



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 PL 01/2022

7 January 2022

Re: Timeline for determining compliance condition submissions from developers

I refer to Circular PL 13/2021 of 17 December 2021 which advised of the commencement from that date of the new legislative arrangements in relation to Large-scale Residential Developments and also of the commencement from that date of section 23(4) of Planning and Development (Amendment) Act 2018 (the 2018 Act) relating to compliance condition submissions made to planning authorities by developers and holders of planning permission.

With regard to the latter, I am to advise that further to the receipt of legal advice, the provisions of section 23(4) of the 2018 Act setting out mandatory timelines for the determination of compliance condition submissions, as now inserted in section 34(5) of the Planning and Development Act 2001, as amended, apply to –

- (i) planning permissions granted by planning authorities on or after 17 December 2021, and
- (ii) compliance condition submissions received by planning authorities from developers and holders of planning permission on or after the afore-mentioned date.

While the new provisions and associated mandatory determination timelines do not apply to compliance condition submissions received by planning authorities prior to 17 December 2021, planning authorities are requested – in the spirit of the new provisions – to endeavour to process and determine outstanding compliance condition submissions received prior to that date as speedily as possible.

Terry Sheridan

Principal

Planning Policy and Legislation