



STATUTORY INSTRUMENTS.

S.I. No. 114 of 2021



PLANNING AND DEVELOPMENT ACT 2000 (EXEMPTED
DEVELOPMENT) REGULATIONS 2021

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WHEREAS I, PETER BURKE, Minister of State at the Department of Housing, Local Government and Heritage, am of the opinion that development to which the following regulations apply would not offend against principles of proper planning and sustainable development by reason of the nature and limited effect of development belonging to that class on its surroundings; and

WHEREAS a draft of the following regulations has been laid before each House of the Oireachtas and a resolution approving that draft has been passed by each such House;

NOW I, PETER BURKE, Minister of State at the Department of Housing, Local Government and Heritage, in exercise of the powers conferred on me by subsection (2) of section 4 and section 262 of the Planning and Development Act 2000 (No. 30 of 2000) (as adapted by the Housing, Planning and Local Government (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 408 of 2020)) and by the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2020 (S.I. 559/2020), hereby make the following regulations:

1. (1) These Regulations may be cited as the Planning and Development Act 2000 (Exempted Development) Regulations 2021.

(2) These Regulations shall be included in the collective citation the Planning and Development Regulations 2001 to 2021.

2. Schedule 2 of the Planning and Development Regulations 2001 (S.I. No. 600 of 2001) is amended, in Part 1, by –

(a) the substitution of the following text for the text in column (1) under the heading CLASS 20C:

“Temporary use as a school of any structure formerly used as a school, hall, club, art gallery, museum, library, reading room, gymnasium, or other public building, or any structure normally used for religious instruction”;

(b) the insertion of the following after CLASS 20C:

“

<p>CLASS 20D</p> <p>Development consisting of –</p> <p>The erection on land on which a school is situated of a structure to facilitate the continued delivery of education.</p>	<ol style="list-style-type: none"> 1. No such structure shall be erected for a period exceeding 5 years. 2. The gross floor area of such structure shall not exceed 30% of the gross floor area of the existing school. 3. No such structure shall exceed two storeys. 4. Distance to party boundary - <ol style="list-style-type: none"> (a) any single storey structure shall be a distance of not less than 2 metres from any party boundary, (b) any two-storey extension facing an existing dwelling shall be a distance no less than 22 metres from the main part of the dwelling, or (c) any two-storey extension closer than 12.5m to a party boundary, or facing and closer than 22 metres to the dwelling shall - <ol style="list-style-type: none"> (i) have no windows overlooking, or (ii) have obscure glass. 5. Such structure shall comply with the Department of Education Primary and Post Primary Technical Guidance Documents for the time being in force.
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(c) the substitution of the following text for the text in column (1) under the heading CLASS 57:

“The extension of a school, where the school has not been previously extended under a CLASS 57 exemption, by the construction or erection of an extension to the side or rear of the school.”

(d) the substitution of the following text for the text in column (2) in so far as it relates to CLASS 57:

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1. The floor area of any such extension shall not exceed 210 square metres.
2. No such structure shall be above the ground floor.
3. Any extension shall be a distance of not less than 2 metres from any party boundary.
4. An exemption under this class shall only be availed of once.
5. Such structure shall comply with the Department of Education Primary and Post Primary Technical Guidance Documents for the time being in force.

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GIVEN under my hand,
16 March, 2021.

PETER BURKE,
Minister of State at the Department of Housing, Local
Government and Heritage

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