



STATUTORY INSTRUMENTS.

S.I. No. 236 of 2026

PLANNING AND DEVELOPMENT (AMENDMENT (ACT OF 2000))
REGULATIONS 2026

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I, JOHN CUMMINS, Minister of State at the Department of Housing, Local Government and Heritage, in exercise of the powers conferred on me by section 33 of the Planning and Development Act 2000 (No. 30 of 2000), as amended, (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 2025 (S.I. No. 364 of 2025), hereby make the following regulations:

Citation and construction

1. (1) These Regulations may be cited as the Planning and Development (Amendment (Act of 2000)) Regulations 2026.

(2) These Regulations shall be included in the collective citation the Planning and Development Regulations 2001 to 2026.

Interpretation

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

Content of planning applications generally

3. The Principal Regulations are amended —
- (a) in article 22(2) by substituting for paragraph (g) the following:
 - “(g) where the applicant is not the legal owner of the land or structure concerned —
 - (i) the written consent of the owner to make the application, or
 - (ii) in the case of a proposed development, or part of a proposed development, that is in, on, over or under a public road, written confirmation that the proposed development concerned is to be undertaken by a statutory undertaker having a right or interest to provide services in connection with the proposed development, or
 - (iii) in the case of a proposed development, or part of a proposed development, where the applicant is Uisce Éireann and it is the intention of the

applicant to compulsorily acquire the land for the purpose of such development, written confirmation of the intention of such applicant to compulsorily acquire the land in question should planning permission be granted for the proposed development, and the statutory provision or provisions under which it intends to seek the compulsorily acquisition of such lands”, or

- (iv) in the case of a proposed development, or part of a proposed development, where the applicant is ESB Networks, written confirmation of the intention of the applicant to utilise its wayleave powers under section 53 of the Electricity (Supply) Act, 1927,

and

- (b) in Schedule 3, in the accompanying documents checklist at the end of Form No. 2, by substituting “article 22(2)(g)(ii) or article 22(2)(g)(iii)” with “article 22(2)(g)(ii), article 22(2)(g)(iii) or article 22(2)(g)(iv)”

GIVEN under my hand,
26 May 2026

JOHN CUMMINS,
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.)

This amendment enables ESB Networks to apply for planning permission for infrastructure on land where it is not the landowner but where it would be the intention of ESB Networks to utilise its Wayleave Powers under Electricity (Supply) Act, 1927.

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PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
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MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

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