Ireland Planning

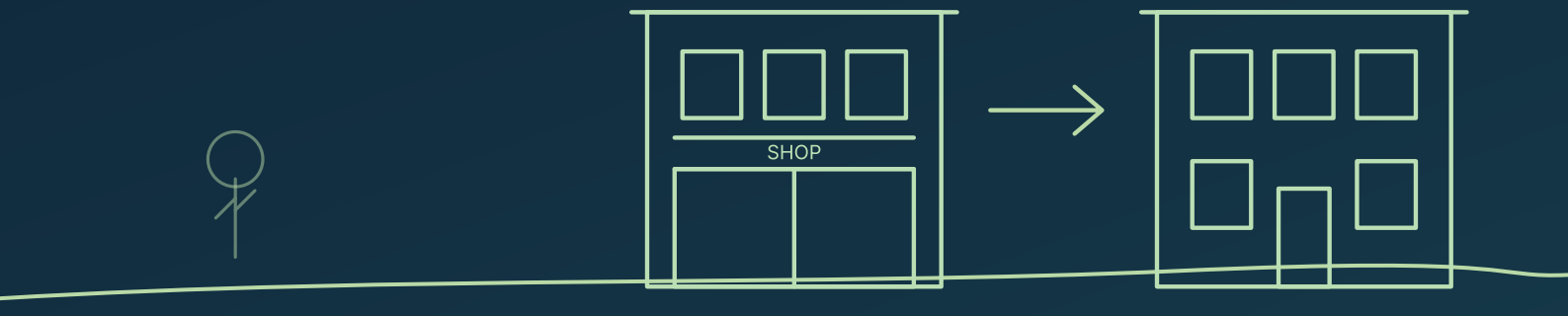
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FREE GUIDE · REPUBLIC OF IRELAND

Change of Use & Commercial-to-Residential Planning

Shops, offices, cafés, clinics, short-term lets and homes over the shop

Material change of use, the classes of use, the commercial-to-residential exemption (extended to 31 December 2028), food premises, medical and dental clinics, the 2026 short-term letting rules, zoning and parking, explained in plain English.



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About this guide

Changing how a building is used is one of the most common reasons property owners, tenants and investors need planning advice. Some changes need no application; some need only a notification to the council; many need full planning permission. Getting the route right early protects your lease, your purchase and your finance.

PLANNING LAW IN TRANSITION · NOVEMBER 2026

The remaining parts of the **Planning and Development Act 2024** come into operation on **26 November 2026**, with new regulations. Applications lodged before midnight on 25 November 2026 continue under the **Planning and Development Act 2000 (as amended)**. Section numbers change under the 2024 Act, but most core concepts and time limits carry through. This guide uses the familiar 2000 Act terms and flags the main 2024 Act equivalents.

Important: please read

This guide is general information about the planning system in the Republic of Ireland. It is not legal advice and not advice about any particular property. Legislation, regulations, development plans and fees change, and every site is different. Always check the current position with your planning authority and, where relevant, a qualified professional before starting work, buying property or submitting an application. Information is correct at the time of writing, November 2026. Where this guide summarises legislation, the official text takes precedence.

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STEP 1 · THE BASICS

What is a material change of use?

"Development" includes any **material change in the use** of structures or other land (section 3 of the 2000 Act). Whether a change is material is a question of fact and degree, judged on its planning effects.

1

What is the lawful use?

Start with the authorised use, not the current activity. Check the planning register, the description of the permitted development and its conditions.

2

Is the change material?

Consider traffic, parking, noise, odour, opening hours, deliveries, the number of people and the effect on the street and on neighbours.

3

Is it exempt?

Changes within one class of use, and changes listed in the Regulations, can be exempt, subject to Article 9 and Article 10 restrictions.

Signs a change is likely to be material

- [ ] A new type of activity the public will notice (a shop becoming a takeaway).
- [ ] More visitors, deliveries or vehicles.
- [ ] Extended opening hours, especially at night.
- [ ] Odour, noise or extraction equipment.
- [ ] Loss of a use the development plan seeks to protect (ground-floor retail, employment land).
- [ ] Residential use created in a commercial or industrial area.
- [ ] Intensification beyond what the permission envisaged.
- [ ] A house used for a business that is not incidental to living there.

"Unauthorised use" and abandoned uses

An exemption cannot be used where the existing use is **unauthorised**, except to resume an authorised use that has not been abandoned (Article 10(1)(d)). If a building has been empty for many years, or used informally for something else, the lawful use may be harder to establish. A planning history review is the first step.

CERTAINTY

Where the position is unclear, a **Section 5 Declaration** (section 10 under the 2024 Act) asks the planning authority to decide formally whether a change is development and whether it is exempt.

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STEP 2 · SCHEDULE 2, PART 4 AND PART 1

Classes of use and exempt changes

Under Article 10, a change of use **within** one of the classes below is exempt, provided it involves no non-exempt works, does not breach a condition and the existing use is not unauthorised.

Class	Use (summary)
1	Shop (retail, post office, travel agent, hairdressing, launderette, cold food ancillary to retail). Excludes restaurants, pubs, hot food takeaways and funeral homes.
2	Financial, professional (not health or medical) and other services provided principally to visiting members of the public, including betting offices.
3	Office, other than Class 2.
4 / 5	Light industrial; wholesale warehouse or repository.
6	Residential club, guest house or hostel (not a hostel where care is provided).
7	Public worship, religious instruction and related uses.
8	Health centre or clinic, medical or health services (not in a practitioner's house), crèche, day nursery, day centre.
9	Residential care, hospital, nursing home, residential school or college.
10 / 11	Galleries, museums, libraries, halls, community centres; theatres, cinemas, gyms and indoor sport.
12	Public house (added in 2022 for the commercial-to-residential exemption).

Some uses fall into no class (sui generis), including amusement arcades, motor service stations, car sales, taxi businesses and very large supermarkets (Article 10(2)(b)). Restaurants and hot food takeaways are also outside the shop class.

Exempt changes between uses (Class 14, Part 1)

- ✓ Hot food takeaway, or motor vehicle sales, to a **shop**.
- ✓ Public house to a shop; funeral home, amusement arcade or **restaurant to a shop**.
- ✓ Class 2 services (for example a bank or estate agent) to a shop.
- ✓ Two or more dwellings back to a single dwelling, where the building was originally one house.

Note the direction of travel: changes **to** a shop are favoured. The reverse (shop to restaurant, takeaway, clinic or office) usually needs permission.

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STEP 3 · VACANT COMMERCIAL BUILDINGS

Commercial-to-residential: the Article 10(6) exemption

Introduced by S.I. No. 30 of 2018 and extended by S.I. No. 75 of 2022 and S.I. No. 648 of 2025, this exemption allows certain **vacant** commercial buildings to become homes without planning permission, where the change and works happen between **8 February 2018 and 31 December 2028**.

Who can use it

- ✓ Existing buildings in **Class 1** (shop), **2** (services), **3** (office), **6** (guest house, hostel) or **12** (public house) use.
- ✓ The building has at some time been used for that class.
- ✓ The relevant part has been **vacant for 2 years or more** immediately before work starts.
- ✓ **Notify the planning authority in writing at least 2 weeks before** the change and works begin, using its form, with the location, Eircode and details of the units.

Key conditions (summary)

- ☐ No more than **9 residential units** in the structure.
- ☐ Units meet the floor area and storage standards in the apartment design guidelines; habitable rooms have adequate natural light.
- ☐ Works mainly internal; ground-floor shopfront changes consistent with the character of the building and street.
- ☐ No works to ground floors that conflict with a plan objective to keep retail use, other than access to upper floors.
- ☐ No works to a **Protected Structure** unless a section 57 declaration confirms no material effect.
- ☐ Not in a special amenity area, area of special planning control or Seveso consultation distance, and subject to Article 9 restrictions.
- ☐ No new on-site wastewater treatment system.

Other consents still apply

The exemption removes the need for planning permission only. You still need a **Fire Safety Certificate** and, in most cases, a **Disability Access Certificate**, a Commencement Notice and compliance with the Building Regulations. Budget time for these, and confirm the vacancy evidence (rates records, utility bills, letting history) before you buy.

Grants such as the Vacant Property Refurbishment Grant may be available for qualifying properties; eligibility is set by the grant scheme, not the planning system.

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STEP 4 · WHEN THE EXEMPTION DOES NOT FIT

Full permission for residential conversions

Many conversions fall outside Article 10(6): the building was not vacant for 2 years, there are more than 9 units, external changes are needed, or it is a Protected Structure. These need a planning application.

What the planning authority will assess

Issue	What to show
Zoning and policy	Residential use is permitted or open for consideration under the zoning objective; any policy protecting ground-floor retail or employment uses.
Unit standards	Floor areas, storage, room widths, dual aspect, floor-to-ceiling heights and private amenity space under the apartment design standards. Flexibility is often available for refurbishment and "living over the shop" schemes.
Daylight and outlook	Adequate daylight to habitable rooms, and outlook where windows face close-by buildings or yards.
Noise and amenity	Protection from adjoining commercial uses, plant, late-night activity and traffic.
Bins, bikes and access	Secure bin and bicycle storage, and safe, separate access to upper floors.
Car parking	Many town-centre schemes can be car-free or reduced-parking where public transport and services are close by; show the evidence.
Heritage and flood risk	Conservation method statement for older or protected buildings; site-specific flood risk assessment where required.

Practical sequence

1. **Verify the lawful use** and planning history, and check vacancy evidence.
2. **Test the layout** against unit standards before you agree a price.
3. **Pre-planning consultation** (section 247; sections 89 to 90 of the 2024 Act) for larger or sensitive schemes.
4. **Coordinate fire and access**: the Fire Safety Certificate strategy often drives the layout, so design both together.

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STEP 5 · FOOD AND DRINK

Cafés, restaurants and takeaways

Restaurants and hot food takeaways are outside the shop class. Changing a shop or office to either is normally a material change of use that needs planning permission. A café selling mainly hot food, or seating customers, is likely to need permission too.

What councils focus on

- ☐ **Odour and extraction**: a ventilation and odour abatement system, and the route and height of any flue. External ducts on the front elevation are rarely acceptable.
- ☐ **Noise**: plant, extraction fans, customers and late-night activity.
- ☐ **Opening hours**: often limited by condition, especially near homes.
- ☐ **Deliveries and collections**: delivery drivers waiting on the street, servicing and loading.
- ☐ **Litter and waste**: bin storage, grease traps and collection arrangements.
- ☐ **Concentration**: many development plans restrict clusters of takeaways and resist new takeaways near schools.

A strong application includes

- ✓ Floor plans showing kitchen, seating, toilets and bin store.
- ✓ Extraction specification from a ventilation engineer.
- ✓ Proposed hours and a short operational management plan.
- ✓ Noise assessment where homes are close by.
- ✓ Shopfront and signage drawings (signage can need its own consent).
- ✓ A note on vitality: how the use supports the street and footfall.

Check the lease and licences too

Planning permission is separate from the lease, food business registration with the HSE or FSAI, and any alcohol licence. Agree the planning strategy before signing a lease, and consider making the lease conditional on permission.

Opening a café, restaurant or takeaway?

Send us the Eircode, the current use and your proposed hours. We will check the lawful use, the development plan policy for the street and the likely conditions.

Ask about my premises → irelandplanning.ie/contact

Or call 01 223 2496 · info@irelandplanning.ie · Monday to Friday, 9am to 5pm

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STEP 6 · HEALTH AND COMMUNITY USES

Medical, dental, clinics and childcare

Health centres, clinics and medical services fall within **Class 8**, together with crèches, day nurseries and day centres. Moving between these uses can be exempt, but changing **into** Class 8 from a shop, office or house normally needs permission.

Scenario	Typical position (subject to the facts)
Office (Class 3) to GP, dental or physiotherapy clinic	Change of class: **planning permission** normally required.
Shop (Class 1) to clinic	Permission required. Retail-protection policies in the development plan may apply on main streets.
Clinic to crèche, or crèche to clinic	Within Class 8, so potentially exempt, unless conditions or works prevent it.
Practitioner's own house used as a surgery	Excluded from Class 8. Permission normally required unless the use is genuinely small-scale and incidental.
Professional services (accountant, solicitor) to medical	Class 2 excludes health and medical services; permission required.

Key planning issues

- [ ] **Parking and drop-off**: patient numbers, appointment patterns, staff parking and access for people with disabilities.
- [ ] **Accessibility**: step-free access, and a Disability Access Certificate for the works.
- [ ] **Clinical waste** storage and collection.
- [ ] **Hours** and impact on neighbouring homes.
- [ ] **Childcare**: outdoor play space, drop-off, and Tusla registration (separate from planning).
- [ ] **Signage** and changes to the shopfront.

Before you sign a lease

Healthcare operators often commit to fit-out costs before confirming the planning position. A short feasibility review covering the lawful use, zoning and parking standards can prevent costly delays.

STEP 7 · SHORT-TERM LETTING

Short-term letting: the 2026 rules

Short-term letting rules were tied to **Rent Pressure Zones** from 2019. That changed in 2026. Planning controls now apply **nationwide**, and a new Fáilte Ireland register opens on 1 December 2026.

Topic	Position (November 2026)
Planning exemption	Since 4 April 2026 (S.I. No. 130 of 2026), the exemption for short-term letting of a **principal private residence** applies nationwide, no longer only in RPZs.
Home sharing	Letting a room or rooms in your principal private residence is permitted without restriction on the number of days.
Whole home	Letting your whole principal private residence while you are away is limited to **90 days** a year in total. Beyond that, planning permission for change of use is required.
Second homes and investment properties	Using a home that is not your principal private residence for short-term letting is generally a material change of use requiring permission.
Registration	Hosts letting for 21 nights or less must register with **Fáilte Ireland**. The register opens 1 December 2026; hosts must register by 31 December 2026 and confirm planning compliance.
National Planning Statement	Restricts new permissions for short-term lets in towns and cities over 20,000 population. In smaller towns, operators have two years from 23 October 2026 to achieve compliance.
Simplified retention	Since 29 September 2026 (S.I. No. 500 of 2026), a streamlined retention application, without detailed plans and maps, is available to regularise existing short-term lets.

PRESUMPTION FOR LONG-RUNNING LETS

Government guidance indicates a presumption in favour of permission where a dwelling has been used continuously for short-term letting for at least seven years without enforcement action, unless serious traffic, flooding or pollution issues arise, or an occupancy condition would be breached. The Short-Term Letting and Tourism Bill 2026 is still before the Oireachtas, so check the current position.

Class 3A auxiliary dwellings and Class 1A sub-divided units created under the July 2026 exemptions may not be used for short-term letting.

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STEP 8 · THE SITE AND ITS CONTEXT

Zoning, traffic, parking and contributions

Every City and County Development Plan zones land and sets out which uses are **permitted in principle**, **open for consideration** or **not permitted** in each zone. The zoning matrix is often the single most important document for a change of use.

Zoning: what to check

- [ ] The zoning objective for the site and its exact boundary on the plan maps.
- [ ] The use matrix for your proposed use.
- [ ] Specific objectives: retail cores, primary frontages, employment land, town-centre-first policies.
- [ ] Any Local Area Plan or Strategic Development Zone scheme.
- [ ] Whether the plan is being reviewed: a draft plan can signal change.

Traffic and parking

- [ ] Parking standards are usually maximums in urban areas and may be relaxed near public transport.
- [ ] Trip generation for busier uses (clinics, gyms, takeaways, childcare).
- [ ] Servicing and delivery arrangements.
- [ ] Cycle parking and pedestrian access.
- [ ] Sightlines at any new or altered entrance.

Development contributions

A grant of permission usually includes a condition requiring **development contributions** under the council's Development Contribution Scheme. Some schemes reduce or waive contributions for change of use of existing floorspace, or for bringing vacant buildings back into residential use. Check the scheme before you appraise the project.

Material contravention

Where a proposal conflicts with the zoning, permission can only be granted in limited circumstances, following a formal material contravention procedure. Under the 2024 Act (section 99), permission may still be granted where it is necessary or justified having regard to proper planning, national and regional policy. Expect a high bar, and seek advice before relying on it.

> **Zoning first, design second**
> A well-designed scheme in the wrong zone will struggle. Confirm the zoning position before paying for detailed design.

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STEP 9 · APPLYING

The application, decision and appeals

1. **Feasibility**: lawful use, planning history, zoning, constraints and the likely issues.
2. **Pre-planning consultation**: section 247 of the 2000 Act; sections 89 to 90 of the 2024 Act. Not binding, but it identifies the authority's concerns.
3. **Documents**: site location map, site layout plan, floor plans and elevations (existing and proposed), planning report, and specialist reports such as noise, odour, traffic or flood risk where relevant.
4. **Public notices**: newspaper notice and site notice describing the change of use accurately.
5. **Lodgement and fee**: fees for change of use are based on floor area, with minimums. The 2026 fee regulations kept the existing amounts.
6. **Submissions**: within **5 weeks** of receipt, on payment of €20.
7. **Decision** within **8 weeks**, or after a response to **Further Information**.
8. **Appeal window**: **4 weeks** from the decision to An Coimisiún Pleanála.

If the council raises concerns

Further Information

Answer every point fully and on time. Where the response contains significant additional information, new public notices are required. Under the 2024 Act regulations, FI must be requested within the 8-week period.

Refusal

A **revised application** that addresses the reasons (hours, extraction, layout, parking) is often the fastest route. An appeal to An Coimisiún Pleanála is an option where the refusal is unreasonable.

Already operating without permission?

If a use has already started without permission, the route is normally a **retention application**, assessed on the same planning merits. See our free guide to retention planning permission.

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AVOID THE PITFALLS

Common mistakes and FAQs

Common mistakes

- ✕ Signing a lease before checking the lawful use and zoning.
- ✕ Assuming any "commercial" use can switch to any other.
- ✕ Treating a café with hot food as a shop.
- ✕ Relying on the Article 10(6) exemption without 2 years' vacancy evidence or the 2-week notification.
- ✕ Forgetting the Fire Safety Certificate and Disability Access Certificate.
- ✕ Assuming short-term letting is unrestricted outside the old RPZs.
- ✕ Applying for a takeaway without an extraction strategy.

Can I convert an office to apartments without permission?

Possibly, under Article 10(6), if the building has been vacant for 2 years, the scheme is 9 units or fewer and the other conditions are met. You must notify the council 2 weeks before starting.

Is a coffee shop a shop?

Only where food sales are subsidiary to retail and for consumption off the premises. Seating and hot food usually take it outside the shop class.

Can I run a business from home?

Uses incidental to living in the house, like a home office, are normally fine. Customers visiting, staff or signage may amount to a material change of use.

Do I need permission to let my house on a short-term basis?

Not for letting rooms in your principal private residence, or the whole home for up to 90 days a year. Otherwise, usually yes.

Changing the use of a property?

Tell us the Eircode, the current use and what you want to use it for. We will tell you which route applies, and what the council is likely to need.

Ask about my property → irelandplanning.ie/contact

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CHECKLIST, SOURCES AND CONTACT

Change of use: checklist

- [ ] Lawful use and planning history confirmed
- [ ] Zoning objective and use matrix checked
- [ ] Conditions on existing permissions read
- [ ] Class of use for current and proposed uses
- [ ] Exemption route (Article 10, Class 14, 10(6)) tested
- [ ] Vacancy evidence gathered (for 10(6))
- [ ] 2-week notification sent (for 10(6))
- [ ] Fire Safety and Disability Access Certificates planned
- [ ] Extraction, noise, hours and waste addressed
- [ ] Parking, servicing and cycle parking addressed
- [ ] Short-term letting: principal residence, 90 days, registration
- [ ] Development contributions estimated

Sources

- Planning and Development Act 2000 (as amended), sections 3, 4, 5 and 34; Planning and Development Act 2024 (sections 10, 89 to 90 and 99).
- Planning and Development Regulations 2001, Articles 9 and 10; Schedule 2, Part 1 (Class 14) and Part 4 (Classes of Use).
- S.I. No. 30 of 2018, S.I. No. 75 of 2022 and S.I. No. 648 of 2025 (Article 10(6), extended to 31 December 2028).
- S.I. No. 130 of 2026 (short-term letting nationwide) and DHLGH circular SPI 02/2026.
- S.I. No. 500 of 2026 (short-term letting retention) and DETE short-term letting guidance, 2026.
- Sustainable Urban Housing: Design Standards for New Apartments (as updated).
- DHLGH notice on 2024 Act commencement, 12 November 2026; IPI summary of the 2026 Regulations.
- Dublin City, South Dublin, Tipperary and Westmeath County Council exemption guidance.

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