



STATUTORY INSTRUMENTS.

S.I. No. 720 of 2021

PLANNING AND DEVELOPMENT (LARGE-SCALE RESIDENTIAL
DEVELOPMENT FEES) REGULATIONS 2021

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DEVELOPMENT FEES) REGULATIONS 2021

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 (1) of section 246 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:

Citation and construction

1. (1) These Regulations may be cited as the Planning and Development (Large-scale Residential Development Fees) Regulations 2021.

(2) The collective citation “Planning and Development Regulations 2001 to 2021” includes these Regulations.

Interpretation

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

Amendment of Section 2 of Schedule 9 to the Principal Regulations

3. (1) Section 2 of Schedule 9 of the Planning and Development Regulations 2001 (S.I. No. 600 of 2001) is amended, subject to paragraph (2), by inserting the following after paragraph 13:

“

Column 1 Class of Development	Column 2 Amount of Fee	Column 3 Amount of Fee for Retention Permission
<p>14. The provision of a large-scale residential development:</p> <p>(a) Pre-Application Consultation</p> <p>(b) Basic fee structure: Each Housing Unit</p> <p>Note: In respect of an application comprising student accommodation, or shared accommodation the above structure range and fee per unit should be applied on the pro rata basis of the fee for 1 housing unit = the fee for 2 bed spaces of student accommodation or shared accommodation.</p> <p>(c) Fee Structure for other uses on the land, the zoning of which facilitates such use: per square metre of gross floor space to a maximum of 30% of floor space of the entire development.</p> <p>(d) Submission of an EIS/NIS Fee Structure:</p> <p style="padding-left: 40px;">Submission of EIS</p> <p style="padding-left: 40px;">Submission of NIS</p>	<p>€1,500</p> <p>€130 per housing unit</p> <p>€7.20 per square metre to a maximum of €32,400</p> <p>€10,000</p> <p>€10,000</p>	<p>€390 per housing unit</p> <p>€15 per square metre to a maximum of €65,000</p> <p>€10,000</p> <p>€10,000</p>

”.

(2) For convenience of reference there is set out in the amendments provided for in paragraph (1), the relevant headings that apply for the columns concerned.

Amendment of Section 3 of Schedule 9 to the Principal Regulations

4. Section 3 of Schedule 9 of the Planning and Development Regulations 2001 (S.I. No. 600 of 2001) is amended by:

- (a) The substitution in paragraph 2 of “€20,000” for “€9,500”
- (b) The substitution in paragraph 4 of “paragraph 1, 2, 3 or 6” for “paragraph 1, 2 or 3”
- (c) The insertion after paragraph 5 of:
"6. The maximum fee payable to a planning authority by an applicant in respect of an application for permission for a large scale residential development shall be €80,000"

GIVEN under my hand,
17 December 2021

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

EXPLANATORY NOTE

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

The Regulations provide for the new planning fees to be applied in respect of the new Large-scale Residential Development (LRD) planning arrangements which replace the Strategic Housing Development (SHD) planning arrangements and restore decision making for such LRDs to local planning authorities.

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