



STATUTORY INSTRUMENTS.

S.I. No. 45 of 2020



PLANNING AND DEVELOPMENT ACT 2000 (EXEMPTED
DEVELOPMENT) REGULATIONS 2020

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I, EOGHAN MURPHY, Minister for Housing, Planning and Local Government, in exercise of the powers conferred on me by subsection (4A) of section 4 of the Planning and Development Act 2000 (No. 30 of 2000) (as adapted by the Housing, Planning, Community and Local Government (Alteration of Name of Department and Title of Minister) Order (S.I. No. 358 of 2017)), hereby make the following regulations:

1. (1) These Regulations may be cited as the Planning and Development Act 2000 (Exempted Development) Regulations 2020.

(2) The Planning and Development Regulations 2001 to 2019 and these Regulations may be cited together as the Planning and Development Regulations 2001 to 2020.

(3) These Regulations shall come into operation on the day immediately following the day on which they are made.

2. The Planning and Development Regulations 2001 (S.I. No. 600 of 2001) are amended by –

(a) the substitution of the following Article for Article 8F:

“8F. Development (other than the replacement of broadleaf high forest by conifer species) that is licensed or approved under section 6 of the Forestry Act 2014 (No. 31 of 2014) and that consists of –

(a) the thinning, felling or replanting of trees, forests or woodlands, or

(b) works ancillary thereto,

shall be exempted development.”, and

(b) the substitution of the following Article for Article 8G:

“8G. Development (other than development consisting of the provision of access to a national road within the meaning of the Roads Act 1993 (No. 14 of 1993)) that is licensed or approved under section 6 of the Forestry Act 2014 (No. 31 of 2014) and that consists of-

(a) the construction, maintenance or improvement of a road (other than a public road within the said meaning), that serves a forest or woodland, or

(b) works ancillary thereto,
shall be exempted development.”.



GIVEN under my Official Seal,
7 February 2020.

EOGHAN MURPHY,
Minister for Housing, Planning and Local Government

EXPLANATORY NOTE

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

The thinning, felling or replanting of trees, forests or woodland (not including the replacement of broadleaf high forest by conifer trees) and the construction, maintenance or improvement of a forest road (not being a public road and not including the provision of access to a national road) are exempted development under section 4(1) of the Planning and Development Act 2000 (“the Act”), as amended. This is because such development is subject to the consent of the Minister for Agriculture, Food and the Marine under the Forestry Act 2014 (No. 31 of 2014). However, under section 4(4) of the Act, as amended, this development is no longer exempted if it would require an environmental impact assessment and/or an appropriate assessment.

Article 2 of these Regulations amends the Planning and Development Regulations 2001, as amended, by substituting new Articles 8F and 8G to ensure that this development remains exempted development, even where an environmental impact assessment and/or an appropriate assessment is required in cases where the development is licenced or approved by the Minister for Agriculture, Food and the Marine, in accordance with section 4(4A) of the Act.

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D02 DR67.

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