**COMHAIRLE CONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL**



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Monday, December 12, 2022**

**QUESTION NO. 8**

**QUESTION: Councillor T. Costello**

To ask the Chief Executive when a complaint is received by Building Enforcement how long does it take for an investigation to be carried out and action taken

**REPLY:**

When the Planning Authority receives a complaint pertaining to Planning Enforcement, a desktop search is carried out to check the nature of the complaint and ask is it development or not, and if it is development, is it exempt development or would it require planning permission. We also check to see if there is an existing planning permission and if the development is built in accordance with the planning permission granted.



After the initial planning search and nature of the complaint is established a warning letter may issue within days of receiving the complaint and after 6 weeks the Planners consider the submission received from the owners in response to the warning letter and inspect the site. Following on from this a recommendation is made to issue a S154 Enforcement or not or close a case. Depending on the nature of the planning breach an Enforcement Notice can take between 2-3, and 6 months for the owner to remedy.

If this does not happen a case may be recommended for legal action.

Unfortunately, due the number of complaints outstanding we may not always adhere to the timelines in the legislation, but it is our objective to do so. We also keep complainants upto date with where the case is at. Additional resources have been allocated to the Planning Enforcement Section in the past year and this response has meant that much better progress is being made in processing the complaints.

If there is a specific case that you require us to look into, please contact Planenforcement@SDUBLINCOCO.ie and we will update you on it.

The process when a complaint is received under Planning Enforcement is guided by the relevant sections of the Planning and Development Act 2000 (as amended) primarily Part VIII and Planning Regulations 2001 (as amended) as well exemptions as per link below.

<https://www.gov.ie/en/publication/c0ac2-planning-legislation-primary-legislation/>