



STATUTORY INSTRUMENTS.

S.I. No. 426 of 2025

EUROPEAN UNION (PLANNING AND DEVELOPMENT) (RENEWABLE ENERGY) (NO. 2) REGULATIONS 2025

EUROPEAN UNION (PLANNING AND DEVELOPMENT) (RENEWABLE ENERGY) (NO. 2) REGULATIONS 2025

I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), and for the purpose of giving further effect to Articles 15e(5), 16, 16b, 16c(2), 16c(3), 16d, 16e and 16f of Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018¹ as amended by Directive (EU) 2023/2413 of the European Parliament and of the Council of 18 October 2023², hereby make the following regulations:

PART 1
PRELIMINARY AND GENERAL

Citation, commencement and collective citation

1. These Regulations may be cited as the European Union (Planning and Development) (Renewable Energy) (No. 2) Regulations 2025.
- (2) These Regulations shall come into operation on the date that is 14 days after the date of the making of these Regulations.
- (3) Part 3 of these Regulations shall be included in the collective citation Planning and Development Regulations 2001 to 2025.

Definitions

2. In these Regulations—
“Regulations of 2001” means the Planning and Development Regulations 2001 (S.I. No. 600 of 2001);
“Regulations of 2025” means the European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. No. 274 of 2025).

¹ OJ L No. 328, 21.12.2018, p. 82.
² OJ L No. 2023/2413, 31.10.2023.

PART 2
AMENDMENT OF REGULATIONS OF 2001

Amendment of Article 18 of Regulations of 2001

3. Article 18(1) of the Regulations of 2001 (as amended by Regulation 23(b) of the European Union (Planning and Development) (Renewable Energy) Regulations 2025 (S.I. No. 274 of 2025)) is amended by substituting the following paragraph for paragraph (e):

- “(e) that the planning application may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority during its public opening hours and that a submission or observation in relation to the application may be made to the authority in writing on payment of the prescribed fee within the period of—
 - (i) 5 weeks, or
 - (ii) 2 weeks, in the case of a planning application for small-scale solar energy equipment development or development that is the installation of a small-scale non-ground source heat pump,
 beginning on the date of receipt by the authority of the application.”.

Applications concerning Renewable Energy Directive

4. Article 19(1) of the Regulations of 2001 is amended by the substitution of the following paragraph for paragraph (a):

- “(a) in—
 - (i) the form set out at Form No. 1 of Schedule 3,
 - (ii) where the development is one that is covered by the provisions of the Renewable Energy Directive, the form set out at Form No. 23 of Schedule 3, or
 - (iii) in either case mentioned in subparagraph (a) or (b), a form substantially to the like effect,”.

Amendment of Form No. 1 of Schedule 3 to Regulations of 2001

5. Schedule 3 to the Regulations of 2001 is amended by the substitution of the text set out in Schedule 1 to these Regulations for the text set out in Form No. 1 in that Schedule 3.

Insertion of Form No. 23 into Schedule 3 to Regulations of 2001

6. Schedule 3 to the Regulations of 2001 is amended by the insertion of Form No. 23 set out in Schedule 2 to these Regulations.

PART 3
TRANSITIONAL PROVISION

Site notices and publication in newspapers on, or after, date of coming into operation of Regulations of 2025

7. Any site notice erected, or publication in a newspaper, relating to a planning application, shall until the date of the coming into operation of these Regulations be deemed to be valid if, other than for the coming into operation of the Regulations of 2025, the site notice and publication complied with Articles 18 and 19 of the Regulations of 2001.

SCHEDULE 1*Regulation 5**Form No. 1**Article 19**Site notice***NAME OF PLANNING AUTHORITY¹****SITE NOTICE**

I,², intend to apply for permission / retention permission / outline permission / permission consequent on the grant of outline permission (Ref. No. of outline permission:)³ for development at this site:

.....
.....⁴

The development will consist /consists⁵ of
.....
.....
.....⁶

The planning application may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority during its public opening hours.

A submission or observation in relation to the application may be made in writing to the planning authority on payment of the prescribed fee, €20, within the period of 5 weeks beginning on the date of receipt by the authority of the application, and such submissions or observations will be considered by the planning authority in making a decision on the application. The planning authority may grant permission subject to or without conditions, or may refuse to grant permission.

Signed:⁷

Date of erection of site notice:⁸

Directions for completing this notice

1. The name of the planning authority to which the planning application will be made should be inserted here.
2. The name of the applicant for permission (and not his or her agent) should be inserted here.
3. Delete as appropriate. The types of permission which may be sought are—
 - (a) permission,
 - (b) retention permission,
 - (c) outline permission, or
 - (d) permission consequent on the grant of outline permission. If this type of permission is being sought, the reference number on the planning register of the relevant outline permission should be included.
4. The location, townland or postal address of the land or structure to which the application relates should be inserted here.
5. Delete as appropriate. The present tense should be used where retention permission is being sought.
6. A brief description of the nature and extent of the development should be inserted here. The description should include—
 - (a) where the application relates to development consisting of or comprising the provision of houses, the number of houses to be provided. ‘Houses’ includes buildings designed as 2 or more dwellings or flats, apartments or other dwellings within a building,
 - (b) where the application relates to the retention of a structure, the nature of the proposed use of the structure and, where appropriate, the period for which it is proposed to retain the structure,
 - (c) where the application relates to development which would consist of or comprise the carrying out of works to a protected structure or proposed protected structure, an indication of that fact,
 - (d) where an environmental impact assessment report or Natura impact statement has been prepared in respect of the planning application, an indication of that fact,
 - (e) where the application relates to development which comprises or is for the purposes of an activity requiring an integrated pollution control licence or a waste licence, an indication of that fact,
 - (f) where a planning application relates to development consisting of the provision of, or modifications to an establishment within the meaning of Part 11 of these Regulations (Major Accidents Directive), an indication of that fact, and

- (g) where the application is accompanied by an opinion on unconfirmed details an indication of that fact.
7. Either the signature of the applicant or the signature and contact address of the person acting on behalf of the applicant should be inserted here.
8. The date that the notice is erected or fixed at the site should be inserted here.

SCHEDULE 2*Regulation 6**Form No. 23**Article 19**Site notice for Renewable Energy Directive III (RED III) Development***NAME OF PLANNING AUTHORITY¹****SITE NOTICE**

I,², intend to apply for permission / retention permission / outline permission / permission consequent on the grant of outline permission (Ref. No. of outline permission:)³ for development at this site:

.....
.....⁴

The development will consist /consists⁵ of
.....
.....
.....⁶

This development is covered by the provisions of the Renewable Energy Directive III (Directive (EU) 2023/2413) and it is important to note that the planning application may be subject to section 34D of the Planning and Development Act 2000, as amended. When a notice issues in accordance with section 34D(b), the provisions of article 26A of the Planning and Development Regulations 2001 to 2025 shall apply.

The planning application may be inspected, or purchased at a fee not exceeding the reasonable cost of making a copy, at the offices of the planning authority during its public opening hours.

A submission or observation in relation to the application may be made in writing to the planning authority on payment of the prescribed fee, €20, within the period of—

- (a) 5 weeks, or
- (b) 2 weeks, in the case of a planning application for small-scale solar energy equipment development or development that is the installation of a small-scale non-ground source heat pump,

beginning on the date of receipt by the authority of the application, and such submissions or observations will be considered by the planning authority in

making a decision on the application. The planning authority may grant permission subject to or without conditions, or may refuse to grant permission.

Signed:⁷

Date of erection of site notice:⁸

Directions for completing this notice

1. The name of the planning authority to which the planning application will be made should be inserted here.
2. The name of the applicant for permission (and not his or her agent) should be inserted here.
3. Delete as appropriate. The types of permission which may be sought are—
 - (a) permission,
 - (b) retention permission,
 - (c) outline permission, or
 - (d) permission consequent on the grant of outline permission. If this type of permission is being sought, the reference number on the planning register of the relevant outline permission should be included.
4. The location, townland or postal address of the land or structure to which the application relates should be inserted here.
5. Delete as appropriate. The present tense should be used where retention permission is being sought.
6. A brief description of the nature and extent of the development should be inserted here. The description should include—
 - (a) to which type of RED III development the application relates (e.g. co-located energy storage; relevant solar energy development; renewable energy development; repowering development; small-scale non-ground source heat pump; small-scale solar energy equipment development),
 - (b) where the application relates to the retention of a structure, the nature of the proposed use of the structure and, where appropriate, the period for which it is proposed to retain the structure,
 - (c) where the application relates to development which would consist of or comprise the carrying out of works to a protected structure or proposed protected structure, an indication of that fact,
 - (d) where an environmental impact assessment report or Natura impact statement has been prepared in respect of the planning application, an indication of that fact,
 - (e) where the application relates to development which comprises or is for the purposes of an activity requiring an integrated pollution control licence or a waste licence, an indication of that fact,
 - (f) where a planning application relates to development consisting of the provision of, or modifications to an establishment within the meaning of Part 11 of these Regulations (Major Accidents Directive), an indication of that fact, and

- (g) where the application is accompanied by an opinion on unconfirmed details an indication of that fact.
7. Either the signature of the applicant or the signature and contact address of the person acting on behalf of the applicant should be inserted here.
8. The date that the notice is erected or fixed at the site should be inserted here.

L.S.

GIVEN under my Official Seal,
11 September, 2025.

JAMES BROWNE,
Minister for Housing, Local Government and Heritage.

EXPLANATORY NOTE

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

These Regulations revoke amendments made by S.I. 274 of 2025 to Form No. 1 of Schedule 3 of the Planning and Development Regulations 2001-2025 (the 2001 Regulations). A new Form No. 23 is inserted to Schedule 3 of the 2001 Regulations as a new site notice specific to RED III developments.

A provision is included which ensures site notices erected or newspaper notices published on or after the 6th August 2025 until the date of coming into operation of these Regulations, can be accepted by a planning authority for consideration, as if no amendments had been made to Form No. 1 of Schedule 3 by S.I. 274 of 2025.

These Regulations come into force on the date that is 14 days after the date of the making of these Regulations.

BAILE ÁTHA CLIATH
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