

# Frequently Asked Questions

## When do I need to apply for planning permission?

Generally, you need planning permission for any development of land or property unless the development is specifically exempted. Development includes, carrying out work (building, demolition, alteration) on, in, over or under land or buildings and making a material (i.e. significant) change of use of land or buildings. Failure to obtain planning permission where it is required can result in penalties (e.g. significant fines and/or even imprisonment). Your local planning authority will be able to advise you about this.

## Where and how do I apply for planning permission?

You must lodge an application for planning permission with the planning authority for your area, which is one of the 31 local authorities in Ireland (your local city or county council). Application forms and information are available from your local planning authority. For more information, see planning leaflet 4 – ‘[A Guide to Making a Planning Application](#)’.

You may consult with the planning authority before lodging a planning application. It is often a good idea to do this, especially if you are unsure of local planning policies or if your proposal is complex.

## Can I make an observation or submission on a planning application to the planning authority?

You have a right to make a written submission or observation on any planning application on payment of the appropriate fee. The submission or observation must be made in writing within five weeks of the date that the planning authority receives the application. If possible, you should quote the planning application reference number. You must give your name and indicate the address to which any correspondence relating to the application should be sent. Your submission or observation will be acknowledged by the planning authority and you will be notified of the decision.

Your submission/observation must be based on planning considerations, not on personal likes, dislikes or grievances. Planning considerations include:

- national, regional plans and Government, Ministerial directives,
- development plan objectives and policies,
- local area plan objectives and policies,
- development management considerations such as density, parking provision, traffic hazards, overlooking, effects on residential amenities or services,
- environmental, amenity and shopping impacts,
- public health, and
- other planning matters.

If you have made a submission or observation that the planning authority has acknowledged, you have the right to appeal its decision to An Bord Pleanála.

## How are decisions made on planning applications?

The planning authority considers several matters when deciding on a planning application including:

- the proper planning and sustainable development of the area (e.g. appropriate land use (zoning), road safety, development density, size, location, adherence to established planning and development practices);
- provisions of the development plan;
- any other relevant plans (e.g. local area plan);
- Government or Ministerial policy;
- the provision of a Special Amenity Area Order relating to the area;
- the types of conditions that can be attached; and
- any European site (e.g. Special Areas of Conservation; Special Protection Areas).

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## How do I appeal against a decision made by a local authority?

Any person applying for planning permission, or who made written submissions or observations to the planning authority on a planning application, can appeal a decision made by a planning authority to An Bord Pleanála. For more information, see planning leaflet 5 – [‘A Guide to Making a Planning Appeal’](#).

## What is unauthorised development?

Any development that requires planning permission or a development which is in breach of the conditions of its planning permission is classed as ‘unauthorised development’. The term ‘development’ covers a wide range of activities including carrying out any works (i.e. building, demolition, alteration) on, in, over or under any land or buildings and making a material (i.e. significant) change of use of structures or land. For more information, see planning leaflet 6 – [‘A Guide to Planning Enforcement in Ireland’](#).

Carrying out unauthorised development is an offence and anyone who has undertaken unauthorised development may be subject to enforcement proceedings. Enforcement action can only be taken when development has been undertaken without the appropriate planning permission.

## How do I make a complaint about an unauthorised development?

If you think that someone is developing or using land without, or contrary to planning permission, the first step is to contact the planning authority. When doing this you need to set out in writing why you believe this is the case. When reporting a suspected breach of planning control, it is helpful if you provide as much information as possible including:

- The exact address,
- Dates and/or times when activities started,
- The nature of the building works or use, and
- The names, addresses and contact details of the known owners or other persons responsible.

For more information, see planning leaflet 6 – [‘A Guide to Planning Enforcement in Ireland’](#).

## What is the role of the Office of the Planning Regulator (OPR) in the planning process?

The OPR was established in April 2019 on foot of recommendations made by the Tribunal of Inquiry into Certain Planning Matters and Payments (the Mahon Tribunal).

In establishing the OPR, the Government’s aim is to enhance proper oversight of the planning system and to promote quality outcomes from, and consistency within, the planning system. The role and functions of the OPR are set out in the Planning and Development (Amendment) Act 2018 and include:

- The assessment of local authority county/city development plans and local area plans, and regional assembly regional spatial and economic strategies to ensure consistency with relevant regional or national policies and the requirements of planning legislation and good planning practice;
- The review of the systems and procedures used by any planning authority, including An Bord Pleanála, in the performance of their planning functions; and
- Driving national research activities as well as education, training and public awareness programmes to support the application of best practice in planning functions and activities.

Further information in relation to the role of the OPR is available [here](#).

