

Selected Changes (2006 Planning & Development Regulations) Commencement 31st March 2007

This is not a comprehensive list of changes and is intended as a guide only. Please refer to legislation.

Reference	Topic	Change
A22 (1)	STANDARD APPLICATION FORM	Introduces a prescribed standard planning application form throughout the Country.
A18(1)(d)	NEWSPAPER NOTICE	<p>Regulation amended to require “a brief description of the notice and extent of development”... as part of the requirements of the published notice. Explanation from DoEHLG states that “this is to prevent invalidation on the grounds that a detailed description was not included in the newspaper”.</p> <p>The description must still appropriately inform the public and certain elements (e.g. the number of houses) must still be included.</p> <p>Directions for completing the site notice and new planning application form have been similarly amended (see footnote 4 to application form requiring “A brief description of the nature and extent of the development including reference to the number and height of buildings, protected structures, etc.”</p>
A18(1)(e) and Form 1 of Schedule 3 (page 92)	SITE NOTICE	Among other elements the site notice will inform the public that the planning application may be inspected “during the public opening hours of the planning authority”.
A19(4)	REPEAT APPLICATION: YELLOW SITE NOTICE	Yellow “repeat” site notice not to be used unless an earlier VALID application has been made. Also amended to confirm that a yellow notice is required where there has been any application “first mentioned” in the previous 6 months but this does not necessarily refer back to the first application <u>ever</u> on that site.
A22(2)(b)	SCALE OF LOCATION PLAN	Generally 1:1000 in built up areas or 1:2500 elsewhere but can agree alternative scale with planning authority prior to application. Also can show location of site notice on the submitted location plan rather than requiring a separate site plan.
A22(2)(c)	SITE SUITABILITY EFFLUENT DISPOSAL	Where the proposal is to dispose of wastewater from the proposed development other than to a public sewer, there is a requirement to supply information on the on-site treatment system proposed and evidence as to the suitability of the site for the proposed system.
A22(2)(d)	SCHEDULE OF MAPS AND DRAWINGS	Requirement dropped.
A22(2)(9)	CONSENT LETTER	Where the applicant is not the legal owner of the land or structure concerned, there is a requirement to submit the written consent of the owner to make the application.

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A22(5)	PROPOSED DEMOLITION	Floor plans not required if building to be demolished except where the building is an existing or proposed protected structure.
A22A	SPECIFIED ADDITIONAL INFORMATION.	The planning authority may require the applicant to submit with the planning application specified additional information. However, failure to provide the information will not invalidate the application.
A23(1)(a)	ACCOMPANYING PLANS AND DRAWINGS	Normally to a scale not less than 1:500 but, <u>subject to prior agreement</u> with the planning authority, an alternative scale may be used.
A23(1)(d)	CONTEXT ELEVATIONS	Return to requirement for all elevations (not just front elevation) to show main features of contiguous buildings at a scale of not less than 1:200.
A23(1)(h)	NORTH POINT	All maps and plans other than OSI maps must include a north point.
Article 23	ADDITIONAL INFORMATION/MATERIAL	To assess an application the planning authority may require additional information/material including a transport assessment (A23(3)); additional drawings, maps or photographs (A23(4)) and/or a scale model to show the development and land and buildings in the vicinity (A23(5)).
A26(1) and (2)	STAMPING OF DOCUMENTATION	Amended to remove requirement to stamp all documents with date of receipt of planning application before checking. Now requirement is to stamp documents <u>after</u> the application has been validated.
26(4)	INVALIDATION AFTER SITE INSPECTION	Where, on a site inspection to which a planning application relates, the planning authority considers the requirements in respect of site notices have not been met (including the requirement to maintain the notice for 5 weeks) or the information submitted in the planning application is substantially incorrect or substantial information has been omitted, the planning application will be deemed invalid (even if acknowledgement has already been sent to the applicant).
A26(5)(C)	REGISTERED INVALIDS	Planning authority only required to enter an indication of an invalid file as opposed to full details.
A27(1)	WEEKLY LIST	Publish within 5 working days of the end of that week the list of applications received during that week. (Previously 3 days).
A29(3)	LATE SUBMISSIONS	Only submissions from persons and bodies other than the prescribed bodies are returned after 5 week deadline – i.e. a late submission may be accepted from prescribed bodies (although the planning authority may make the planning decision as soon as the 5 weeks has elapsed).
A29A	TIMESCALE FOR SUBMISSIONS OR OBSERVATIONS	Where the last day of the prescribed period is a public holiday or any other day on which the offices of the planning authority are closed (e.g. a weekend), the planning authority can accept the submissions on the next following working day.

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A33(3)	FURTHER INFORMATION PERIOD AND DEEMED WITHDRAWAL	By agreement with the planning authority the period for receipt of F.I. (or F.I. matters arising information) can be extended beyond 6 months by up to but not exceeding, a further 3 months. This longer period is intended to facilitate collection of EIS information. Should the Further Information or the clarification information not be received within the agreed timeframe (6 months or longer if agreed) the application should be deemed withdrawn.
A34	REVISED PLANS (EXTENSION OF TIME)	If the planning authority invites revised drawings, the applicant may indicate (provided it is still within the first 8 weeks) that (s)he intends to provide the revisions and at the same time shall consent to the extension of time for making the decision.
A35 and Form A of schedule 3	SIGNIFICANT ADDITIONAL INFORMATION	<p>The planning authority can require (within a fixed deadline) that a notice be placed in an approved newspaper, and a site notice erected, in both cases specifying receipt of "Further Information" or "Revised plans" and advising that details can be inspected or purchased during normal public opening hours of the planning authority.</p> <p>If the planning authority considers the notices (newspaper or/and site) do not adequately inform the public then it can require new notices.</p>
A35(A)	PERIOD FOR CONSIDERATION OF FI	The period for considering applications where there is F.I. which is deemed significant thus requiring new notices, will not commence until the planning authority has received the notices referred to above.
A35	ACKNOWLEDGMENT OF SUBMISSIONS	The planning authority is required to acknowledge receipt of submissions made on the F.I. using a standard form. The period for making submissions ends 2 weeks after receipt of the notices by the planning authority. (5 weeks were an EIS is submitted).
A36	MATERIAL CONTRAVENTION	New sections provide that persons can make submissions on a proposal where the planning authority is considering a grant of permission and the development would materially contravene the development plan. Submission should be made within 4 weeks of the first appearance of the notice of the material contravention proposed in a newspaper an such submissions must be acknowledged.
A37	WITHDRAWAL OF APPLICATIONS	Any person or body making representations on an application to be notified of its withdrawal.
AA2	EXTENSION OF DURATION	Clarified that applications for extension of time must be accompanied by the prescribed fee.
A95	SCOPING OF AN EIS	Any request for a written opinion on information to be contained in an EIS must include a location map with the application site outlined in red, adjoining land in the same ownership in blue and wayleaves in yellow.

