Oifig an Rialaitheora Pleanála
Office of the Planning Regulator

Annual Overview of the Planning System 2022

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Acronym List

ABP:	An Bord Pleanála
CSO:	Central Statistics Office
DHLGH:	Department of Housing, Local Government and Heritage
EMRA:	Eastern and Midland Regional Assembly
JR:	Judicial Review
LAPs:	Local Area Plans
NOAC:	National Oversight and Audit Commission
NPF:	National Planning Framework
NWRA:	Northern and Western Regional Assembly
OPR:	Office of the Planning Regulator
RRDF:	Rural Regeneration and Development Fund
RSESs:	Regional Spatial and Economic Strategies
SDZs:	Strategic Development Zones
SHD:	Strategic Housing Development
SID:	Strategic Infrastructure Development
SRA:	Southern Regional Assembly
STDEVP:	Standard Deviation of a Population
URDF:	Urban Regeneration and Development Fund

Planning in Ireland

200+

Regional Spatial and Economic Strategies

Statutory Development Plans

Local Area Plans

Strategic Development Zones

31 Planning Authorities

1 An Bord Pleanála

3 Regional Assemblies

2022 in Numbers

33,592
Planning Decisions Made

26,751
Applications Granted

26.3%
% of Local Authority Decisions Reversed by An Bord Pleanála

2,297
Appeals to An Bord Pleanála

6,841
Applications Refused

52 Public consultation on statutory plans initiated

21 Statutory plans adopted

Strategic Housing Development applications received/granted and refused

127	49	19	1
Received	Granted	Refused	Split Decision

1 Introduction

This Annual Overview of the Planning System published by the Office of the Planning Regulator (OPR) provides a strategic review of key trends and outputs over 2022. It includes a comparison with patterns in previous years and is the only analysis of its kind of the Irish planning system, drawing on published statistics from the Central Statistics Office (CSO), the National Oversight and Audit Commission (NOAC), the Department of Housing, Local Government and Heritage (DHLGH) and An Bord Pleanála (ABP).

The available data has been examined under five key headings:

1. **Forward Planning;**
2. **Development Management;**
3. **Planning Appeals;**
4. **Planning Enforcement, Land Activation, Vacancy and Legal Challenges; and**
5. **Costs of Operating Local Authority Planning Functions.**

Analysis of the data indicates that Ireland's planning process continues to perform statutory duties against a backdrop of significant and increasing workloads.

As in previous overview reports, published by the OPR, data gathered on development plans prepared, planning applications, appeals processed and enforcement cases, reflects only part of the work of local authorities. Local authorities also undertake a significant volume of additional planning-related work in areas such as development promotion, urban and village renewal, rural development and land activation.

However, to establish the main workload pressures and outputs from the planning system, this analysis focuses on key indicators related directly to functions such as forward planning, development management and planning appeals.

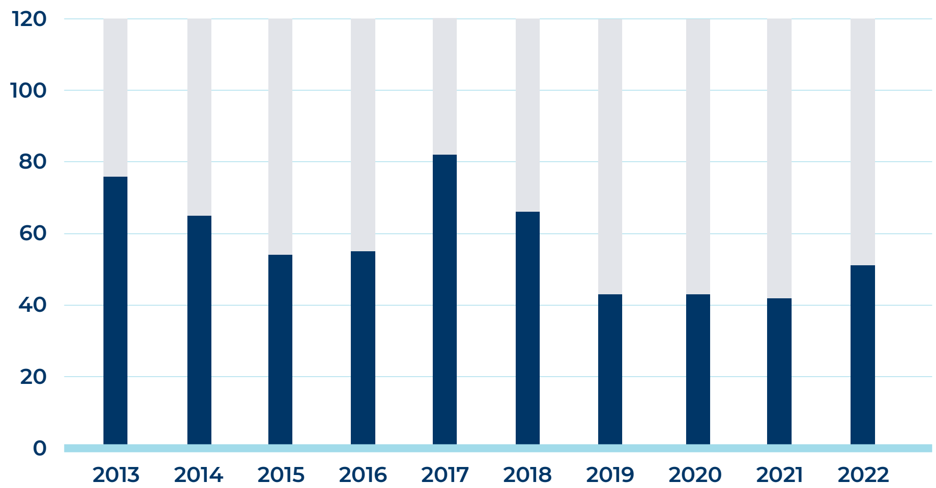
2 Forward Planning

2.1 Statutory Plans

In addition to the National Planning Framework (NPF) at Government level, statutory plans include regional spatial and economic strategies (RSESs), development plans and local area plans (LAPs).

The number of stages in statutory plan-making notified for public consultation increased by over 25% to 52 in 2022 from 42 in 2021. The notifications relating to city / county development plans accounted for 29 of these, with the highest number (20) relating to material alterations to draft city/ county development plans. There were 23 notifications of consultations in respect of local area plans, the highest number (14) of which were for issues papers.

Figure 1 **Plan-Making Stages Notified for Consultation per Annum 2013-2022 (DHLGH, 2023 & OPR 2023)**



During 2022, 10 draft plans (four development plans and six LAPs) and 15 issues papers (14 for LAPs) were published (the issues papers were up from seven in 2021). The number of material alterations to draft development plans increased from eight in 2021 to 20 in 2022. The number of notifications of draft variations was four in 2022 compared to 15 in 2019. The number of notifications of draft LAPs increased from two in 2021 to six in 2022.

These figures show that local authorities continued to concentrate their forward planning resources on preparing or completing their development plan reviews. This is due to the current stage of the six-year development plan making cycle which includes a two-year plan preparation period.

Table 2, below, details the 19 development plans that were adopted in 2022. As six development plans were adopted in 2021, the majority of the development plans had been reviewed by the end of 2022. However, as noted, there has been a significant increase in the publication of issues papers for LAPs. This coincides with the completion of the development plan review process for the majority of planning authorities by the end of 2022 and indicates that they have begun to focus on preparing detailed plans for settlements and sub-county areas. Table 2, below, shows that significant progress has been made in progressing LAPs in 2022. LAPs will form the majority of the OPR's work in evaluation and assessment until the next round of development plan reviews commence.

During 2022

10

draft plans and

15

issues papers were published

Table 1 **City and/or County Development Plans Adopted or Under Review as at 31 December 2022**

Planning Authority	Plan Name	Date Adopted/ Current Stage on 31 December 2022
Laois County Council	Laois County Development Plan 2021-2027	25/01/2022
Roscommon County Council	Roscommon County Development Plan 2022-2028	08/03/2022
Dún Laoghaire- Rathdown County Council	Dún Laoghaire-Rathdown County Development Plan 2022-2028	10/03/2022
Cork County Council	Cork County Development Plan 2022-2028	25/04/2022
Galway County Council	Galway County Development Plan 2022-2028	09/05/2022
Carlow County Council	Carlow County Development Plan 2022-2028	23/05/2022
Cavan County Council	Cavan County Development Plan, incorporating a Local Area Plan for Cavan Town, 2022-2028	30/05/2022
Waterford City and County Council	Waterford City and County Development Plan 2022-2028	07/06/2022
Cork City Council	Cork City Development Plan 2022-2028	10/06/2022
Wexford County Council	Wexford County Development Plan 2022-2028	13/06/2022
Limerick City and County Council	Limerick Development Plan 2022-2028	17/06/2022
South Dublin County Council	South Dublin County Development Plan 2022-2028	22/06/2022
Mayo County Council	Mayo County Development Plan 2022-2028	29/06/2022
Kerry County Council	Kerry County Development Plan 2022-2028	04/07/2022
Tipperary County Council	Tipperary County Development Plan 2022-2028	11/07/2022
Wicklow County Council	Wicklow County Development Plan 2022-2028	12/09/2022
Dublin City Council	Dublin City Development Plan 2022-2028	02/11/2022
Galway City Council	Galway City Development Plan 2023-2029	24/11/2022
Kildare County Council	Kildare County Development Plan 2023-2029	09/12/2022
Leitrim County Council	Leitrim County Development Plan 2023-2029	Material alterations consultation closed 23/11/2022
Fingal County Council	Fingal Development Plan 2023-2029	Material alterations consultation closed 09/12/2022
Clare County Council	Clare County Development Plan 2023-2029	Material alterations consultation open
Donegal County Council	Draft County Donegal Development Plan 2024-2030	Issues paper consultation closed 03/06/2022

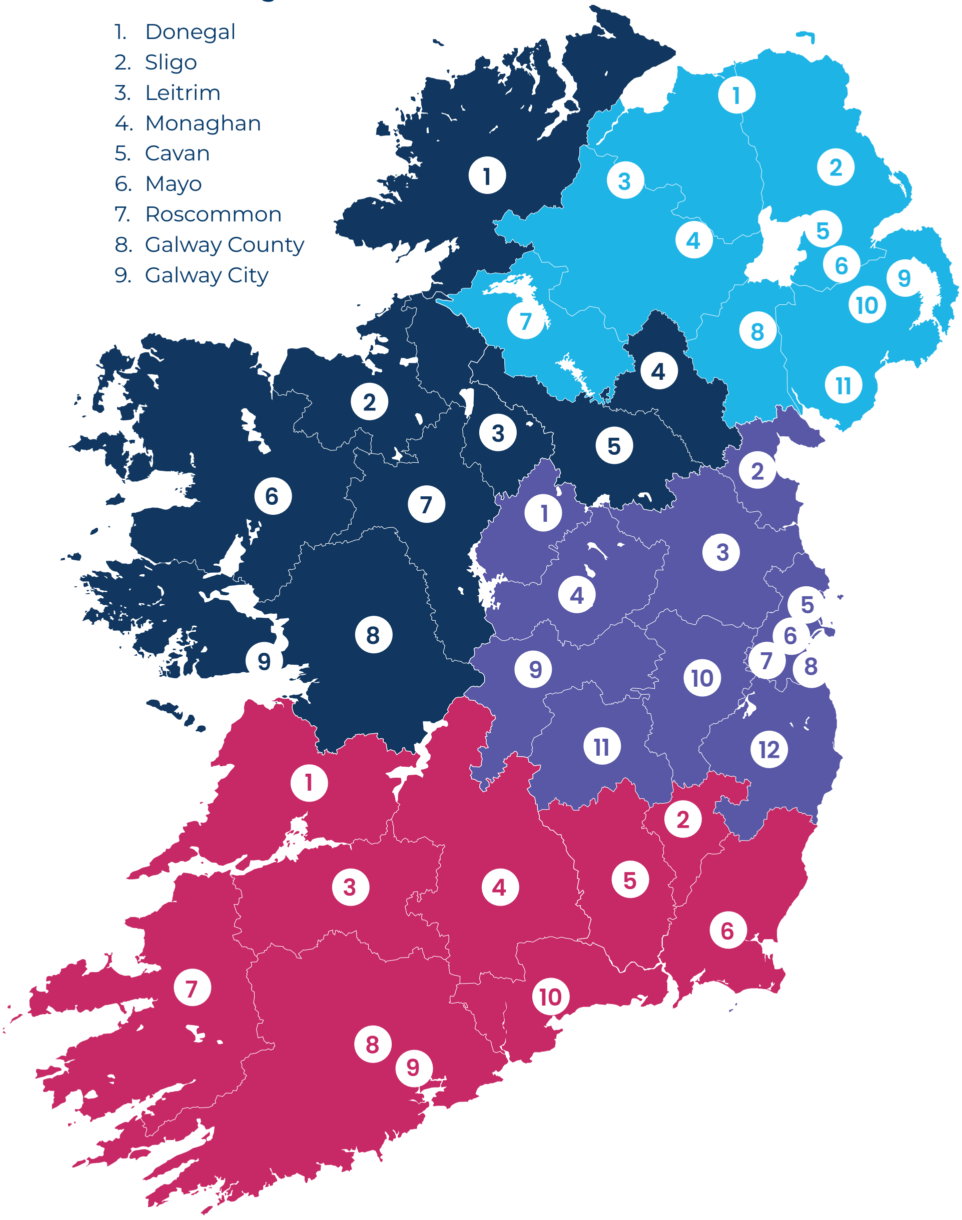
Table 2 **Local Area Plans Adopted or Under Preparation at 31 December 2022**

Planning Authority	Statutory Plan	Date Adopted/Current Stage (December 2022)
Galway County Council	Ballinasloe LAP 2022-2028	Adopted 25/05/2022
Roscommon County Council	Boyle LAP 2023-2029	Issues paper consultation closed 29/07/2022
Roscommon County Council	Roscommon Town LAP 2023-2029	Issues paper consultation closed 29/07/2022
Kerry County Council	Kenmare MD LAP 2022-2028	Issues paper consultation closed 09/09/2022
Carlow County Council/Laois County Council	Carlow Graiguecullen Joint Urban Local Area Plan 2023-2029 Draft	Issues paper consultation closed 14/10/2022
Offaly County Council	Birr LAP 2023-2029	Draft LAP consultation closed 28/10/2022
Kildare County Council	Maynooth and Environs Joint LAP 2024-2030	Issues paper consultation closed 11/11/2022
Limerick City & County Council	Castleconnell LAP 2023-2029	Draft LAP consultation closed 14/11/2022
Longford County Council	Longford LAP 2023-2029	Issues paper consultation closed 18/11/2022
Limerick City & County Council	Caherconlish LAP 2023-2029	Draft LAP consultation closed 28/11/2022
Limerick City & County Council	Rathkeale LAP 2023-2029	Material alterations consultation closed 05/12/2022
Limerick City & County Council	Abbeyfeale LAP 2023-2029	Issues paper consultation closed 05/12/2022
Tipperary County Council	Roscrea LAP 2023-2029	Issues paper consultation closed 05/12/2022
Tipperary County Council	Thurles LAP 2024-2030	Issues paper consultation closed 05/12/2022
Tipperary County Council	Nenagh LAP 2024-2030	Issues paper consultation closed 05/12/2022
Tipperary County Council	Clonmel LAP 2024-2030	Issues paper consultation closed 05/12/2022
Fingal County Council	Lissenhall East LAP 2023-2029	Adopted 12/12/2022
Offaly County Council	Edenderry LAP 2023-2029	Draft LAP consultation open
Laois County Council	Portlaoise LAP 2022-2028	Issues paper consultation closed 16/12/2022

Figure 2 **Local Authorities by Regional Assembly Areas**

Northern and Western Region

1. Donegal
2. Sligo
3. Leitrim
4. Monaghan
5. Cavan
6. Mayo
7. Roscommon
8. Galway County
9. Galway City



Local Authority Areas in Northern Ireland

1. Causeway Coast and Glens
2. Mid and East Antrim
3. Derry and Strabane
4. Mid Ulster
5. Antrim and Newtownabbey
6. Belfast
7. Fermanagh and Omagh
8. Armagh Banbridge and Craigavon
9. North Down and Ards
10. Lisburn and Castlereagh
11. Newry Mourne and Down

Eastern and Midland Region

1. Longford
2. Louth
3. Meath
4. Westmeath
5. Fingal
6. Dublin City
7. South Dublin
8. Dún Laoghaire-Rathdown
9. Offaly
10. Kildare
11. Laois
12. Wicklow

Southern Region

1. Clare
2. Carlow
3. Limerick City & County
4. Tipperary
5. Kilkenny
6. Wexford
7. Kerry
8. Cork County
9. Cork City
10. Waterford City & County

2.2 Strategic Development Zones (SDZs)

A SDZ is a planning scheme made by a local authority on foot of an order of Government designating a site or sites for the establishment of zones to facilitate specified development of economic or social importance. These generally cover extensive, strategically located sites. The data relating to SDZs remains unchanged from the 2021 report.[1]

[1] 2021 Annual Overview of the Planning System Section 2.3 p-16.

3 Development Management

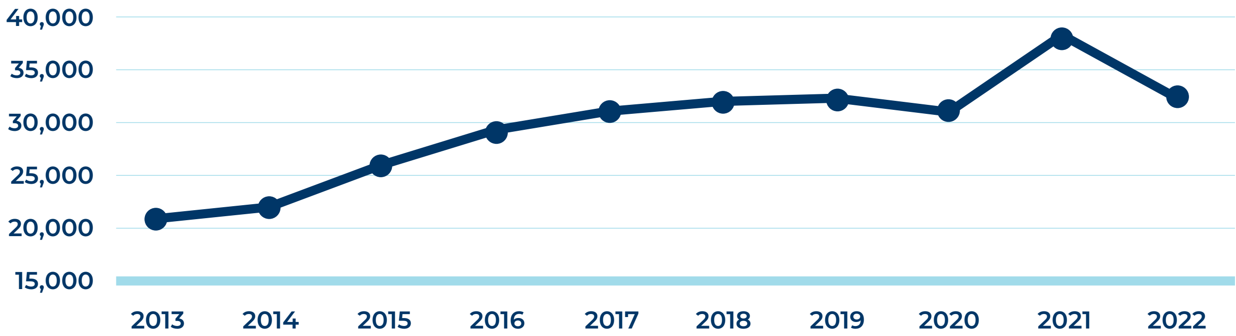
3.1 Number of Planning Applications

Figure 3 below illustrates the number of valid planning applications made to local authorities by year from 2012 to 2022. Overall the number of applications increased steadily from 21,191 in 2013 to 32,314 in 2019. After a slight drop to 31,008 applications in 2020 there was a significant rise in numbers to 38,314 in 2021.

The increase from 2020 to 2021 may have reflected pent-up demand following the removal of restrictions introduced during the Covid-19 pandemic which if the case would explain how since 2021, application levels have fallen back to 32,371 in 2022, a 15.5% decrease.

Overall, aside from the 2021 increase, the number of valid applications has remained broadly consistent since 2016.

Figure 3 Number of Valid Planning Applications 2013-2022 (DHLGH, 2023)



3.2 Validation of Planning Applications

Applications that do not meet preliminary requirements for assessment, may be declared invalid. The national average invalidation rate increased from 15% (6,745) in 2021 to 17.5% (6,841) invalid applications in 2022.

There is wide variation across local authorities in the rate of invalid applications. For example, the rate was 33.6% in Dublin City raising the question of what is driving the increase whereas it was 2.4% in Mayo.

Within urban areas there was also significant variation with 8.8% in South Dublin compared to 23.7% in Cork City and 11.7% in Galway City. The data indicates that the invalidation rates decreased in 11 local authorities with three recording a decrease of over 4 percentage points. While ten planning authorities were over the national average rate only three planning authorities recorded invalidation rates that exceeded the standard deviation above the mean rate.

Since 2021, application levels have fallen back to

32,371

in 2022, a 15.5% decrease

Table 3 **Invalid Applications as a Percentage of Valid Applications (DHLGH, 2018-2022)**

Year	2018	2019	2020	2021	2022
National rate	15.5%	16.4%	17.1%	15.0%	17.5%
Standard deviation	7.3%	6.9%	6.8%	7.2%	7.1%
Carlow	28.9%	25.3%	18.5%	22.0%	16.8%
Cavan	7.2%	10.3%	11.1%	5.1%	8.8%
Clare	5.0%	5.7%	5.4%	3.7%	5.6%
Cork County	22.6%	22.0%	23.9%	22.8%	22.3%
Donegal	16.7%	20.2%	20.1%	17.5%	13.1%
DLRCC	18.8%	14.6%	17.9%	19.3%	15.7%
Fingal	14.5%	14.0%	19.5%	8.9%	10.7%
Galway County	5.0%	10.5%	10.1%	7.0%	21.0%
Kerry	9.6%	10.0%	13.7%	6.5%	6.9%
Kildare	14.0%	12.8%	24.5%	18.0%	15.6%
Kilkenny	9.9%	10.2%	8.5%	6.3%	7.2%
Laois	19.0%	18.1%	17.6%	17.4%	25.6%
Leitrim	34.4%	28.2%	18.0%	13.1%	20.8%
Limerick City & Co	8.5%	9.0%	14.8%	16.9%	17.2%
Longford	11.6%	10.9%	5.9%	5.6%	10.8%
Louth	15.6%	17.5%	18.3%	15.9%	15.1%
Mayo	5.5%	5.6%	5.7%	3.1%	2.4%
Meath	17.6%	20.8%	17.1%	15.7%	19.1%
Monaghan	4.3%	4.1%	2.2%	4.0%	9.0%
Offaly	13.7%	16.7%	24.9%	17.1%	20.1%
Roscommon	19.6%	23.9%	22.5%	26.2%	29.2%
Sligo	15.8%	20.2%	16.4%	9.0%	8.7%
South Dublin	7.9%	7.2%	4.9%	4.9%	8.8%
Tipperary	25.3%	29.2%	31.2%	29.5%	23.2%
Waterford City & County	10.4%	13.3%	13.8%	9.4%	14.9%
Westmeath	11.0%	10.0%	8.0%	5.8%	16.2%
Wexford	23.6%	20.5%	15.5%	11.4%	11.3%
Wicklow	21.3%	20.0%	16.9%	14.1%	15.5%
Cork City	9.9%	16.8%	16.1%	11.2%	23.7%
Dublin City	16.9%	21.3%	21.5%	26.2%	33.6%
Galway City	6.7%	4.3%	7.4%	12.2%	11.7%
Rate plus STDEVP	22.8%	23.3%	23.9%	22.2%	24.6%
Rate less STDEVP	8.2%	9.5%	10.2%	7.7%	10.3%

The planning authority's rate is lower than the national rate by in excess of the standard deviation

The planning authority's rate is higher than the national rate by in excess of the standard deviation

3.3 Planning Permissions Granted

Figure 4 **Planning Application Grant Rates 2013-2022 (DHLGH, 2023)**

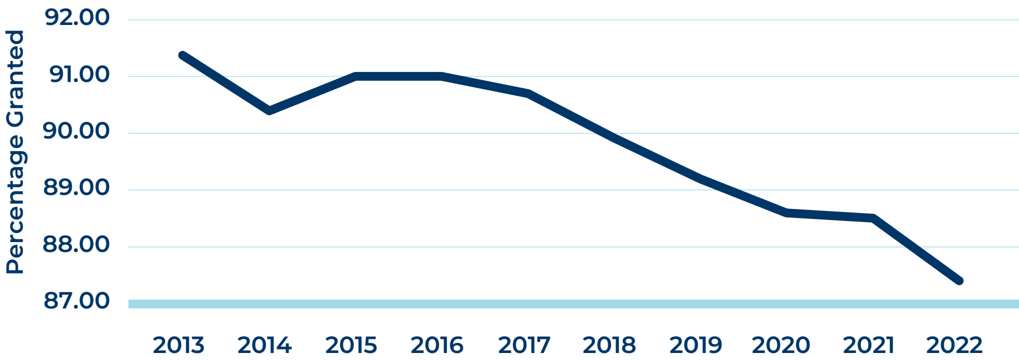


Figure 4 shows that, nationally, over 87% of planning applications were granted permission in 2022. It also shows a continued, albeit small, decline in the approval rates for planning permissions with a fall of four percentage points since 2016 (from 91%). Overall, application grant rates in the majority of local authorities remained high. The rate at which permissions were granted ranged from 75% in Galway County Council to 98% in Tipperary. All other counties had rates of between 80-95% with three local authorities with approval rates below 80%. These were Kildare and Wexford at 79% and 77%, respectively, in addition to Galway County (75%).

However, it is important that the grant and refusal rates are seen within the context of the numbers of approvals and refusals. Figures 5 and 6 below provide a breakdown of both percentages and numbers of grant and refusal rates by local authority area.

Figure 5 **Percentage of Decisions to Grant or Refuse Permission by Local Authority, 2022 (DHLGH, 2023)**

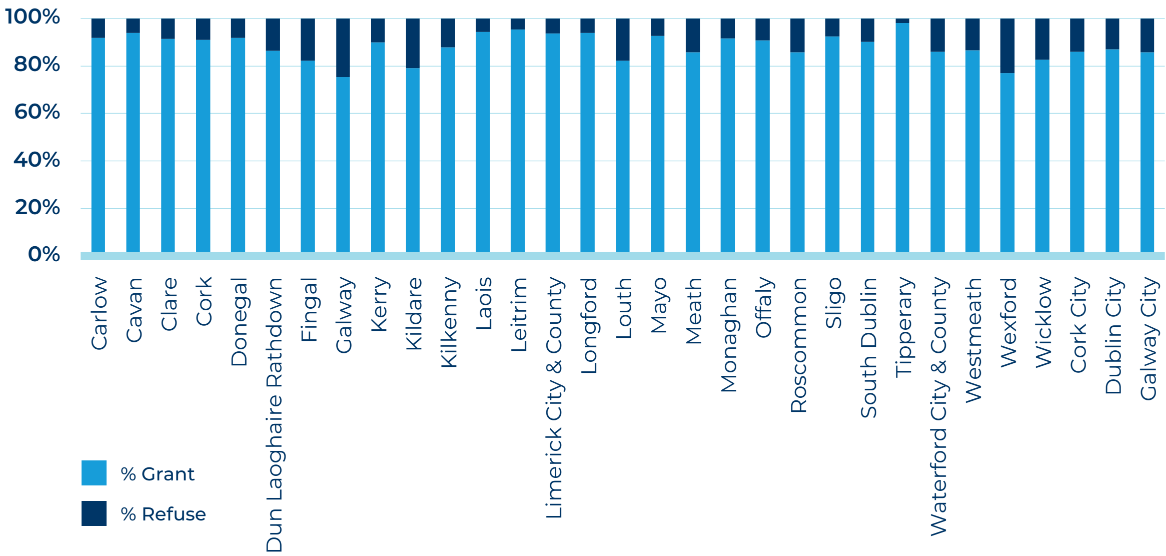
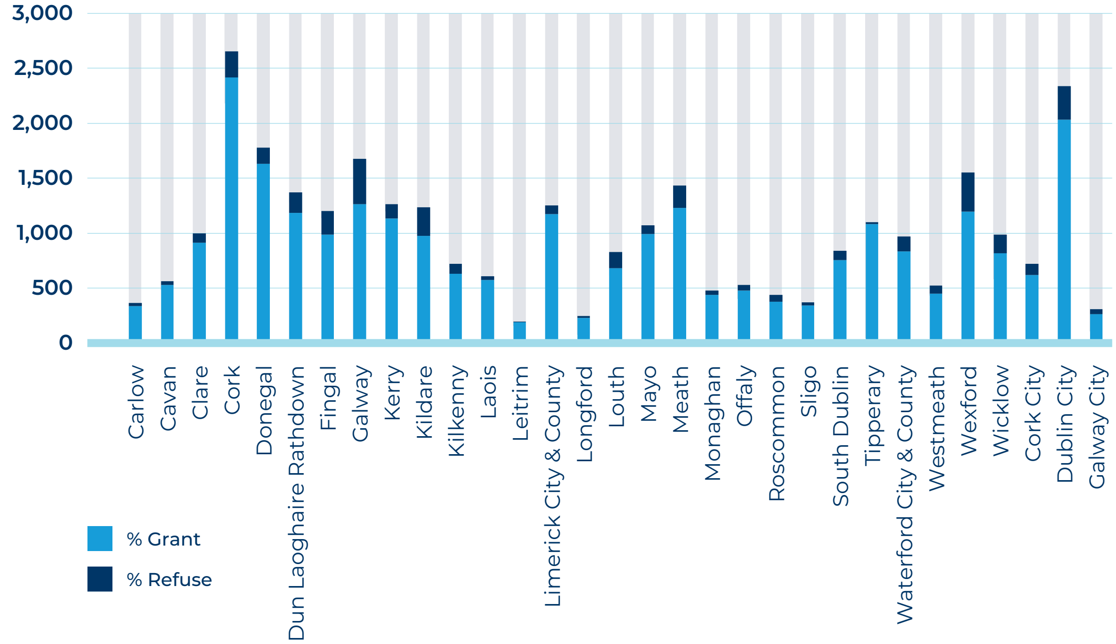


Figure 6 **Number of Decisions to Grant and Refuse Permission by Local Authority, 2022 (DHLGH, 2023)**



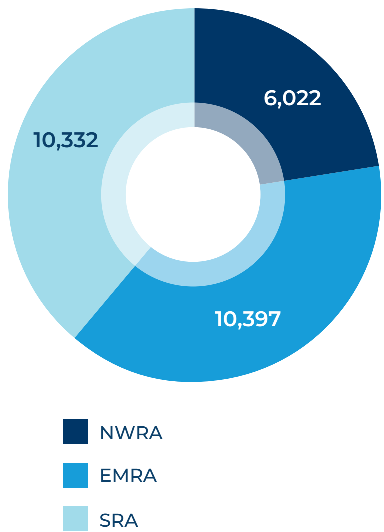
3.4 Applications Granted: Regional Distribution

The number of planning applications approved or granted on an annual basis is indicative of development demand or development pressure. According to DHLGH data, the actual number of decisions to grant permission increased nationally from 24,217 in 2020 to 30,774 in 2021 but fell to 26,751 applications in 2022 which, as mentioned above, may reflect a levelling off following the pent-up demand post Covid-19.

Looking at the overall share of the number of planning applications granted by regional assembly area, these have remained largely consistent with 2021. The EMRA and SRA have a similar proportion overall of planning applications granted at 38.9% and 38.6% respectively.

Approvals fell across all three regions with the most significant fall in applications granted within the EMRA area from 12,030 in 2021 to 10,397 in 2022. The total numbers of applications also fell across all three regions.

Figure 7 **Planning Applications Granted by Regional Assembly Area 2022 (DHLGH, 2023)**

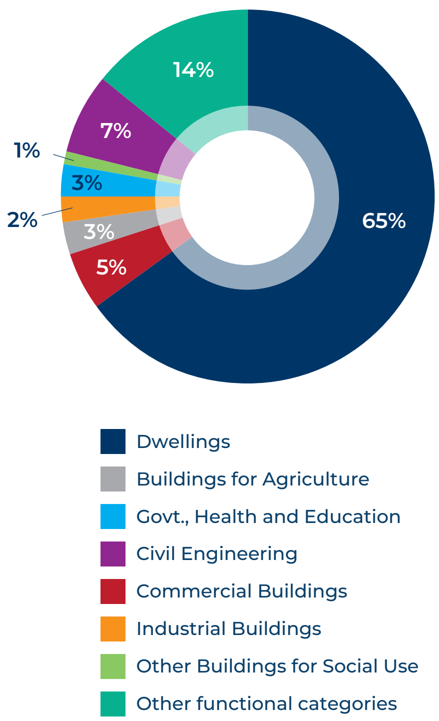


3.5 Applications Granted: Use-type

For statistical gathering purposes, the CSO categorises applications for planning permission into eight development or use types. In 2022, a total of 27,234 applications were granted permission which is a reduction of 5,375 since 2021. As shown in Figure 8, residential development (categorised as dwellings by the CSO) constituted the largest share of applications granted permission at 64.7% which equates to 17,614 planning permissions granted. This proportion remained consistent with 2021, notwithstanding the significant drop in permissions for residential development, down from 21,081.

Setting aside 'other functional categories', accounting for 13.7% of grants (3,733), the next highest category relates to civil engineering at 7.2% (1,974), then commercial buildings at 5.4% (1,469) and buildings for agriculture at 3.3% (911).

Figure 8 Percentage of Planning Applications Granted Permission (27,234) by Development Type 2022 (CSO, 2023)



3.6 Residential Development

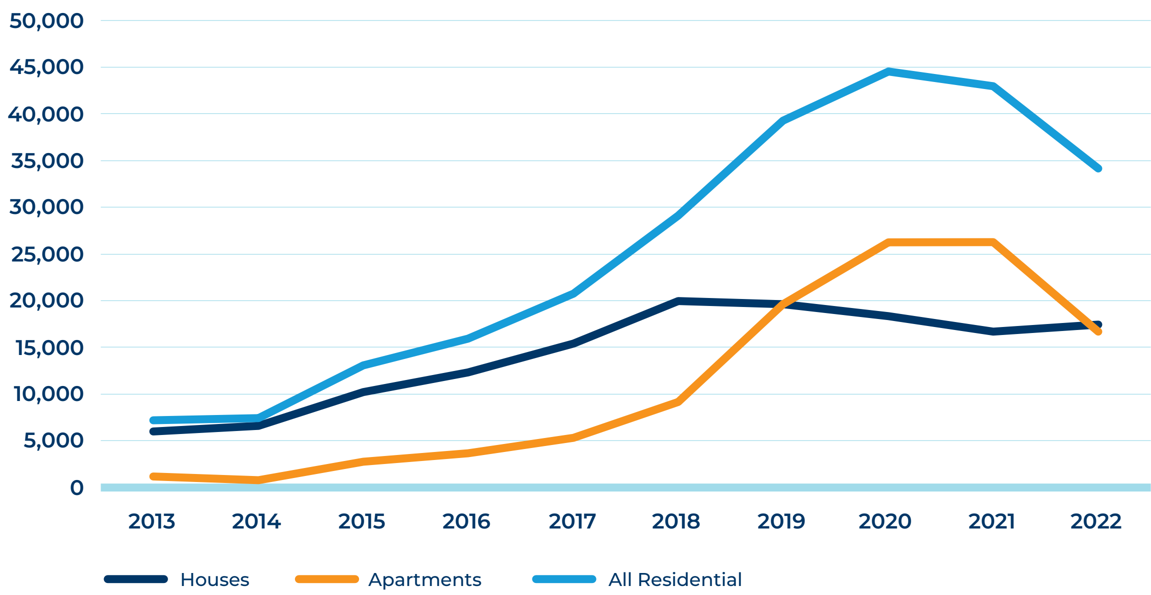
3.6.1 Housing Unit Type Mix

In 2022, according to the CSO, 34,177 residential units were granted planning permission. This represents a significant decrease (20.5%) on the figure of 42,991 for 2021, which itself was a decrease (3.5%) on 2020. There was a 4.4% increase in houses granted planning permission, however there was a drop by 36% (9,549) in apartments granted permission. This is a change in the trend since 2019 whereby the number of houses permitted was decreasing in tandem with increasing rates of apartments permitted and it is the first time that permissions for houses have been higher than that of apartments since then.

The above trend may result from a number of factors including the ending of the Strategic Housing Development (SHD) provisions in 2022, timescales for decision-making at An Bord Pleanála for SHD applications, and judicial reviews of SHD decisions. The trend may also reflect changes in market demand including a preference for more conventional housing developments over apartment schemes that tended to be purchased by institutional property investors.

The total number of one-off houses permitted in 2022 was 6,924 accounting for 39.7% of all houses permitted. This fell from 7,499, which was 45% of all houses permitted in 2021.

Figure 9 **Residential Units Granted Permission 2013-2022 (CSO, 2023)**



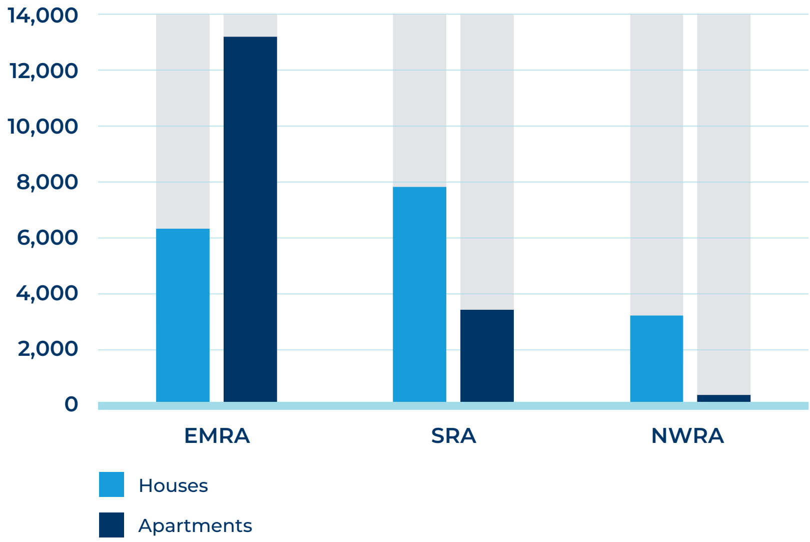
3.6.2 Location of Residential Units

Figure 10 shows that the EMRA area was the most significant of the three regional assembly areas in terms of permitted housing units accounting for 57% (19,551) of all units permitted nationally. EMRA's share of 57% in 2022 represents a decrease from 65% in 2021 and 74% in 2020. More balanced levels of housing growth might be considered consistent with National Planning Objective 1 of the National Planning Framework, which seeks to match the growth of EMRA with the growth of NWRA and SRA combined. However, the trend for 2022 above represents a reduction in planning consents in the EMRA area rather than significant increases in growth in residential consents in the NWRA and SRA areas.

Overall, there was a significant drop (30% or 8,537) in the total number of housing units permitted in the EMRA area with most of the decline as a result of the fall in the number of apartment units. Notwithstanding this, the EMRA area continued to be the main area for apartment permissions with 13,148 in total, accounting for 49% of all permissions nationally.

The SRA was the only area to experience an increase in permitted units between 2021 and 2022, albeit relatively small, from 10,980 to 11,125 units. This primarily related to an increase in permissions for houses, from 7,429 to 7,909 (1%), with a slight decline in the number of apartment units permitted.

Figure 10 Number of Houses and Apartments Permitted by Regional Assembly 2022 (CSO, 2023)

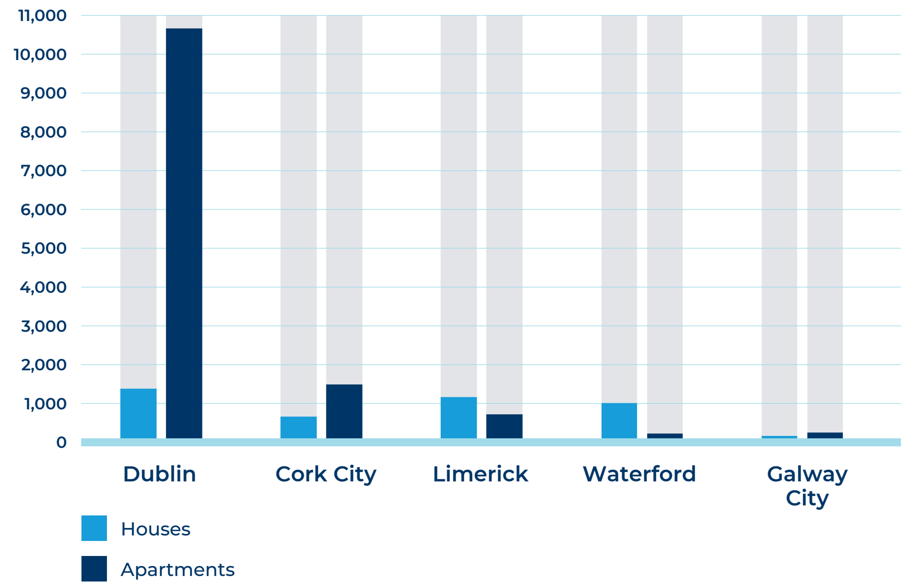


As can be seen from Figure 11 below, apartment development continues to be primarily concentrated in Dublin, although the number of permitted units has dropped dramatically by 39.5% compared to 2021.

An increase of 70% in the total number of houses and apartments permitted was evident in Limerick, with Waterford showing a 28% increase.

In contrast, a significant decline was evident for Galway (65%). All areas shown in Figure 11 below, with the exception of Limerick, experienced a decline in the number of apartments permitted between 2021 and 2022. It is important to note the figures for the regional cities are likely to be volatile year to year due to the small figures and the relatively large impact of individual schemes.

Figure 11 Houses and Apartments Permitted by City Region 2022 (CSO, 2023)



3.6.3 Strategic Housing Development (SHD)

In 2022, An Bord Pleanála received 127 valid SHD applications. This compares to 118 in 2021 and 110 in 2020. A total of 69 applications were decided compared with 101 in 2021 and 126 in 2020. Of the 69 decided applications, the Board granted planning permission in 49 cases, and refused permission in 19 cases with one case being a split decision.

The number of units permitted from the SHD applications granted permission was:

- 2,672 houses;
- 11,540 apartments (including build to rent); and
- 1,110 student bed spaces.

3.6.4 Residential Completions

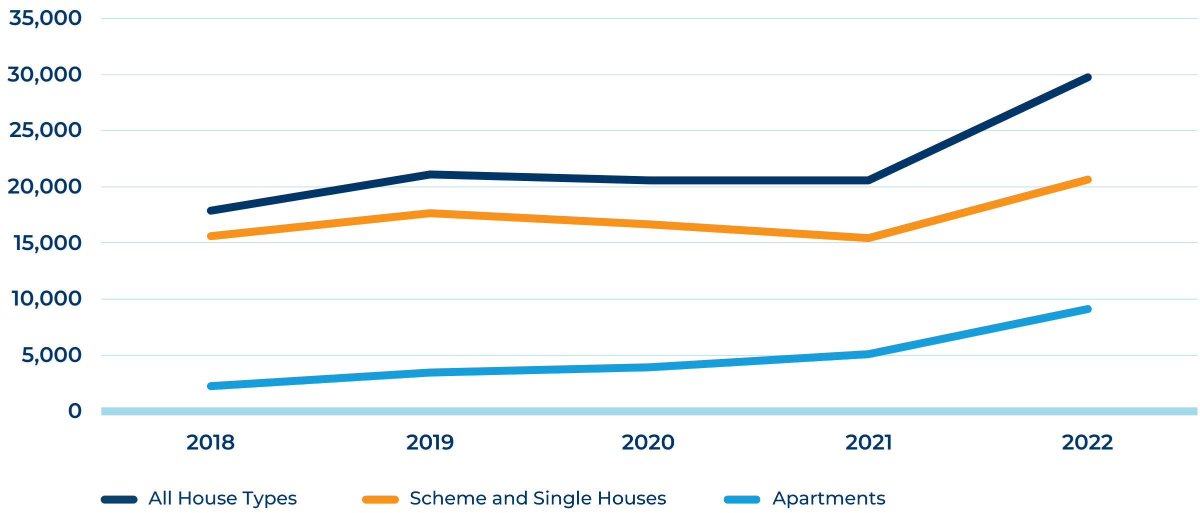
In 2022 there was a significant increase in momentum in the number of residential units completed, by c.45%, after three years where output levels remained between 20,000 and 21,500 housing units per annum. A total of 29,751 units were completed in 2022, approximately 9,200 more than in 2021.

The number of units permitted from the SHD applications granted permission was

2,672 houses

11,540 apartments

Figure 12 **Total Dwellings, Houses and Apartments Completed Per Annum, 2018 – 2022 (CSO, 2023)**

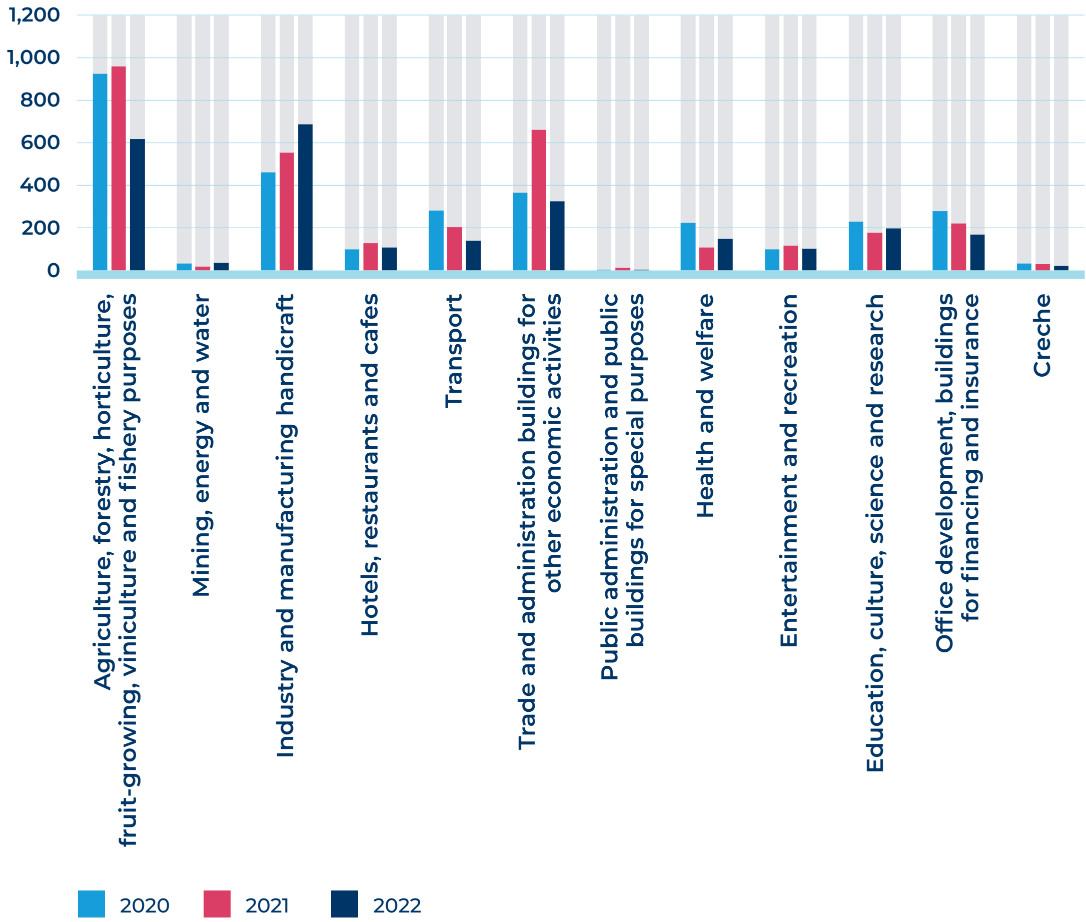


3.6.5 Non-Residential Development

In terms of non-residential permitted floor space, trends included:

- decline in the extent of agricultural permissions (341,000-sq.m less than 2021) after several years of growth;
- increases in permissions for industry of 133,000-sq.m, building on growth in 2021;
- permissions for trade and administration floor space declined by over 50% (to 324,000-sq.m) after a strong year in 2021; and
- permissions for office development declined by 52,000-sq.m or 23.5%, a marginally slower decline than in previous years perhaps reflecting larger systemic changes in the economy.

Figure 13 **Total Non-residential Floor Area Permitted Per Use Type 2020-2022 (CSO, 2023)**



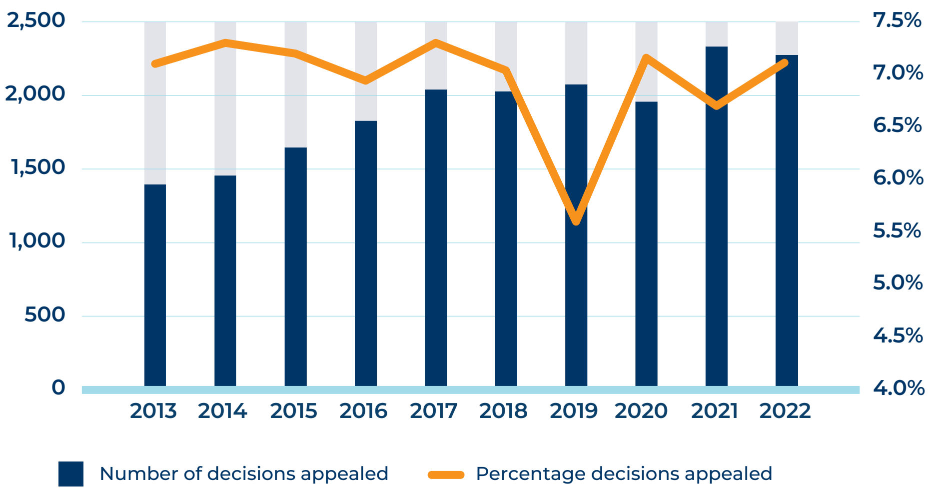
4 Planning Appeals

4.1 Planning Appeals

An Bord Pleanála is the appellate body for planning decisions made by local authorities. It is the authority for direct applications for certain cases deemed strategic by government including the now-discontinued Strategic Housing Development (SHD) and Strategic Infrastructure Development (SID) application types. The figure below illustrates the number of appeals to the Board.

The number of appeals in 2022, at 2,297 fell slightly from 2,331 in 2021, whereas the overall rate of planning authority decisions appealed to the Board increased marginally from 6.7% to 7.2%. The annual percentage of decisions appealed is generally consistent with the rate over the rest of the decade.

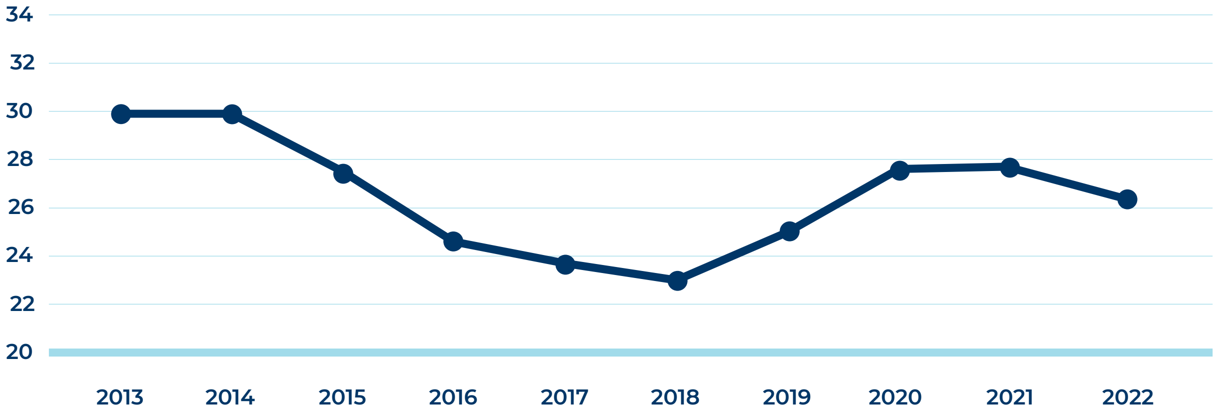
Figure 14 **Number and Percentage of all Decisions Appealed per Year (ABP, 2023)**



4.2 Reversal of Decision on Appeal

Figure 15 shows that the national reversal rate declined after three years of increase. At 26.3%, the rate remains well within the average range for the period.

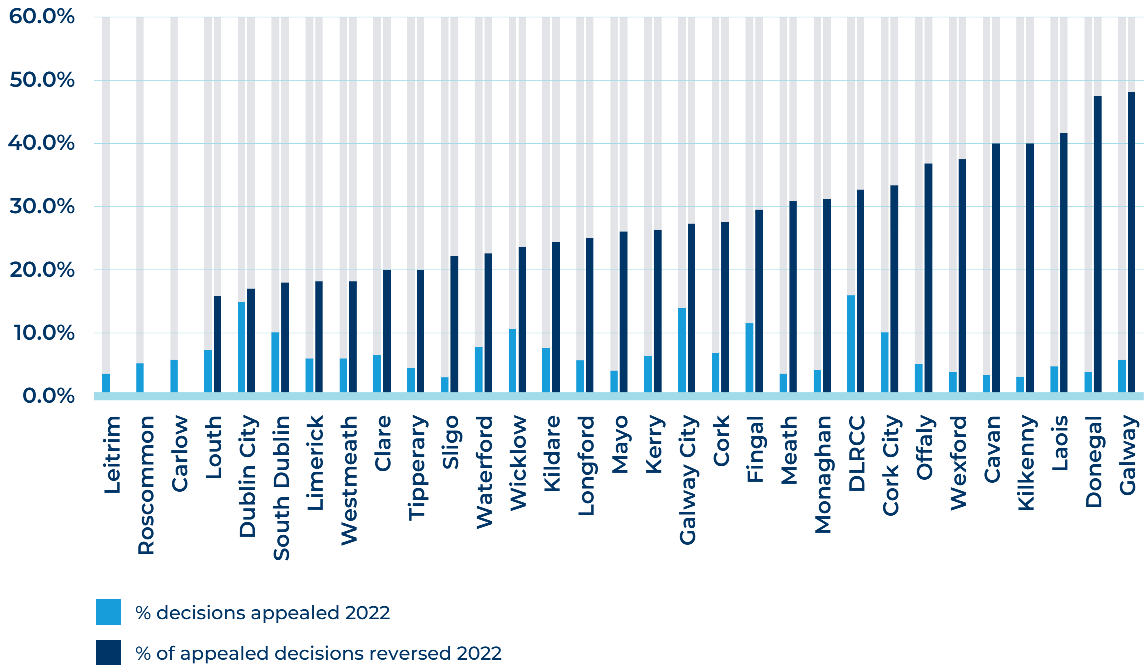
Figure 15 National Average Reversal Rate (%) (ABP, 2023)



In addition, Figure 16 provides data for 2022 on reversal rates for the 31 local authorities. There are no clear trends apparent in the reversal rates for 2022, such as an east-west, socio-economic characteristics, or urban-rural split which has been suggested in other years.

Detailed research would be needed to determine what factors are responsible for higher overturn rates and associated learnings for local authority planning decision-making.

Figure 16 Percentage Reversal Rate on Appeal by Local Authority in 2022 (ABP, 2023)



5 Planning Enforcement, Land Activation, Vacancy and Legal Challenges

5.1 Planning Enforcement

The National Oversight and Audit Commission (NOAC) publishes an annual performance indicator report which includes an overview of enforcement activities undertaken by the 31 local authorities. The report for 2022 shows that 6,959 planning enforcement cases were either referred by the public, or initiated by the authorities themselves. This has fallen from 7,888 cases in 2021 and is just below 2019 and 2020 levels.

Nationally the number of investigated cases that were closed (6,691) increased by 16.6% since 2021 and 34% since 2020.

The percentage of cases closed due to enforcement proceedings fluctuated between 39% and 49%, between 2014-2022, and was on average 44% over that nine-year period. Cases are closed for a variety of reasons including:

- being dismissed as trivial, minor or without foundation;
- because they were statute barred;
- the development was considered to be an exempted development; or
- the cases were resolved to a planning authority's satisfaction through negotiations.

The percentage of cases that were dismissed as trivial or without foundation, or as statute barred or exempted development was the highest to date at 53.39%.

The OPR, as indicated in the 2021 Annual Overview of the Planning System Report, examined the area of enforcement in more depth and published a practice note in 2023 as part of the Strategic Planning Research Programme.

5.2 Land Activation and Vacancy

The Government's 'Housing for All – A New Housing Plan for Ireland' (through pathway four) has established structures and funding to support local authorities to tackle dereliction and vacancy in towns and villages in Ireland.

Throughout 2022, work was ongoing on the Vacant Homes Action Plan which was launched with the €150m Urban Regeneration and Development Funding (URDF) to support vacancy-related projects.[2] A key element of the plan highlights support for the role of a Vacant Homes Officer and a Vacant Homes Unit, both, to be established in each local authority area.

[2] The Vacant Homes Action Plan was launched on 30 January 2023.

A national Town Centre First office has also been established in the Local Government Management Agency. In 2022, legislation provided for the introduction of a vacant homes tax.

Census 2022 figures state that there are 96,477 vacant dwellings in the state excluding holiday homes.[3] The vacancy rate (excluding holiday homes) fell to 7.7% in 2022 from over 9% in 2016 and 12% in 2011. Vacancy rates varied by property type and were highest in Leitrim and Roscommon (15.2% and 13.3% respectively) and lowest in South Dublin and Fingal (3.7% and 4.2%).

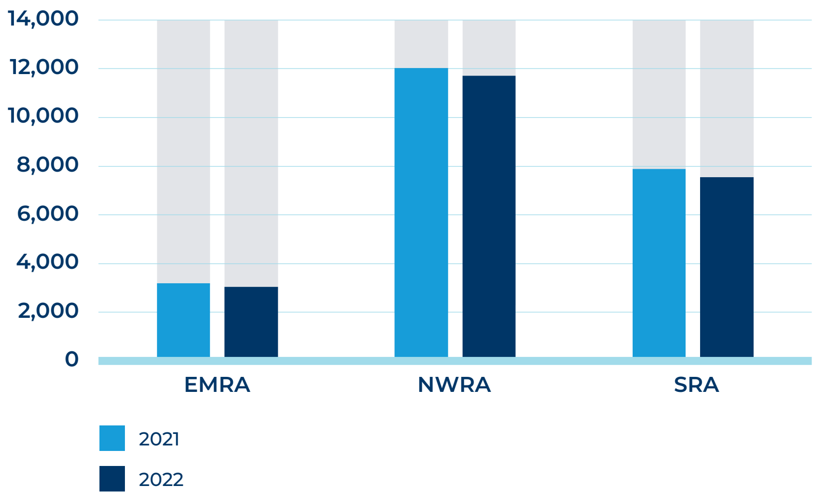
GeoDirectory data is available on derelict residential properties which shows in 2022, there were 22,279 derelict residential properties nationally. These were primarily in the NWRA area with the highest numbers in Donegal and Mayo at 2,636 and 2,968 respectively. Nationally, there was a small decrease between 2021 and 2022 in the derelict residential properties by 3.5% from 23,089 to 22,279.

In July 2022, the Vacant Property Refurbishment Grant was launched under the Croí Cónaithe (Towns) Fund, which supports bringing vacant and derelict properties back into use. In 2022, 799 applications were received and 155 applications were approved.

Local authorities keep a register of derelict sites. The returns from local authorities indicate that 301 sites were removed from the derelict sites register in 2022. This is an increase from 261 sites in 2021.

The OPR, through its Strategic Planning Research Programme, is undertaking research on activating brownfield land, using case studies and industry insights to identify barriers and potential enablers to create an evidence base for the sector.

Figure 17 Derelict Residential Properties (Regional Assemblies via GeoDirectory data (2023))



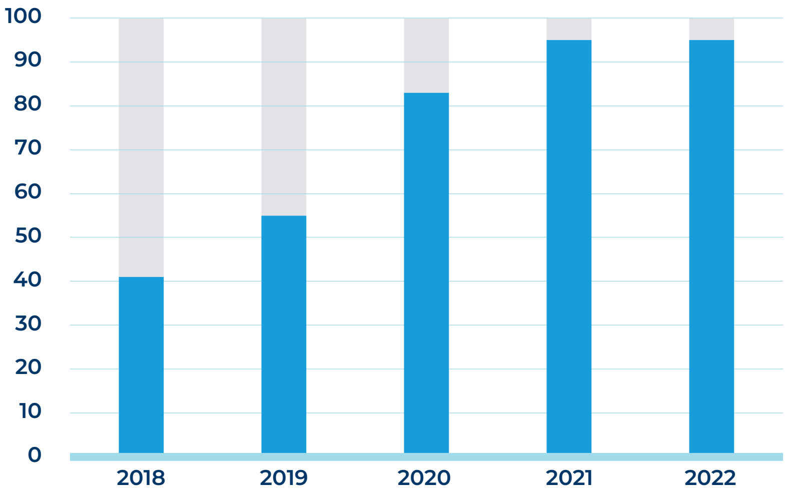
[3] It is important to note that the CSO figure is a point in time indicator of whether a property was inhabited on census night.

5.3 Legal Challenges

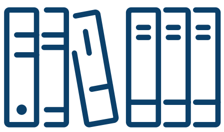
An Bord Pleanála (the Board) publishes data on legal challenges to its decisions in its annual report, and this provides a good yardstick on trends in planning Judicial Review (JR) cases. A review of the JR figures over the past five years, is set out in Figure 18.

In 2022, JR cases instigated against the Board continued at the same high level as in 2021, showing no abatement in the significant increase in the number of legal challenges brought against An Bord Pleanála decisions since 2019. In 2022, 95 legal challenges were taken against the Board's decisions, the same as in 2021.

Figure 18 Judicial Review Cases – An Bord Pleanála as Respondent (2018-2022)



In 2022



95

legal challenges were taken against the Board's decisions

6 Costs of Operating Local Authority Planning Functions

The Local Authority Financial Statement 2021, published by the DHLGH is the most recent source of audited data in respect of overall income and costings arising in the local authority planning process.

In 2021, the income from planning fees payable in respect of the making of planning applications principally amounted to €27.3m, up from €24.9m in 2020, as overall planning fee income tends to track the volume of planning applications.

On the costs side, the financial statement referred to above shows that in total, the operating costs of the local authority statutory planning functions across the 31 local authorities was €161m in 2021, an increase of €9m on the €152m in 2020.

Comparing the income and costs sides, local authority planning fee income now represents around 17% of the overall cost of running the planning service. The Minister for Housing, Local Government and Heritage determines planning application fees and charges under the Planning and Development Regulations 2001 (as amended). Planning application fees were last updated in 2001.

According to the most recent issue of the National Oversight and Audit Committee (NOAC) Performance Indicator report on local authority service delivery, the cost per capita of services provided by local authorities relating to planning increased by 28% over the period from 2014 to 2022. This reflects additional areas of work coupled to more complex processes, particularly in planning application assessment as a result of legislative and regulatory changes.

The NOAC report notes the increasingly complex and resource and skills intensive demands arising from operation of the planning process and highlights the requirement for additional resources to protect the end service. The progress of the Planning and Development Bill 2023 and its implementation will be a further opportunity to consider the funding of the local authority planning service.

Summary and Concluding Comments

2022 was another busy year for the delivery of statutory planning functions by the 31 local authorities and An Bord Pleanála. These planning functions are critical enablers for the delivery of sustainable rural and urban development and in particular, housing, infrastructure investment, action on climate, enforcement of planning law and a range of other activities.

With removal of public health restrictions necessary in previous years because of the Covid-19 pandemic, there was progress on many fronts. These include a significant increase in housing output, activating the development of zoned lands and progressing opportunities for regeneration of cities, towns, villages and rural areas across the country aided by funding under Project Ireland 2040 and Housing for All.

There were challenges too. An Bord Pleanála continued to experience high levels of legal challenge of its decisions, particularly in housing, with a growing backlog of cases, which was the subject of separate reviews of the Board's systems and procedures by the OPR in 2022. These reviews have led to significant proposals for the reform of the Board set out in the Planning and Development Bill 2023, which is progressing through its latter stages of consideration by the houses of the Oireachtas as this report is being finalised.

The data in this report also signals that the proportion of scheme housing as opposed to one-off houses recovered in 2022 over the very high level of one-off housing applications that was a feature of the data from 2021. On the other hand, 2022 witnessed a continued shift towards "own door" type conventional housing applications and away from apartment based proposals reflecting ongoing – primarily economic - challenges in securing more compact urban and infill type development coupled to market preference for lower density development at the edges of cities and towns.

The implications of all of the above trends need careful monitoring, analysis and policy responses in the context of how to make better and faster progress in achieving Government policy objectives for more compact, more sustainable and more climate friendly patterns of development.

The achievement of Government policy for compact growth as set out in the NPF, together with Ireland's legal commitments under the Climate Action Plan, were supported in 2022, by the greater focus of local authorities on ensuring the activation of key opportunity sites, particularly those with planning permission for housing delivery. Local authorities continued to activate key sites and invest in our cities, towns and villages place-making through the drawdown and implementation of the various regeneration funds (URDF, RRDF, town and village renewal schemes) and availed of the Croí Cónaithe Fund launched in 2022.

In 2022, local authorities undertook preparatory work in connection with the Residential Zoned Land Tax (RZLT) which seeks to encourage the timely activation of zoned and serviced residential development land for housing. Local authorities commenced significant survey, research, mapping and consultation to identify the lands in scope for the measure.

The 2022 data also shows the increasing cost of providing statutory planning functions by the 31 local authorities, now around €160m per annum, against the low levels of income received by planning authorities through planning application fees and charges, last reviewed in 2001, when the planning process was considerably less complex than today.

Assessment of options in relation to the funding and resourcing of our planning service is subject to ongoing analysis by the OPR working with the Department of Housing, Local Government and Heritage, Local Authorities and others, to ensure the planning system is sufficiently resourced to ensure the proper planning and sustainable development of our country.

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