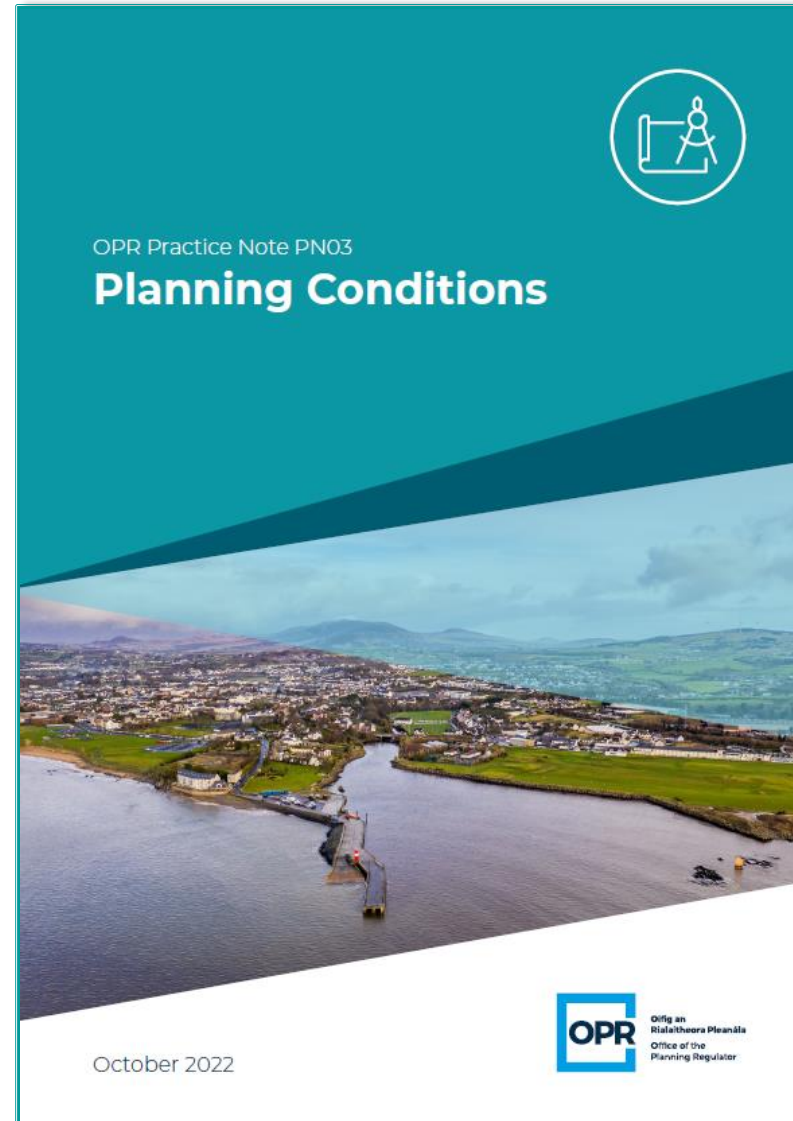


Practice Note PN03 Planning Conditions



What does PN03 address?

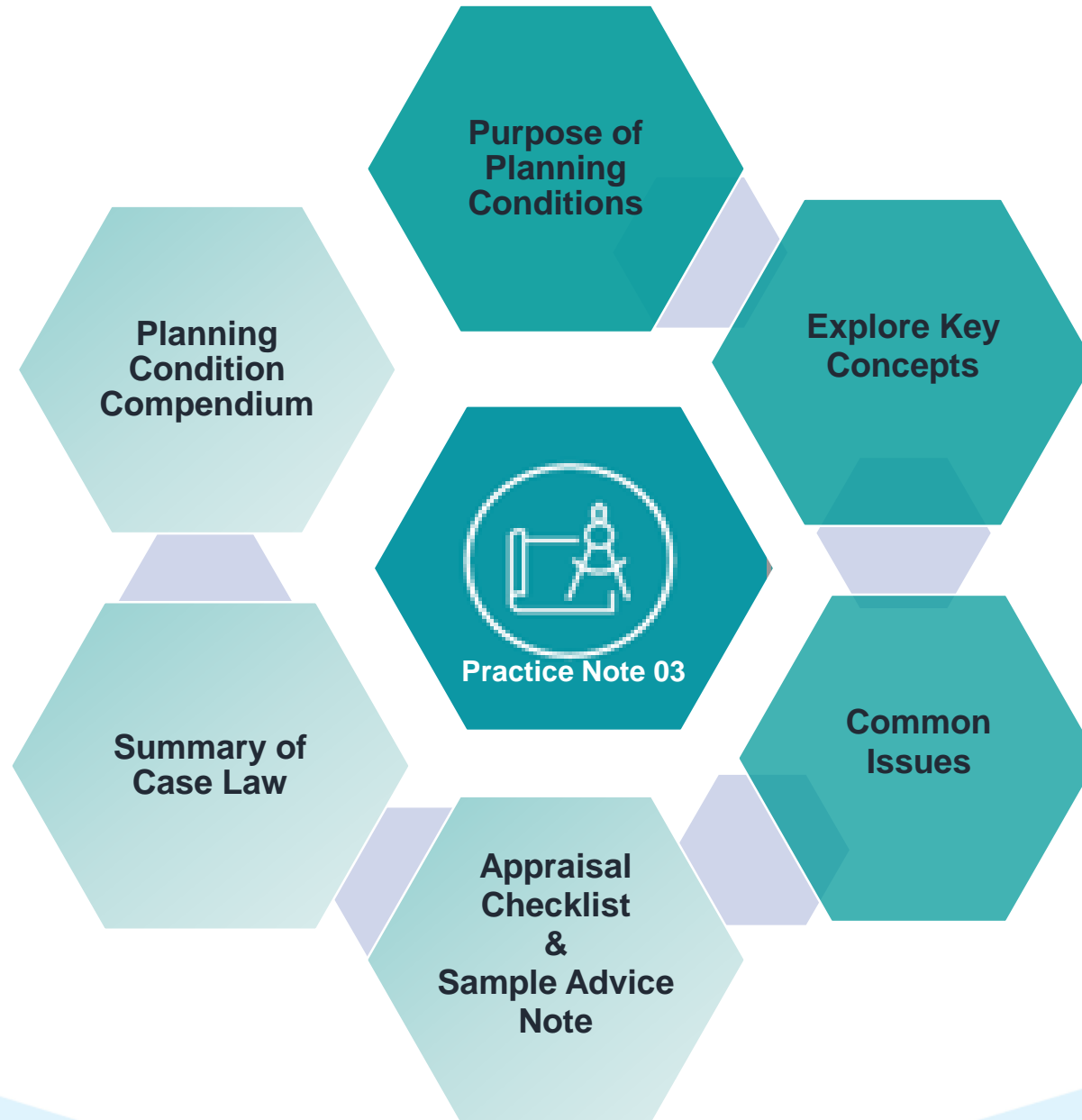




Illustration of the Six Basic Criteria for Imposing Conditions as Identified in the Section 28 Development Management Guidelines for Planning Authorities, 2007.

Planning Condition Appraisal Checklist

📌 NECESSARY	
1.	Is the condition necessary by virtue of the submitted plans and particulars that will be approved by the permission?
2.	Is the condition attempting to overcome a matter so significant that it might otherwise warrant refusal of permission and/or a fresh application?
3.	Are there significant matters of detail that necessitate formal agreement by way of compliance? Or could the condition specify what is required by the planning authority?
🏠 RELEVANT TO PLANNING	
4.	Do the matters, the condition is addressing, relate to proper planning and sustainable development?
5.	Are the matters, a potential condition is being contemplated to address, covered by other statutory codes?
6.	Are there any Section 28 Guidelines that have development management requirements relevant to the development type and conditions being contemplated?
7.	Has the condition had due regard to the EIAR and the matters considered in the EIA?
8.	Has the condition had due regard to the conservation objectives of any relevant European site and is the condition consistent with the AA?
🏠 RELEVANT TO THE DEVELOPMENT	
9.	Is the condition directly relevant to the development being permitted?
10.	If using a standard condition, has it been appropriately applied and adapted to reflect the proposal?
🔍 PRECISE	
11.	Is the wording of the condition clear and precise?
12.	Does the reason given for the condition accurately describe the purpose of the condition?
13.	Will the condition and its reason be readily understood by all parties and the public?
14.	Where a condition specifies, that matters must be submitted for the written agreement of the planning authority, does the condition clarify how and when agreement must be reached? (e.g. 'prior to the commencement of development', 'prior to the commencement of construction', 'prior to the occupation of units', 'prior to the implementation of the relevant part of the development' etc.?)
🔍 ENFORCEABLE	
15.	Is the condition sufficiently clear and precise to enable enforcement action be taken, in the event of non-compliance?
16.	Has the developer the legal authority to comply with the terms of the condition?
🏠 REASONABLE	
17.	Given the nature and scale of the development is the condition reasonable?
18.	Will the condition significantly alter the proposed development in such a way as to deny interested parties the opportunity to comment on aspects that may have a significant impact on them and that should be assessed as part of the planning application?
19.	Would the matter that the condition is addressing be better addressed by requiring the applicant to submit further information or revised plans?
20.	Does the applicant have sufficient interest in any lands that a particular condition relates to if outside the submitted site boundaries?

Appendix B – Condition Compendium

Appendix B

Planning Conditions Compendium

	Sheet /Table	Contents
Overarching Thematic Conditions	A	Standard Conditions
	B	General Technical
	C	Archaeology
	D	Architectural Heritage
	E	Financial Contributions
	F	Noise
	G	Transportation Planning
	H	Waste
Conditions by Development Type	1	Advertising
	2	Agriculture
	3	Domestic & Independent Living
	4	Industrial
	5	Quarries
	6	Residential
	7	Retail
	8	Rural Housing
	9	Social Infrastructure
	10	Solar Farm
	11	Telecommunications
	12	Tourist Accommodation
	13	Wind Energy

Appendix B – Condition Compendium

Appendix B

A. Standard:

All decisions should include at least one condition from this sheet in order to ensure the relevant plans and particulars subject of the application, for example a landscaping plan.

Additional Notes	Sub-Heading	Condition Ref No.	Sample Condition Wording
Refer to section 1.2 of the Practice Note.	In standard applications	A.1	The development shall be carried out in accordance with the plans and particulars submitted with the planning application, save as may be otherwise required by the following conditions.
	In applications where further information was received.	A.2	The development shall be carried out in accordance with the plans and particulars submitted with the planning application, as modified by further information submitted on <i>[Insert Date]</i> , save as may otherwise be required by the following conditions.
Refer to section 3.13 of the Practice Note.	In applications with an Environmental Impact Assessment Report (EIAR).	A.3	The development shall be carried out in accordance with the plans and particulars submitted with the planning application, <i>[as modified by further information submitted on <i>[Insert Date]</i>]</i> and in accordance with the mitigation measures and the timescale for their implementation contained in the submitted Environmental Impact Assessment Report (EIAR), save as may otherwise be required by the following conditions. <i>[The developer shall appoint a project manager with appropriate experience to ensure the implementation of the mitigation measures within the timescales listed in the EIAR.]</i>

B. General Technical

Additional Notes	Sub-Heading	Condition Ref No.	Sample Condition Wording	Sample Reason	Post-Permission
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C. Archaeology:

To ensure sustainable development and protection of the archaeological heritage, an Archaeological Impact Assessment (AIA) and/or Underwater Archaeological Impact Assessment (UAIA), where applicable, should preferably be submitted with the National Monuments Record (NMR) note & glossary in order to ensure compliance with policy objectives.

D. Architectural Heritage

E. Financial Contributions

Additional Notes	Sub-Heading	Condition Ref No.	Sample Condition Wording	Sample Reason	Post-Permission Compliance Required
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F. Noise:

Conditions contained here will generally only apply in respect of certain developments or in sensitive environments. Refer to sheets 5 and 13 for quarry and wind energy development specific noise condition(s).

Additional Notes	Sub-Heading	Condition Ref No.	Sample Condition Wording	Sample Reason	Post-Permission Compliance Required
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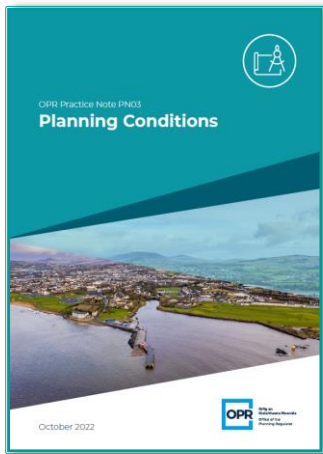
G. Transportation Planning:

Additional Notes	Sub-Heading	Condition Ref No.	Sample Condition Wording	Sample Reason	Post-Permission Compliance Required
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H. Waste:

Additional Notes	Sub-Heading	Condition Ref No.	Sample Condition Wording	Sample Reason	Post-Permission Compliance Required
This may apply to various types of development and should be refined accordingly having regard to the site circumstances. https://www.epa.ie/publications/circular-economy/resources/CDWasteGuidelines.pdf	Resource Waste Management Plan (RWMP)	H.1	Prior to the commencement of development, the developer or any agent acting on its behalf, shall prepare a Resource Waste Management Plan (RWMP) as set out in the EPA's Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for Construction and Demolition Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be made available for inspection at the site office at all times.	In the interest of proper planning and sustainable development.	✓
The management of waste should be a key consideration at the formative stage of the project.	Management of waste residential schemes	H.2	A plan containing details for the management of waste (and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials, during the course of construction of the development.	To provide for the appropriate management of waste and, in particular, recyclable materials, in the development.	✓

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