

Note:

An Appeal against a decision of a Planning Authority under Section 37 of the Planning and Development Act 2000 may be made to: **An Bord Pleanala,
64 Marlborough Street, Dublin 1.**

1. Any appeal must be received by An Bord Pleanala within **four weeks** beginning on the date of the decision and shall:-
 - (a) be made in writing,
 - (b) state the name and address of the appellant or person making the referral and of the person, if any, acting on his or her behalf,
 - (c) state the subject matter of the appeal or referral,
 - (d) state in full the grounds of appeal or referral and the reasons, considerations and arguments on which they are based,
 - (e) in the case of an appeal under Section 37 by a person who made valid submissions or observations in accordance with the permission regulations, **be accompanied by the acknowledgement by the planning authority of receipt of the valid submissions or observations.**
 - (f) be accompanied by such fee as may be payable in respect of such appeal or referral in accordance with Section 144 and
 - (g) be made within the period specified for making the appeal or referral.

An appeal or referral which does not comply with these requirements shall be invalid.

2. The requirement of the aforementioned shall apply whether or not the appellant or person making the referral requests, or proposes to request, in accordance with Section 134, an oral hearing of the appeal or referral.
3. Without prejudice to section 131 or 134, an appellant or person making the referral shall not be entitled to elaborate in writing upon, or make further submissions in writing in relation to, the grounds of appeal or referral stated in the appeal or referral or to submit further grounds of appeal or referral and any such elaboration, submissions or further grounds of appeal or referral that is or are received by the Board shall not be considered by it.
4. (a) An appeal or referral shall be accompanied by such documents, particulars or other information relating to the appeal or referral as the appellant or person making the referral considers necessary or appropriate.

(b) Without prejudice to Section 132, the board shall not consider any documents, particulars or other information submitted by an appellant or person making the referral other than the documents, particulars or other information which accompanied the appeal or referral.
5. An appeal or referral shall be made:-
 - (a) by sending the appeal or referral by prepaid post to the Board,
 - (b) by leaving the appeal or referral with an employee of the Board at the offices of the Board during office hours (as determined by the Board), or
 - (c) by such other means as may be prescribed.

Case Type	On or before 7/12/07	On or after 10/12/07
Planning Acts ^[1]		
a. Application for strategic infrastructure development or a request to alter the terms of such development already permitted or approved.	Nil	€100,000 ^[2]
b. Appeal against a decision of a planning authority on a planning application relating to commercial development ^[3] , made by the person by whom the planning application was made, where the application relates to unauthorised development.	€1,900	€4,500 or €9,000 if EIS involved ^[4]
c. Appeal against a decision of a planning authority on a planning application relating to commercial development ³ , made by the person by whom the planning application was made, other than an appeal mentioned at (b).	€630	€1,500 or €3,000 if EIS involved ⁴
d. Appeal against a decision of a planning authority on a planning application made by the person by whom the planning application was made, where the application relates to unauthorised development, other than an appeal mentioned at (b) or (c).	€630	€660
e. Appeal other than an appeal mentioned at (b), (c), (d) or (g) ^[5] .	€210	€220
f. Application for leave to appeal.	€105	€110
g. Appeal following a grant of leave to appeal.	€105	€110
h. Referral.	€210	€220
i. Reduced fee (payable by specified bodies ^[6]).	€105	€110
j. Submissions or observations (by 'observer') on strategic infrastructure development applications, appeals and referrals.	€50 ^[7]	€50
k. Request from a party for an oral hearing of an appeal or referral.	€95	€50

1. Fees under the Local Government (Planning and Development) Regulations 2001 (SI 525 of 2001) apply to appeals and other matters where the application or other matter was made to the planning authority before 11th March 2002.

2. In a case where the Board can recover the costs of determining the application, the fee will be offset against such costs.

3. Commercial development includes 2 or more dwellings. See Board's order determining fees and its appeal guide.

4. The higher fee applies where an environmental impact statement (EIS) was submitted to the planning authority under section 172(1) of the 2000 Planning Act or article 103(1) of the 2001 Planning Regulations except where the appeal relates solely to a section 48 / 49 development / supplementary development contribution scheme and/or a special financial contribution.

5. Applies to:- (i) All third party appeals except where the appeal follows a grant of leave to appeal; (ii) First party normal planning appeals (section 37) not involving commercial or unauthorised development, or an EIS; (iii) All other appeals (non-section 37).

6. These bodies are specified in the Board's order which determined fees. They include planning authorities and certain other bodies, e.g. National Roads Authority, Fáilte Ireland, who have a statutory role under planning legislation.

7. This fee does not apply to submissions or observations relating to strategic infrastructure development before 10th December 2007.

N.B. This guide does not purport to be a legal interpretation of the fees payable to the Board. A copy of the Board's order determining fees under the Planning Acts is obtainable from the Board. Further information about fees under other legislation may be found in the appropriate legislation and is also available from the Board.

