



To: Chief Executives, City and County Councils
Chief Executive, Office of Planning Regulator
Chairperson, An Bord Pleanála
Directors, Regional Assemblies

Cc: Senior Planners, City and County Councils
Deputy Regulator, Office of Planning Regulator
Director of Planning, An Bord Pleanála
Assistant Directors, Regional Assemblies

Circular Letter: EUIPR 06/2022

19 December 2022

**PLANNING AND DEVELOPMENT ACT 2000 (EXEMPTED DEVELOPMENT) (NUMBER 5)
REGULATIONS 2022**

A Chara,

I am writing to inform you that new Regulations entitled the Planning and Development Act 2000 (Exempted Development) (Number 5) Regulations 2022 (S.I. No 664 of 2022) were signed on 13 December 2022 by Mr Peter Burke, T.D., Minister of State at the Department of Housing, Local Government and Heritage, and came into effect on 14 December.

The Regulations insert a new Article (Article 8H) into the Planning and Development Regulations 2001. Article 8H provides that the replacement of broadleaf high forest by conifer species in areas less than 10 hectares (in areas other than a city, a town or other specified areas), currently exempted under Article 6(3) of the Planning and Development Regulations, remains exempted from the planning system even where an Environmental Impact Assessment (EIA) and/or Appropriate Assessment (AA) is required. In accordance with Section 4(4A) of the Planning and Development Act, the EIA and/or AA will be carried out pursuant to licencing processes under Section 6 of the Forestry Act 2014.



The replacement of broadleaf high forest by conifer species in areas less than 10 hectares (in areas other than a city, a town or other specified areas) is exempt entirely from planning, including where an EIA and/or AA is required for that development, with the Department of Agriculture, Forestry and Marine acting as the single consenting authority.

Please find a copy of the Regulations (S.I. No 664 of 2022) enclosed at Appendix 1 for information. The Regulations are also available to view or download on the electronic Irish Statute Book (<http://www.irishstatutebook.ie>) .

Any queries in relation to this Circular letter should be emailed to euplanningregulation@housing.gov.ie.

Is mise le meas,

A handwritten signature in black ink that reads "Lisa Clifford".

Lisa Clifford

Principal Officer

EU and International Planning Regulation