



To: Directors of Planning in each local authority

CC: Chief Executives  
Senior Planners  
An Bord Pleanála  
Office of the Planning Regulator  
Directors of Regional Assemblies

Circular Letter PL 04/2021

18 March 2021

**Re: Planning and Development (Exempted Development) Regulations 2021 (S.I. 114 of 2021)**

and

**Planning and Development (Exempted Development) (No.2) Regulations 2021 (S.I. 115 of 2021)**

I am directed by Mr. Peter Burke, T.D., Minister of State for Local Government and Planning to advise that he has signed the above Regulations which have immediate effect. Copies of the Regulations are attached for information.

**Planning and Development (Exempted Development) Regulations 2021 (S.I. 114 of 2021) – School Buildings**

These new Regulations increase the existing provisions in the Planning and Development Regulations 2001, as amended (the Principal Regulations), to exempt specified works for School buildings and to enable the temporary use of public buildings as schools.

The Regulations amend the existing Principal Regulations as follows:

- Article 2(a) of these Regulations amends CLASS 20C to allow the temporary use as a school of all public buildings.
- Article 2(b) of these Regulations inserts a new CLASS 20D to allow schools to construct temporary structures to facilitate the continued delivery of education subject to certain conditions.
- Articles 2(c) and 2(d) of these Regulations increase the existing exemption under CLASS 57 for extensions to schools from 160sqm up to 210sqm and inserts a limit on the use of the exemption to just once.



These amendments to the exempted development provisions in relation to schools are considered to be proportionate and reasonable, and will enable schools to more easily comply with Covid-related public health and social distancing requirements from September next onwards thereby creating safer environments for both pupils and teachers, while also being consistent with the general principle of proper planning and sustainable development.

### **Planning and Development (Exempted Development) (No.2) Regulations 2021 (S.I. 115 of 2021) – Electric Vehicle Charging Points and Hubs**

These new Regulations increase the existing provisions in the Planning and Development Regulations 2001, as amended (the Principal Regulations), to exempt specified electric vehicle charging infrastructure from the requirement to obtain planning permission.

The Regulations amend the existing Principal Regulations as follows:

- Article 2(a) of these Regulations amends CLASS 29A to replace the current conditions and limitations for charging units for electric vehicles. The threshold for exempting ‘Off-street’ single charging units from the requirement to obtain planning permission has been increased from 3 cubic metres to 3.6 cubic metres. The corresponding threshold for exempting ‘On-street’ charging units has been increased from 0.5 cubic metres to 0.75 cubic metres.
- Article 2(c) of these Regulations inserts a new CLASS 29B to set out the exempted development conditions and limitations in respect of “charging hubs” for electric vehicles. The exemption for charging hubs enables up to four charging units to be provided subject to the parking location having been developed in accordance with the Planning and Development Act.
- In addition, Article 2(c) also inserts planning exemptions in respect of the provision of bollards not exceeding specified height and volume limits to protect electric vehicle charging units.



These amendments to the exempted development provisions in relation to electric vehicle charging points and hubs take account of the most up-to-date technological advances in charging infrastructure and will facilitate further roll-out of EV charging points in public places as well as increased take-up of electric vehicles, thereby assisting in reducing transport related carbon emissions and the achievement of climate objectives. The introduction of these new Regulations feeds into several government policies, most notably the *Climate Action Plan 2019: to tackle climate breakdown*. These new Regulations will enable the Department to achieve its commitment in Action 73 of the *Plan*, to ‘develop and implement planning rules and guidelines across residential and non-residential parking locations for EV charging infrastructure’.

Any queries in relation to this Circular letter should be emailed to [planning@housing.gov.ie](mailto:planning@housing.gov.ie).

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