Advice notice on appeals under the Planning and Development Act 2024

16 November 2026 (updated from 2 October 2026)

As part of the Commission's preparation for the commencement of further provisions of the Planning and Development Act 2024 (2024 Act), the Commission will issue a series of public notices on the administrative processes to be applied to the new provisions, as well as the implementation of transitional provisions.

The 26 November 2026 is the date appointed for the coming into operation of Part 4 of the Planning and Development Act.

Part 4 of the 2024 Act deals with development consents, including Chapter 3 'standard development' and Chapter 4 'planning applications directly to Commission'.

This advice note addresses planning applications made to planning authorities under section 34 of the Planning and Development Act 2000 (2000 Act), i.e. made before 26 November 2026.

The advice note covers various transition scenarios and sets out An Coimisiún Pleanála's (the Commission) interpretation of how the transitional provisions will operate.

This advice note does not constitute legal advice and if required, independent legal advice should be sought.

In overview, where a planning application has been validly commenced under section 34 of the 2000 Act prior to the 26 November 2026, any appeal received in relation to such a case will continue to be determined within the provisions of the 2000 Act.

Please note that where a permission is granted under section 34 of the 2000 Act before 26 November 2026, section 188(1) of the 2024 Act deems that permission to be a permission granted under section 98 of the 2024 Act.

Where a permission is granted subsequent to an appeal decided by the Commission under section 37 of the 2000 Act, section 188(2) of the 2024 Act deems that permission to be a permission granted under section 109 of the 2024 Act.

Scenario 1 – As of 26 November 2026, the Commission has a live appeal before it arising from an application made pursuant to section 34 of the 2000 Act and an appeal made pursuant to section 37 of the 2000 Act.

'Live appeal' is defined as an appeal in which the Commission Order has not been signed by a Commissioner, nor affixed with a seal. It includes appeals lodged on or before 25 November 2026.

Appeals 'on hands' as of 26 November 2026 will be determined in accordance with section 37 and the other provisions of the 2000 Act. This is explicitly provided for by section 626(e) of the 2024 Act.

Scenario 2 – On or after 26 November 2026, the Commission receives an appeal of a notification of decision of a planning authority made pursuant to section 34 of the 2000 Act.

For appeals lodged on or after 26 November 2026, the Commission will treat these as appeals pursuant to the 2000 Act and will issue decisions accordingly, i.e. pursuant to section 37 of the 2000 Act.

The Commission interprets the provisions of the 2024 Act such that no decision point has been reached if there is an appeal of a notification of a decision made under the 2000 Act.

When will the Commission process and decide its first appeal under the 2024 Act?

The Commission will process and decide the first appeal brought under section 103 of the 2024 Act when it receives an appeal of a decision notified under section 100 of the 2024 Act.

Given that the first application for permission under Chapter 3 of Part 4 of the 2024 Act will be made on or after 26 November 2026, the first appeal under section 103 of the 2024 Act will likely be received by the Commission in February 2027.

ENDS