



To: Directors of Planning

CC: Chief Executives

Senior Planners

An Bord Pleanála

Office of the Planning Regulator

Directors of Regional Assemblies

Circular Letter PL 07/2020

22 May 2020

Re: Planning and Development (Section 38) Regulations 2020 – S.I. No 180 of 2020

I am directed by Mr. Eoghan Murphy, T.D., Minister for Housing, Planning and Local Government to advise that he has signed the above Regulations which have immediate effect. A copy of the Regulations is attached for information.

The Regulations provide that planning authorities shall upload all planning application documents onto their internet websites within 5 working days of receipt, subject to exceptional circumstances i.e.

- an occurrence that was not reasonably foreseeable by the planning authority concerned,
- an occurrence that, though reasonably foreseeable by the planning authority, could not reasonably have been prevented by the planning authority, or
- the size or number of documents concerned.

This new statutory requirement is considered necessary in the context of the current Covid-19 pandemic and its associated travel restrictions with a view to facilitating greater use of online access to planning applications by members of the public, maintaining the integrity of the planning system, meeting Aarhus Convention and EU requirements in relation to public participation in decision-making processes, and providing alternative mechanisms to view planning applications.

The Regulations supplement the decision of the Minister not to recommend to Government the further extension of the recent Covid-19 related Orders under section 251A of the Planning and Development Act 2000, as amended, in line with the re-opening of planning offices under the Government's ***Roadmap for Re-Opening Society and Business*** and the phased resumption of planning operations in accordance with public health guidance with effect from 25 May 2020. The Regulations further supplement wider measures being put in place by the local government sector to facilitate access to planning applications by members of the public. These measures combined will continue to support the integrity of the planning system by ensuring that public



participation in the process is not diminished while, at the same time, securing the role of the planning system in the post-Covid-19 economic recovery.

Any queries in relation to this Circular Letter can be emailed to planning@housing.gov.ie.

Terry Sheridan

Principal

Planning Policy and Legislation