



STATUTORY INSTRUMENTS.

S.I. No. 246 of 2023



PLANNING AND DEVELOPMENT ACT 2000 (EXEMPTED
DEVELOPMENT) (NO. 3) REGULATIONS 2023

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WHEREAS I, DARRAGH O'BRIEN, Minister for 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, DARRAGH O'BRIEN, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 4(2) and 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)), hereby make the following regulations:

Citation

1. (1) These Regulations may be cited as the Planning and Development Act 2000 (Exempted Development) (No. 3) Regulations 2023.

(2) The collective citation "Planning and Development Regulations 2001 to 2023" includes these Regulations.

Definition

2. In these Regulations "Principal Regulations" means the Planning and Development Regulations 2001 (S.I. No. 600 of 2001).

Amendment of Article 5 of the Principal Regulations

3. Article 5(1) of the Principal Regulations is amended by inserting the following definitions after the definition of "fish counter":

"'gas pressure regulating station', means a unit station comprised of equipment, the purpose of which is to hold pressure constant or to vary it in a pre-determined manner;

'gas vent stack', means a device designed to vent gas in the event of over pressure being detected within the system it protects;".

Amendment of Part 1 of Schedule 2 to the Principal Regulations

4. Part 1 (Exempted Development – General) of Schedule 2 to the Principal Regulations is amended—

- (a) subject to paragraph (b), by inserting the following after Class 29B:

“

Column 1 Description of Development	Column 2 Conditions and Limitations
<p>Class 29C</p> <p>The carrying out by a statutory undertaker authorised to provide a gas service of development consisting of the construction or erection of a gas pressure regulating station and associated ancillary equipment or a gas vent stack for the supply of gas.</p>	<ol style="list-style-type: none"> 1. The volume above ground level of any gas pressure regulating station, and ancillary equipment, shall not exceed 9 cubic metres, measured externally. 2. A gas vent stack shall not exceed 3 metres in height. 3. No such development shall be constructed or erected within 5 metres of the curtilage of any house or other residential building.

”.

- (b) For convenience of reference only, there is set out in paragraph (a), before the reference to Class 29C, the relevant headings that apply in respect of the columns concerned.



GIVEN under my Official Seal,
22 May, 2023.

DARRAGH O'BRIEN,
Minister for Housing, Local Government and Heritage.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the Planning and Development Regulations 2001, as amended (the Principal Regulations).

Article 3 of these Regulations amends Article 5 of the Principal Regulations by inserting a new definition for “gas vent stack” and “gas pressure regulating station”.

Article 4 of these Regulations amends Part 1 (Exempted Development – General) of Schedule 2 to the Principal Regulations by inserting a new Class 29C of exemptions from the requirement to obtain planning permission for certain works undertaken by a statutory undertaker authorised to provide a gas service.

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