

**From:** Housing Minister Of State <[ministerofstate@housing.gov.ie](mailto:ministerofstate@housing.gov.ie)>  
**Sent:** Thursday 11 March 2021 17:06  
**To:** Customer Care Counter <[ccccounter@SDUBLINCOCO.ie](mailto:ccccounter@SDUBLINCOCO.ie)>  
**Subject:** FAO Ms. Miriam Reilly - Your Ref: SM01/1120

Oifig an Runaí Aire

Office of the Minister of State

11<sup>th</sup> March 2021

Ms. Miriam Reilly

South Dublin County Council

**Ref: HPLG-MoSB-00256-2021**

Dear Ms. Reilly,

I refer to your correspondence on behalf of the members of South Dublin County Council, in connection with their recommendation for amendment to planning legislation, which was forwarded to Mr. Peter Burke TD, Minister for Planning and Local Government, by Minister Darragh O'Brien.

Under the Planning and Development Act 2000, as amended (the 2000 Act), all development, unless specifically exempted under the 2000 Act or associated Regulations, requires planning permission. Section 4 of the 2000 Act and Schedule 2 of the Planning and Development Regulations, 2001, as amended, set out various exemptions from the requirement to obtain planning permission. There are no specific exemptions for awnings outside and on to shop fronts, restaurants and businesses.

Where no exemption is provided, a proposed development requires planning permission, whereby an application for planning permission is required to be considered by the planning authority with regard to the proper planning and sustainable development of the area, and having regard to the provisions of the county or city development plan, any submissions or observations received from the public and the statutory consultees, and any relevant Ministerial or Government policies, including any guidelines issued by the Department.

While the Minister has no immediate plans to introduce amendments to planning legislation in the manner requested by the members of Cork County Council in the near future, the planning exemptions provided in the Planning and Development Regulations are kept under regular review, and the request from Cork County Council is noted and will be considered in the context of this review.

I trust that this clarifies the position.

Yours sincerely,

**Conor Madden**  
Private Secretary to Minister of State Peter Burke

---

An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta  
Department of Housing, Local Government and Heritage

Teach an Chustaim, Baile Átha Cliath 1, D01 W6X0  
Custom House, Dublin 1, D01 W6X0

---

[www.tithiocht.gov.ie](http://www.tithiocht.gov.ie)  
[www.housing.gov.ie](http://www.housing.gov.ie)

---



**An Roinn Tithíochta,  
Rialtais Áitiúil agus Oidhreachta  
Department of Housing,  
Local Government and Heritage**

Please note: The Minister is a Designated Public Official under the Regulation of Lobbying Act, 2015