



To: An Bord Pleanála
Directors of Services for Planning for each City and County Council

cc: Chief Executives, City and County Councils
Senior Planners, City and County Councils
Directors of Regional Assemblies
Office of Planning Regulator

Circular Letter: NRUP 03/2021

19th May 2021

A Chara,

Ministerial Planning Guidelines under Section 28 of the Planning and Development Act 2000 (as amended), Regulation of Commercial Institutional Investment in Housing

I am directed by Mr. Darragh O'Brien T.D., Minister for Housing, Local Government and Heritage to bring to your attention new ministerial planning guidelines issued under Section 28 of the Planning Development Act 2000 (as amended), to address the regulation of commercial institutional investment in certain housing developments.

The purpose of the guidelines is to ensure that new 'own-door' houses and duplex units in housing developments are not bulk-purchased by commercial institutional investors in a manner that causes the displacement of individual purchasers and/or social and affordable housing including cost-rental housing.

The guidelines set out two alternative planning conditions to which planning authorities and An Bord Pleanála must have regard, in granting planning permission for new residential development that includes 5 or more houses and/or duplex units.



The two planning conditions restrict new houses and duplexes to first occupation and use by individual purchasers and those eligible for social and affordable housing including cost-rental, in order to ensure an adequate choice and supply of housing. To achieve this, the two planning conditions also require the applicant to enter into an agreement with the planning authority, which may be terminated in certain circumstances.

Minister O'Brien also intends to bring forward further changes to the Affordable Housing Bill 2021 which is currently before the Oireachtas, to enable local authorities to specify a minimum percentage of units of houses and duplexes solely for purchase by owner-occupiers. Specific proposals will be detailed in the coming weeks.

The guidelines are applicable to all relevant decisions made to grant planning permission including decisions on Strategic Housing Development (SHD) applications to An Bord Pleanála, made after 19th May 2021, i.e. from 20th May 2021.

Relevant decisions relate to applications that include 5 or more houses and/or duplex units, that are not specified as 'build-to-rent' development at planning application stage. Any queries in relation to this letter should be addressed to Claragh.Mulhern@housing.gov.ie.

Is mise le meas,

Paul Hogan

Chief Planner

Department of Housing, Local Government and Heritage