



Circular PD 7/08

18 December 2008

**Subject: Calculation of time limits in the planning application process over the Christmas period.**

The purpose of this circular, which is issued following a complaint to the Office of the Ombudsman, is to -

- remind planning authorities of the provisions of section 251 of the Planning and Development Act 2000, which extends time limits in relation to the planning application process over the Christmas period, and
- request that planning authorities take immediate action to ensure that information regarding the extended time limits is readily accessible to planning applicants and the general public.

Section 251 provides that in calculating any appropriate period or other time limit referred to in the Act (other than a period specified in Part II) or in any regulations made under the Act, the period between the 24th day of December and the first day of January, both days inclusive, shall be disregarded. Accordingly, all time limits specified in connection with the planning application process, including time limits relating to the maintenance of site notices and receipt of submissions or observations (articles 20 and 29 of the Planning and Development Regulations, 2001) are extended by 9 days.

Obviously, lack of awareness of this extended period could have significant consequences for members of the public –

- a planning application may be invalidated because the requisite site notice is not *in situ* for the required period, leading to delay and expense in submitting a new application;
- persons may not realize they have an additional period of time after Christmas within which to make submissions or observations on a planning application.

In the course of dealing with a complaint regarding the application of the extended time periods under section 251, the Office of the Ombudsman examined planning information provided on a sample of local authority websites and found that, with one exception, none provided information on the extended time period over Christmas, and its implications. Accordingly, each planning authority is requested immediately to review, and where necessary amend, their public information documentation and planning information on their websites, to ensure that they provide clear and accurate information to planning applicants and the general public regarding the extended time limits that apply over the Christmas period in the planning application process.



In this regard, an appropriate addendum should be drafted and inserted into copies of the Department's leaflets "PL1-A Guide to Planning Permission" and "PL2 – Making a Planning Application", pending the intended revision and re-issue of these and other planning information leaflets.

This review and any necessary clarification of planning information should be completed not later than close of business on 24 December.



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Liam Whelan  
Principal Officer  
Planning System

To all Planning Authorities

c.c. An Bord Pleanála, Office of the Ombudsman