



An
Bord
Pleanála

Guide to time limits, decision time periods and our services over Christmas 2019 and New Year 2020

November 2019


Plain
English
Approved by NALA



About this guide

This guide provides information about:

- the 2019 Christmas and New Year holiday period in An Bord Pleanála,
- how the nine days of Christmas and New Year holidays (from 24 December to 1 January inclusive) can affect you making appeals, applications, observations, requests, submissions with us and the Board's time period to make decisions,
- what the two important rules are on time limits and time periods over Christmas and New Year and examples of how the rules work and how they affect cases,
- our opening hours over the period and when you can view decided case files.

On pages 17 and 18 of the guide, there are handy tables to help you work out the last day to make an appeal on a planning decision over the Christmas and New Year period. We have also included examples that will help you figure out relevant dates for you about cases.

We have tried to make this guide as accurate and helpful as possible. However, it is not legal advice.

Data Protection

An Bord Pleanála uses your personal data only to provide our services as set out under relevant legislation.

To provide these services, we are required to collect certain personal such as names, addresses and site descriptions. We will use any extra personal data that you voluntarily supply to meet statutory requirements to carry out our duties and functions.

You should note that the personal data you supply will be circulated to other relevant parties and made available in the public domain about any matter before An Bord Pleanála. This use complies with the General Data Protection Regulation (GDPR).

Our opening hours over Christmas 2019 and New Year 2020

Monday	23 December	9.15am - 5.30pm
Tuesday	24 December	9.15am - 5.30pm
Wednesday	25 December	Closed 🌲
Thursday	26 December	Closed 🌲
Friday	27 December	Closed 🌲

Monday	30 December	9.15am - 5.30pm
Tuesday	31 December	9.15am - 5.30pm
Wednesday	1 January	Closed 🌲
Thursday	2 January	9.15am - 5.30pm
Friday	3 January	9.15am - 5.30pm

NALA has awarded this document its Plain English Mark



Contents

About this guide	2
Our opening hours over Christmas 2019 and New Year 2020	3
Contents	4
Terms	5
Introduction	8
1. Holiday Period Rule.....	9
2. Weekend Rule.....	11
Do both these rules apply to all cases handled by An Bord Pleanála?.....	11
Planning and Development Acts cases	12
What do the holiday period rule and weekend rule apply to?	12
What happens between 24 December and 1 January?.....	12
Can I still send or deliver items to An Bord Pleanála during Christmas and New Year?.....	12
Three timeframe examples for planning appeal cases	14
Handy calendar of last dates to make a planning appeal (November 2019 to January 2020)	17
Building Control Acts and Water Pollution Acts cases	19
Time period for deciding cases	20
1. Planning and Development Acts cases	20
Three examples of planning cases.....	20
2. Building Control Acts cases and Water Pollution Acts cases	21
Viewing decided case files: Public access	22
Further information about your case	22
Legislation	23
Contact us	24

Terms

Some terms we use in this guide are listed below. We recommend that you refer to these as you read the guide:

Appeal	A review of the original decision on a planning application made by a planning authority.
Appellant	An individual or organisation who makes an appeal.
Applicant	An individual or organisation who makes a planning application to a planning authority.
Appropriate Assessment	An examination of a plan or project to evaluate how it might negatively affect a site which is protected under the EU Habitats Directive. (This is a directive about wildlife and nature conservation).
Board	The Board of An Bord Pleanála.
Building control authority	The local authority – county council, city council or city and county council – responsible for building control in its area.
Local authority project	Applications made by a local authority directly to An Bord Pleanála for planning permission for developments proposed to be carried out by on behalf of the local authority. Examples include: flood works, smaller road projects and housing. Local authority projects also include compulsory land acquisition, for example: compulsory purchase orders.

Observer, Observation	Any person, other than the applicant, planning authority or an appellant, who comments on an appeal (See also Submission).
Oral hearing	An oral hearing is a public meeting to allow relevant issues in a case to be discussed and examined.
Planning authority	The local authority – county council, city council, or county and city council – responsible for planning in its area.
Referral	A case where the Board decides whether a proposal requires planning permission or not. In certain situations, a referral can also ask the Board to make a decision in a case where the participants involved cannot agree.
Statutory	Something that is decided, set up or controlled by statute law. Statute law is a law passed by parliament.
Statutory notice	Information required by law that we must send you or make available to the public. A statutory notice may tell you something about a case. It may also: <ul style="list-style-type: none"> • offer you the opportunity to comment, or • ask or require you to do something. For example, it may offer you the opportunity to comment on information we have received.
Statutory objective period (SOP)	The time period to make a decision on a case. The time period is a target given to the Board by law depending on the type of case. For example, in planning appeals, the Statutory Objective Period is 18-weeks. In some types of cases, no time period is set by law.

Statutory requirements	Requirements needed by law for a case to be valid. For example: it must be in writing.
Strategic housing development (SHD)	Applications for planning permission directly to An Bord Pleanála for certain housing developments.
Strategic infrastructure development (SID)	Applications for planning permission directly to An Bord Pleanála for major infrastructure developments by local authorities and others.
Submission	A document on appeals or applications which may include supporting materials such as photographs, plans, drawings and technical guidance. (The document can be typed or handwritten.)
Substitute Consent	An application for permission made directly to An Bord Pleanála about development already carried out and which should – but did not – have had some or all of the following assessments carried out: <ul style="list-style-type: none"> • Environmental Impact Assessment, • Environmental Impact Assessment Determination, • Appropriate Assessment
Valid	Meets all statutory requirements needed by law and regulations to be considered as a case.
We, our, us	An Bord Pleanála.
You	You as a person, company, group, organisation or State authority.

Introduction

Over Christmas 2019 and the New Year period, An Bord Pleanála will be **closed** on four days. These days are:

- **Wednesday 25 December 2019** 🌲
- **Thursday 26 December 2019** 🌲
- **Friday 27 December 2019** 🌲, and
- **Wednesday 1 January 2020** 🌲.

On the days we are open, you can still make appeals, applications, referrals and observations, submissions and request oral hearings. You can also view decided case files in our office, and our staff are available to answer any questions you may have.

The holiday period between 24 December and 1 January affects:

- the time limits when you can send or deliver documents to us,
- the time period the Board has to make a decision on your case, and
- the time limits in statutory notice letters we may have sent to you.

Before we explain what happens between 24 December and 1 January inclusive (nine days), we need to explain **two important rules** which affect time limits and time periods. These are:

1. the **holiday period rule**, and
2. the **weekend rule**.

These rules are explained on pages 9 to 11.

1. Holiday Period Rule

Under the Planning and Development Acts, the holiday period is the following nine days (shaded in the calendar picture below):

- 24 December
- 25 December
- 26 December
- 27 December
- 28 December
- 29 December
- 30 December
- 31 December
- 1 January

December, 2019						
« < Today > »						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4

During the holiday period, we are open on three days:

- 24 December
- 30 December
- 31 December

Note: Even though we are open on these days, the holiday period rule below **still** applies.

How the holiday period rule affects time limits for the public.

If you are due to make or want to make:

- an appeal,
- an application,
- an observation,
- a request,
- a submission, or
- anything else

to An Bord Pleanála on any of these nine days, the holiday period rule gives you an **extra nine days after the due date** to send or deliver your item.

Example: if the planning authority makes its decision on a case on 28 November, the last date for an appeal would be Wednesday 25 December. However, that is one of the days in the holiday period, so nine days are added after the due date of 25 December leaving the revised date of Friday **3 January**.

December, 2019						
<< < Today > >>						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31		1	2	3

How the holiday period rules affects time limits for An Bord Pleanála.

The Board has a target to make decisions within 18-weeks of a case being received. This timeframe is known as the ‘[statutory objective period](#)’.

The holiday period rule affects this statutory objective period from the Board’s perspective, as it is given extra time to make a decision in addition to the normal 18-weeks. Depending on what day in the holiday period the Board was due to make a decision, **between one and nine extra days** will be added to the time period it has to make a decision.

Example: If a decision was due on 30 December, seven extra days will be added to the holiday period as 30 December is one of the holiday period days. The decision is now due on Wednesday **8 January**.

If the Board is due to make a decision after the Christmas and New Year period on a case but the 18-week statutory objective period includes the holiday period, nine extra days will be added to the time period the Board has to make a decision (see time period for deciding cases example 1 on page 20 and example 2 on page 21).

2. Weekend Rule

If the last date for us to receive documents is on a Saturday, Sunday, public holiday or other day when our office is closed, we can receive it by 5.30pm on the **next** working day that our office is open.

Example: if you are due to send or deliver something on Saturday 4 January, the next working day you can send or deliver your item will be **Monday 6 January**.

Do both these rules apply to all cases handled by An Bord Pleanála?

When calculating time limits over Christmas 2019 and New Year, the rules that apply depend on the relevant Act as you see in table below.

Under the:	The rules that apply to these cases are ...
Planning and Development Acts the holiday period rule and the weekend rule apply – in that order. (See timeframe example 2 on page 15 or example 3 on page 16.)
Building Control Acts and Water Pollution Acts only the weekend rule applies.

The following pages describe how the holiday period rule and weekend rule apply first to Planning and Development Acts cases (see pages 12 to 18 inclusive). They include a very useful calendar on pages 17 and 18. After this we describe, how only the weekend rule applies to the Building Control Acts and Water Pollution Acts (see page 19).

Planning and Development Acts cases

What do the holiday period rule and weekend rule apply to?

Both these rules apply if you want to make:

- a [planning appeal](#),
- a [referral](#),
- an [observation](#) on a current appeal or observation on a current application,
- a [submission on documents](#) we have sent you,
- an [oral hearing](#) request,
- a pre-consultation request or application for:
 - [Strategic Infrastructure Development](#)
 - [Strategic Housing Development](#)
 - [Local Authority Project](#)
- an application, appeal or request on any other function under the Planning and Development Acts, for example:
 - [Substitute Consents](#)
 - [Appropriate Assessments](#)

What happens between 24 December and 1 January?

From 24 December to 1 January, the holiday period rule will apply to time limits and time periods. The weekend rule will **also** apply if the revised last day is a Saturday or Sunday.

Can I still send or deliver items to An Bord Pleanála during Christmas and New Year?

Yes, you can still send or deliver your items to us during Christmas and New Year on the days we are open – Tuesday 24 December, Monday 30 December and Tuesday 31 December. You **do not** have to wait until after the holiday period to send or deliver your item if you wish. You **must** follow all the statutory requirements to make a valid appeal, application, observation, request or submission. This means you need to please check the [relevant guide](#) carefully.



Important note 1

Remember, do **not** place your appeal, application, observation or request in the letterbox of our office and **do not** email it to us as your appeal, application, observation or request will be **invalid**.

For submissions on appeal documents you have received from us, please follow the advice in the letter you have received from us or contact us for further help.

My appeal should be due to be received on Tuesday 31 December 2019 which is one of the days you are open over the holidays. Does this mean I have to submit on that date?

No. Even though we are working on 24, 30 and 31 December, anyone with an appeal (or other items in the list on page 12) which should be due to be received on these dates benefits from the extra time allowed under the holiday rule. These three days are treated as holidays when the rule is being applied. Therefore, if your appeal is due on Tuesday 31 December 2019, your revised date after the rule is applied is **Thursday 9 January 2020**.



Important note 2

It is extremely important to note, though, that this is the **only time in the year** when an appeal or other item normally due on a working day we are open is allowed to have the deadline extended. This is **only allowed** because of the holiday period rule.

Examples

Three timeframe examples for planning appeal cases

Example 1

I want to make an appeal. The planning authority made the decision on the planning application on Wednesday 27 November 2019.

The time limit to make your appeal is **Thursday 2 January 2020**.

Why?

1. For a decision made on Wednesday 27 November 2019, the last day of the four-week period would be Tuesday 24 December 2019.
2. Tuesday 24 December is a day in the holiday period you add extra nine days after 24 December to get the last day to make an appeal. This is even though we are open on 24 December.
3. The last day to receive this appeal is Thursday 2 January 2020.

November, 2019						
<<	<	Today			>	>>
Sun	Mon	Tue	Wed	Thu	Fri	Sat
27	28	29	30	31	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4

Example 2

I want to make an observation on a planning appeal. An Bord Pleanála received the last appeal on Friday 6 December 2019.

The time limit to make your observation is **Monday 13 January 2020**.

Why?

1. If the last planning appeal is received on Friday 6 December 2019 and you want to make an observation, the last day of the four-week period would be Thursday 2 January 2020.
2. This four-week period includes all nine days of the holiday period.
3. We add nine extra days to the last day for making an observation to An Bord Pleanála which gives a date of Saturday 11 January 2020, **but ...**
4. ... we are closed on Saturday 11 January 2020, so the last day to make an observation is on the next working day An Bord Pleanála is open. In this example, this is **Monday 13 January 2020**.

December, 2019						
<<	<	Today			>	>>
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1
2	3	4	5	6	7	8

In this example, both the holiday period rule and weekend rule are used.

First, the holiday period rule is applied; then the weekend rule.

Example 3

An Bord Pleanála has sent me a copy of an appeal on Friday 20 December 2019 and I want to make a submission on it.

The time limit for you to make a submission on the appeal is **Monday 27 January 2020**.

Why?

1. If we write to you with a copy of an appeal on Friday 20 December and you want to make a submission, the last day of the four-week period would be Thursday 16 January 2020.
2. This four-week period includes all nine days of the holiday period.
3. The last day to make a submission is nine extra days after Thursday 16 January 2020. This is Saturday 25 January when we are closed.
4. The weekend rule applies and the last day to make your submission is the next working day our office is open which is **Monday 27 January 2020**.

December, 2019						
« < Today > »						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1
2	3	4	5	6	7	8

In this example, both the holiday period rule and weekend rule are used.

First, the holiday period rule is applied; then the weekend rule.

Handy calendar of last dates to make a planning appeal (November 2019 to January 2020)

The handy tables below can help you work out the last day to make an appeal when the planning authority has made a decision **on and between**: Monday 25 November 2019 and Friday 3 January 2020 (but it does not cover weekends). This table applies the holiday period rule and weekend rule when they are needed.

To find out the last date to make an appeal on a planning authority decision:

1. Find the date that the planning authority made its decision on the planning application in the left-hand column of the relevant table.
2. Then go across to the right to see the last date you can make an appeal to us.
Remember we are open from 9.15am to 5.30pm on the day shown.

Example: The first table below shows that when a planning authority makes its decision on Monday 25 November, then your last date to make an appeal is Monday 23 December 2019.

Planning authority makes a decision on planning application	Last date to make an appeal to An Bord Pleanála
Monday 25 November 2019	Monday 23 December 2019
Tuesday 26 November 2019	Monday 23 December 2019
Wednesday 27 November 2019	Thursday 2 January 2020
Thursday 28 November 2019	Friday 3 January 2020
Friday 29 November 2019	Monday 6 January 2020

Planning authority makes a decision on planning application	Last date to make an appeal to An Bord Pleanála
Monday 2 December 2019	Tuesday 7 January 2020
Tuesday 3 December 2019	Wednesday 8 January 2020
Wednesday 4 December 2019	Thursday 9 January 2020
Thursday 5 December 2019	Friday 10 January 2020
Friday 6 December 2019	Monday 13 January 2020

Planning authority makes a decision on planning application	Last date to make an appeal to An Bord Pleanála
Monday 9 December 2019	Tuesday 14 January 2020
Tuesday 10 December 2019	Wednesday 15 January 2020
Wednesday 11 December 2019	Thursday 16 January 2020
Thursday 12 December 2019	Friday 17 January 2020
Friday 13 December 2019	Monday 20 January 2020

Planning authority makes a decision on planning application	Last date to make an appeal to An Bord Pleanála
Monday 16 December 2019	Tuesday 21 January 2020
Tuesday 17 December 2019	Wednesday 22 January 2020
Wednesday 18 December 2019	Thursday 23 January 2020
Thursday 19 December 2019	Friday 24 January 2020
Friday 20 December 2019	Monday 27 January 2020

Planning authority makes a decision on planning application	Last date to make an appeal to An Bord Pleanála
Monday 23 December 2019	Tuesday 28 January 2020
Tuesday 24 December 2019	Wednesday 29 January 2020
Wednesday 25 December 2019	
Thursday 26 December 2019	
Friday 27 December 2019	

Planning authority makes a decision on planning application	Last date to make an appeal to An Bord Pleanála
Monday 30 December 2019	Wednesday 29 January 2020
Tuesday 31 December 2019	
Wednesday 1 January 2020	
Thursday 2 January 2020	
Friday 3 January 2020	Thursday 30 January 2020

Building Control Acts and Water Pollution Acts cases

Christmas and New Year also affects appeals under the Building Control Acts and Water Pollution Acts.

There is an important difference to time limits on these cases compared to planning appeals and applications. The holiday period rule does not apply on a case **under the Building Control Acts or the Water Pollution Acts.**

Only the weekend rule applies to time limits on these cases.

Example:

I want to make an appeal on a fire safety certificate decision. The building control authority made the decision on the application on Tuesday 26 November 2019.

The time limit for you to make your appeal is **Monday 30 December 2019.**

Why?

1. For a decision made on Tuesday 26 November 2019, the last day of the one-month period would be Wednesday 25 December 2019.
2. We are closed on Wednesday 25 December 2019. The weekend rule is used and the last day to make an appeal is the next working day our office is open.
3. Therefore, the last day to receive this appeal is Monday 30 December 2019.

Time period for deciding cases

This section outlines the time period for deciding each of the following:

1. Planning and Development Acts cases, and
2. Building Control Acts cases and Water Pollution cases (see end of page 21).

1. Planning and Development Acts cases

For Planning and Development Acts cases, the amount of time (statutory objective period) the Board has to make a decision on the case will be increased by up to nine days if it is with An Bord Pleanála during the holiday period.

Three examples of planning cases

Example 1

My appeal was made on Tuesday 27 August 2019. The statutory objective period (18-weeks) target date should be Monday 30 December 2019.

The decide by date for your appeal is **Wednesday 8 January 2020**.

Why?

- Without the holiday period, your case would be due to be decided by the Board by Monday 30 December 2019. However, the 18-weeks statutory objective period to decide this case includes seven days of the holiday period.
- These seven additional days start after the end of the holiday period, so the decide by date for this appeal is Wednesday 8 January 2020.

Example 2

The appeal was made on Wednesday 30 October 2019. The statutory objective period target date should be Tuesday 3 March 2020.

The decide by date for the appeal is **Thursday 12 March 2020**.

Why?

- Without the holiday period, the case would due to be decided by the Board by Tuesday 3 March 2020. However, the 18-weeks statutory objective period to decide this case includes all nine days of the holiday period.
- These nine additional days are included in the time period for this case, so the decide by date for this appeal is Thursday 12 March 2020.

Example 3

The strategic housing application was made on Friday 18 October 2019 and the 16-week statutory objective period decide by date should be Thursday 6 February 2020.

The decide by date for the application is **Monday 17 February 2020**.

Why?

- Without the holiday period, the case would due to be decided by the Board by Thursday 6 February 2020. However, the 16-weeks statutory objective period to decide this strategic housing case includes all nine days of the holiday period.
- These nine additional days are included in the time period for this case, so the decide by date for this appeal is Monday 17 February 2020. (Nine days after 6 February is 15 February which is a Saturday, so the weekend rule applies.)

2. Building Control Acts cases and Water Pollution Acts cases

If the case is under the Building Control Acts or the Water Pollution Acts, there is no holiday period rule. Therefore, Christmas and New Year will not affect the statutory objective period, the normal period of four months will continue to apply.

Viewing decided case files: Public access

You can [view decided case files](#) through our public access service over Christmas and New Year on days that we are open. This service is free.

Further information about your case

To get further information about how your case is affected by the Christmas and New Year period, please [contact us](#). Our contact information is given on page 24.

Legislation

The laws and regulations referred to in this document are:

- [Planning and Developments Act 2000, as amended](#)
- [Planning and Development Regulations 2001, as amended](#)
- [Building Control Acts 1990 to 2014](#)
- [Local Government \(Water Pollution\) Act 1977](#)
- [Water Services Act 2007](#)

Contact us

If you want a copy of this document in a different format or if you need more information, please contact An Bord Pleanála.

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This edition: November 2019