be re-structured as **An Coimisiún Pleanála**, with the Chair becoming the Chief Executive Officer
- New '**Planning Commissioners**' will be responsible for all decision-making functions and overseen by a new Chief Planning Commissioner
- A new **Governing Board** will be responsible for the corporate governance of the re-structured organisation to oversee performance
- New **Advisory Board** structure will be introduced to the OPR

# Key Measures 5 - Other areas



- **UDZs** will replace SDZs (existing SDZs will remain) - Local authorities may nominate candidate UDZs, Government will designate. Fast track planning will be in accordance with an approved UDZ scheme
- Planning Authority can be designated as a **Regional Enforcement Authority** to deal with enforcement for certain types of development
- **Spurious planning submissions and appeals** - Statutory declarations required for all submissions and specifically addresses requesting payment for not opposing a development



# Next Steps



- **Current Act remains in place** until new Act is commenced
- Commencement will be on a **phased basis**
- Preparing a detailed **Implementation Strategy** to set out details of commencement schedule, roll out of National Planning Statements, training, communications
- **Oversight Group** – LAs, ABP, OPR, IPI, RTPI, Infrastructure Reps
- **Working Groups** with LAs, ABP, OPR
- Training programme for sector
- Communication programme for wider stakeholders

# Next Steps



- Programme of **Secondary Legislation** to inform schedule of commencements, prioritising ABP transition to An Coimisiún Pleanála
- Public consultation on review of **exemptions**/screening thresholds
- **Scale of Fees and ELCFAM** to be established prior to Part 9 commencing. Sections 50, 50A and 50B to remain in place in meantime
- Subject to Ministerial approval, **planning application fees** to be revised
- S28 guidance remains in place until revoked or replaced by **updated NPSs**

# What Success Looks Like



- A more **robust** planning system, with more **predictable** decision-making timelines and outcomes, that is adequately **resourced**
- More agile, efficient and unambiguous **policy alignment**, including more land **zoned for development**, at sustainable locations
- Greater capacity to **prioritise** strategic investment, both in terms of infrastructure and in **servicing** housing land - infrastructure and facilities
- Replicable mechanisms to deliver quality development, at **pace and scale**
- Rather than a decision-led and judgment-focused system, a truly **plan-led, outcome-focused** emphasis