



STATUTORY INSTRUMENTS.

S.I. No. 654 of 2023



PLANNING AND DEVELOPMENT (FEES FOR CERTAIN
APPLICATIONS) REGULATIONS 2023

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I, DARRAGH O'BRIEN, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by subsection (1) of section 246 and section 262 of the Planning and Development Act 2000 (No. 30 of 2000), as amended, (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 and construction

1. (1) These Regulations may be cited as the Planning and Development (Fees for Certain Applications) Regulations 2023.

(2) The collective citation "Planning and Development Regulations 2001 to 2023" includes these Regulations.

Interpretation

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

Fees for Certain Applications

3. The following article is inserted after article 166 of the Principal Regulations:

"Fees for planning application accompanied by opinion on unconfirmed details.

166A. (1) Subject to article 164 and sub-articles (2) and (3), where a planning application is accompanied by an opinion issued under section 32I of the Act, the fee payable in respect of the application shall, subject to section 3 of Schedule 9, be calculated as twice the amount indicated in column 2 of Section 2 of Schedule 9, opposite the mention of the relevant class of development in column 1 of Section 2 of Schedule 9 to which the opinion relates.

(2) Subject to article 164, where a planning application is accompanied by an opinion issued under section 32I of the Act and either an EIAR, NIS or both, the fee payable in respect of the application shall, subject to section 3 of Schedule 9, be calculated as three times the amount indicated in column 2 of Section 2 of Schedule 9, opposite the mention of the relevant class of development in column 1 of Section 2 of Schedule 9 to which the opinion relates.

- (3) Subject to article 164, where, in respect of a planning application accompanied by an opinion issued under section 32I of the Act, either an EIAR, NIS or both, is submitted further to a request by the planning authority, the fee payable in respect of the submission of the EIAR, NIS or both, shall be calculated as three times the amount indicated in column 2 of Section 2 of Schedule 9, opposite the mention of the relevant class of development in column 1 of Section 2 of Schedule 9 to which the opinion relates, less any fee already paid in respect of the application.”.

Amendment of Section 2 of Schedule 9 to the Principal Regulations

4. (1) Section 2 of Schedule 9 of the Principal Regulations is amended, subject to paragraph (2), by inserting the following after paragraph 14:

“

Column 1 Class of Development	Column 2 Amount of Fee	Column 3 Amount of Fee for Retention Permission
15. Provision of an opinion or notification under section 32I of the Act.	€2,500	

”.

(2) For convenience of reference there is set out in the amendments provided for in paragraph (1), the relevant headings that apply for the columns concerned.

Amendment of Section 3 of Schedule 9 to the Principal Regulations

5. Section 3 of Schedule 9 of the Principal Regulations is amended by:

- (1) substituting the following for paragraph 4:

“4. (a) Except where article 166A applies, the maximum fee payable to a planning authority by an applicant in respect of any planning application other than an application mentioned in paragraph 1, 2, 3 or 6 shall be €38,000.”.

- (2) substituting the following for paragraph 6:

“6. Except where article 166A applies, the maximum fee payable to a planning authority by an applicant in respect of an application for permission for a large-scale residential development shall be €80,000.”.

(3) inserting the following paragraph after paragraph 6:

- “7. (a) Where article 166A(1) applies, the maximum fee payable to a planning authority by an applicant in respect of any planning application other than an application mentioned in paragraph 1, 2 or 3 shall be €100,000.
- (b) Where article 166A(2) or article 166A(3) applies, the maximum fee payable to a planning authority by an applicant in respect of any planning application other than an application mentioned in paragraph 1, 2 or 3 shall be €150,000.”.



GIVEN under my Official Seal,
16 December, 2023.

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.)

The Regulations provide for the new planning fees to be applied in respect of the provision of an opinion or notification under section 32I of the Act and for new application fees for applications accompanied by such an opinion on unconfirmed details.

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DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

€ 3.00

ISBN 978-1-3993-2806-7



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