



**Report to the Planning & Urban Form
Strategic Policy Committee February 2023.
No. 4 on the Agenda**

SPC Briefing on Draft Planning & Development Bill 2022

1. Purpose of Act (Enabling Role)

The draft Bill is 730 pages long compared to the 270 pages in original 2000 Act. Section 1A includes reference to the “common good” (j) and “social cohesion and environmental standards for the benefit of future generations” (h)

2. Forward Planning - Development Plans:

Proposed that Development Plans are made every 10 years with a mid-term review.

The timelines for review and preparation of the Development Plan are as yet unchanged.

Sections 42 (3) (c) and 42 (5); Section 43 & 45, Section 218 set out a complex series of strategies for inclusion in the Draft Development Plan- (i) over arching strategy (ii) settlement strategy; (iii) sustainable development and regeneration strategy; (iv) housing delivery strategy and (v) a housing strategy (Sec 218).

The new Bill refers only to objectives and Strategies, but not Policies.

3. Forward Planning – Local Plans

Local Area Plan (LAP) replaced with Urban Area Plans (UAP's), Priority Area Plans (PAP's), Joint Area Plans (JAP's) and SDZ/UDSZ's (p97-126).
Section 67(1), which states that all LAPs cease once a new Development Plan is made under the new Act.

Section 72(1) requires that all Area Plans should be commenced within 2 years of the new Development Plan.

4. Judicial Review

The Bill requires that due process with the planning system is exhausted before considering a JR, allowing the courts to remit the matter back to the decision making authority to the appropriate stage in the process, rather than quashing outright.

5. Planning Permission/Consents

Current arrangements for LRD applications integrated into the Bill.
Current process of planning applications mostly remains the same.
Amendments of permission and extensions of duration of permission have been combined into one process.

6. Enforcement

Enforcement Notices – new administrative processes and time periods outlined (Sc 293)
New Regional Enforcement Authority proposed that can carry out investigations or serve a warning letter.

7. Strategic Development Zones (SDZs)

Transitional arrangements for existing SDZs see them remain in place under the new Bill.

Review required by the Department of SDZs within 12 months of the relevant section of the Act (Sc 462 (4) (a))

8. Record of Protected Structures (RPS)

General process of adding/amending/removing structures from RPS remains broadly the same as current procedures.
Ministerial NIAH commendations on RPS require Councils to serve notice on the owner(s) and publish notice in paper.

John O'Hara
Dublin City Planning Officer.
February 2023