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FREE GUIDE · REPUBLIC OF IRELAND

House Extensions & Exempted Development in Ireland

Rear extensions, attics, garden rooms and Section 5 Declarations

What you can build without planning permission under the Planning and Development Regulations 2001 (as amended, including the July 2026 changes), where exemptions are lost, Protected Structures and ACAs, and how a Section 5 Declaration gives formal certainty for a sale or mortgage.



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About this guide

Most homeowners want to know one thing: **can I build this without planning permission?** In Ireland the answer depends on the exact terms of the exempted development classes, the planning history of the house, and whether any restriction removes the exemption. This guide explains the rules in plain English, including the significant changes that came into operation on **27 July 2026**.

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

Development, exempted development and the 2026 changes

Planning permission is needed for any "development" unless it is **exempted development**. Development means carrying out works on land or making a material change in the use of land or buildings.

1
Is it development?
Internal works, and works that do not materially affect external appearance, are generally exempt under section 4(1)(h) of the 2000 Act.

2
Is there a class?
Schedule 2, Part 1 of the 2001 Regulations lists exempt works to houses (Classes 1 to 8 and later additions), each with conditions and limitations.

3
Is it restricted?
Article 9 restrictions, planning conditions, Protected Structure status or an ACA can remove the exemption even if the size limits are met.

What changed on 27 July 2026

Change	In brief
Class 1 rear extensions	Total limit increased from 40 m² to **45 m²** (including previous extensions).
Class 1B dormers NEW	Side or rear dormers up to 30 m³ internal volume, no higher than the ridge, at least 20 cm eaves setback.
Class 1C front roof lights NEW	Up to two roof lights on the front roof plane, each no more than 100 cm by 90 cm.
Class 1A sub-division NEW	One additional self-contained unit within the existing house envelope, each unit at least 32 m². 14-day notice to the council. Time-limited to 31 December 2030.
Class 3 sheds and garden rooms	Increased from 25 m² to **30 m²**.
Class 3A auxiliary dwelling NEW	A detached habitable unit of 32 to 45 m² in the rear garden, linked to the main house. 14-day notice. Time-limited to 31 December 2030.
Other	Upper-floor window distance cut from 11 m to 8 m; external wall insulation (Class 63); bicycle and bin stores (Class 62); heat pumps to the front; chimney removal (Class 2A).

Source: Planning and Development (Exempted Development (Act of 2000)) Regulations 2026 (S.I. Nos. 338 to 344 of 2026).

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STEP 2 · CLASS 1, SCHEDULE 2, PART 1

Rear extensions: the Class 1 limits

Class 1 exempts an extension to the **rear** of a house (including a conservatory), and the conversion of an attached garage, store or shed to the rear or side, provided **every** condition below is met.

Condition	The limit (summary)
Total floor area	No more than **45 m²**, counting any previous extensions built since 1 October 1964, whether exempt or permitted.
Above ground floor	Terraced or semi-detached house: no more than **12 m²** above ground level. Detached house: no more than **20 m²**. Previous upper-floor extensions count.
Distance from boundary	Any extension above ground floor must be at least **2 metres** from any party boundary.
Walls and roof height	Walls no higher than the rear wall of the house (or the side walls where the rear wall includes a gable). A flat roof no higher than the eaves or parapet. A pitched roof no higher than the ridge of the house.
Private open space	At least **25 m²** of private open space, reserved for the occupants, must remain within the curtilage of the house.
Windows	Ground-floor windows at least **1 metre** from the boundary they face. Upper-floor windows at least **8 metres** from the boundary they face (reduced from 11 m in July 2026).
Roof and scope	The roof must not be used as a balcony or terrace. Class 1 applies only to the principal house, not to a detached unit in its garden.

Read the conditions together

Class 1 is a package. A 20 m² single-storey extension that leaves only 22 m² of rear garden is **not** exempt. A small extension on a house whose permission has a condition removing exempted development rights is **not** exempt. Councils look at the whole picture, and so do solicitors when the house is sold.

BUILDING REGULATIONS STILL APPLY

An exemption from planning does not exempt the work from the Building Regulations (structure, fire safety, ventilation, energy performance and access). Larger works may also need a Commencement Notice under the Building Control Regulations.

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STEP 3 · GETTING THE NUMBERS RIGHT

Measuring correctly: worked examples

Most disputes about exempt extensions come down to measurement: what counts toward the 45 m², which garden counts as private open space, and how earlier works are treated.

Example A · Semi-detached house, Co. Kildare

A 1990s semi with a 7 m² rear kitchen extension built in 2012. The owner proposes a 32 m² single-storey rear extension.

- ✓ Cumulative floor area: 7 + 32 = 39 m², within 45 m².
- ✓ Single storey, so the 12 m² upper-floor limit is not engaged.
- ✓ Rear garden after works: 41 m², above the 25 m² minimum.

Likely to fall within Class 1, subject to height, windows and any Article 9 restriction or planning condition.

Example B · Terraced house, Dublin 7

A Victorian terrace with a 9 m² return. The owner wants a 30 m² ground-floor extension and a 10 m² first-floor bedroom.

- ✗ Cumulative floor area: 9 + 30 + 10 = 49 m², above 45 m².
- ✗ The first-floor element is close to the side boundary, not 2 m away.
- ✗ The house is in an Architectural Conservation Area.

Not exempt. A planning application is needed, ideally after a pre-planning consultation.

Practical measuring rules

- ☐ **Use gross internal floor area** of the extension. Measure from drawings, not estate agent brochures.
- ☐ **Check the planning file.** Earlier extensions since 1964 count whether they were exempt or permitted. Look up the planning register for the address and any parent permission for the estate.
- ☐ **Private open space** means usable outdoor space reserved exclusively for the occupants. Driveways and shared areas do not count; for Class 3 structures the 25 m² must be to the rear or side.
- ☐ **Converted garages** attached to the side or rear count toward the 45 m².
- ☐ **Heights** are taken from ground level. Sloping sites need careful survey, because a raised floor can push walls above the permitted height.
- ☐ **Keep a record.** Dated drawings, photographs and a short planning note will help when you sell or remortgage.

Not sure? Ask before you build

If the figures are tight, or the planning history is unclear, a short feasibility review or a **Section 5 Declaration** (page 10) is far cheaper than retention permission later.

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STEP 4 · OTHER WORKS TO THE HOUSE

Front, side, porches, walls and driveways

Class 1 only covers the rear. Extensions to the **front** or **side** of a house generally need planning permission, apart from the specific classes below.

Works	Exemption in summary
Front porch (Class 7)	Floor area up to 2 m², at least 2 m from a public road, and no higher than 4 m (pitched roof) or 3 m (other roof). Larger porches need permission.
Side extension	Not covered by Class 1. A planning application is normally required, even for a single-storey side extension.
Walls, fences, gates (Class 5)	Up to 1.2 m in front of the building line, up to 2 m elsewhere, with finishes and capping conditions. Not exempt where it would obstruct sightlines.
Driveways and hard surfaces (Class 6)	A hard surface to the rear, or to the front or side for parking up to 2 cars, for domestic purposes. A **new or wider vehicular entrance** onto a public road usually needs permission.
Bicycle and bin stores (Class 62)	New from July 2026: up to 3.5 m² and 1.4 m high, front or rear. At the front, set back 0.6 m from the house and using no more than half the front garden.
External wall insulation (Class 63)	New from July 2026: up to 150 mm thick, not encroaching on a public road, and not materially altering the character of the house and its neighbours.
Heat pumps (Class 2)	No longer restricted to the rear; up to 2.5 m², 50 cm from wall or roof edges, not over a public road, within noise limits.
Chimney removal (Class 2A)	New from July 2026, unless the stack is shared with a neighbouring house; wildlife (bat and nesting bird) protections apply.
Solar panels	Rooftop solar on houses is widely exempt, subject to conditions; additional limits apply near certain aerodromes and in ACAs.

Two-storey and side extensions

Two-storey rear extensions will normally exceed the 12 m² or 20 m² upper-floor limit, and side extensions are outside Class 1. Councils assess these against the County or City Development Plan, focusing on **overlooking, overshadowing, overbearing impact, design** and the character of the street. A well-prepared application with accurate drawings, and in some cases a shadow study, makes a material difference.

Planning a side or two-storey extension?

Send us the Eircode and a short description. We will review the planning history, the development plan standards and the best route to permission.

Request a feasibility review → irelandplanning.ie/contact

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

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STEP 5 · USING THE ROOF SPACE

Attic conversions, dormers and roof lights

Converting an attic involves two separate questions: does it need **planning permission**, and does it comply with the **Building Regulations** for habitable space?

Planning

- ✓ **Internal works** (floor, stairs, insulation) affect only the interior and are generally exempt under section 4(1)(h).
- ✓ **Side or rear dormer**: exempt under **Class 1B** if the internal volume, alone or with other dormers, does not exceed **30 m³**, it is no higher than the roof ridge and there is at least **20 cm eaves setback**.
- ✓ **Front roof lights**: exempt under **Class 1C** for up to two, each no larger than 100 cm by 90 cm.
- ✓ **Front dormer**: still needs planning permission.
- ✓ Rear roof lights that follow the roof plane are generally treated as not materially affecting appearance, but check with your council.

Building Regulations

- ☐ **Fire safety (Part B)**: a protected escape route, fire doors and suitable escape windows are usually needed when a habitable room is added at second-floor level.
- ☐ **Stairs (Part K)**: a compliant stair, not a fold-down ladder, for a habitable room.
- ☐ **Headroom and ventilation** for habitable use.
- ☐ **Structure (Part A)**: floor joists and roof alterations designed by a competent engineer.
- ☐ **Energy (Part L)**: insulation and ventilation standards.

> **"Attic storage" versus a habitable room**
>
> Many attics are described as "converted for storage" because the space does not meet the Building Regulations for a bedroom. Marketing such a room as a bedroom can cause problems at sale. Be clear about the intended use from the start, and keep the certification.

When a roof alteration is not exempt

- ✗ The house is a **Protected Structure**, or the works would materially affect the character of an **ACA**.
- ✗ A condition of the original permission removes exempted development rights or controls roof alterations.
- ✗ The dormer exceeds the Class 1B volume, height or setback limits, or faces the front.
- ✗ The roof alteration forms part of a larger scheme that itself needs permission.

Ask your council how it counts dormer floor area alongside earlier extensions under Class 1; the Regulations do not spell this out and practice can vary.

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STEP 6 · IN THE GARDEN

Garden rooms, sheds and auxiliary dwellings

Home offices, gyms and garden rooms are popular. The planning position depends on size, height and, above all, **use**.

Class 3: sheds, stores and garden rooms

- ✓ Total floor area of such structures up to **30 m²** (increased from 25 m² in July 2026).
- ✓ Not forward of the front wall of the house.
- ✓ Height no more than **4 m** with a tiled or slated pitched roof, or **3 m** in any other case.
- ✓ At least **25 m²** of private open space must remain.
- ✓ External finishes to match the house where required by the class.
- ✓ Must be **incidental to the enjoyment of the house**: not used for human habitation, and not used for a separate business open to callers.

Class 3A: detached auxiliary dwelling NEW

- ☐ A permanent, detached habitable unit of **32 m² to 45 m²** in the rear garden of a principal house.
- ☐ Occupied only with the main house; cannot be sold, subdivided or used for short-term letting.
- ☐ No separate utility connections; no new road access.
- ☐ Height limits as Class 3; at least 0.6 m from boundaries.
- ☐ The main house must be the owner's sole or main residence.
- ☐ **Notify the council at least 14 days before starting**, with the Eircode.
- ☐ Full Building Regulations apply. Available until 31 December 2030.

Class 1A: creating a second unit inside the house NEW

From 27 July 2026, a house can be sub-divided to create **one additional self-contained unit** within the existing building envelope, with each unit at least **32 m²**. The 14-day notification applies, the exemption is time-limited to 31 December 2030 and the Building Regulations (including fire safety and, where relevant, a Fire Safety Certificate) apply in full.

Common pitfalls

- Fitting a bathroom and bed in a Class 3 garden room turns it into habitable accommodation that Class 3 does not cover.
- Septic tank sites: a Class 3A unit must not encroach on the percolation area, and the existing system must cope with the extra loading under the EPA Code of Practice.
- Combining Class 3 and Class 3A structures must still leave 25 m² of private open space.

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STEP 7 · WHERE EXEMPTIONS ARE LOST

Article 9, Protected Structures and ACAs

Meeting the size limits is not enough. Article 9 of the 2001 Regulations lists situations in which exempted development rights do not apply.

Key Article 9 restrictions (summary)

- ✕ The works would **contravene a condition** of a planning permission, or be inconsistent with a use specified in it.
- ✕ The works would form a new or wider vehicular access onto a public road more than 4 m wide, or **endanger public safety** by creating a traffic hazard or obstructing road users' view.
- ✕ The works would extend, alter or renew an **unauthorised structure**, or a structure whose use is unauthorised.
- ✕ The works would obstruct a protected view or prospect, or a public right of way, listed in the development plan.
- ✕ The site is within, or could affect, a European site (SAC or SPA) and **appropriate assessment** is required.
- ✕ In an **Architectural Conservation Area**, external works that would materially affect its character.

Protected Structures

Structures on the council's **Record of Protected Structures** lose most exemptions. Works that would materially affect the character of the structure, including its interior and curtilage, need permission.

An owner can ask the council for a **declaration** on what works would not materially affect the character (section 57 of the 2000 Act). The 2024 Act also confirms that development is not exempt if it would materially affect a Protected Structure.

Architectural Conservation Areas

ACAs are designated in the development plan to protect the character of a street or place. External changes visible from the public realm, such as windows, doors, roof materials, porches and front boundaries, often need permission.

Check the ACA appraisal and policies in the City or County Development Plan before designing.

Planning conditions on estates

Many permissions for housing estates include a condition that removes some or all exempted development rights. Always read the **parent permission** for the estate as well as any permission for the individual house.

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STEP 8 · FORMAL CERTAINTY

Section 5 Declarations

If there is any doubt about whether works are development, or whether they are exempted development, any person can ask the planning authority for a formal **declaration**. It is the Irish route to certainty without a full planning application.

1. **Prepare the request**: the council's form, site location map, drawings of the works (plans, elevations, sections), photographs, the planning history and a short statement explaining which exemption class applies and why.
2. **Submit with the fee** to the planning authority (currently €80 under the 2000 Act).
3. **Council decision**: under the 2000 Act the authority should decide within 4 weeks, which can be extended if it requests further information. Under section 10 of the 2024 Act (from 26 November 2026) the period is 8 weeks.
4. **Review**: the applicant or owner can refer or appeal the declaration to **An Coimisiún Pleanála** within 4 weeks.

Why it matters on a sale or mortgage

- ✓ A purchaser's solicitor will ask whether every extension, attic and garden room is **permitted or exempt**.
- ✓ An architect's or engineer's **opinion on compliance with planning** is normal. A Section 5 Declaration from the council carries more weight where the position is arguable.
- ✓ Lenders may require certainty before releasing funds.

- ☐ A declaration is **public** and appears on the planning register.
- ☐ If the council decides the works are **not exempt**, you will need to apply for permission or retention.
- ☐ A declaration cannot make unauthorised works lawful. It confirms the legal position.

When to apply

Before you build is best, particularly where figures are close to the limits, the house is in an ACA, the planning history is unclear, or you intend to sell within a few years. Under the 2024 Act the same question cannot be revisited without a material change in circumstances, so a well-prepared first request is important.

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STEP 9 · APPLYING

When you need planning permission

If the works are not exempt, apply to the planning authority. For most domestic extensions, the process is straightforward when the application is well prepared.

1. **Feasibility review**: planning history, development plan zoning and standards, constraints (ACA, Protected Structure, flood risk, Natura sites) and neighbour relationships.
2. **Pre-planning consultation** (section 247 of the 2000 Act; sections 89 to 90 of the 2024 Act): useful for larger or sensitive proposals. Advice given is not binding.
3. **Drawings and documents**: site location map, site layout plan, existing and proposed plans, elevations and sections, and supporting reports where needed.
4. **Public notices**: a newspaper notice and a site notice in the prescribed form and timescale.
5. **Lodge the application** with the statutory fee (for a domestic extension, currently €34; unchanged under the 2026 fee regulations).
6. **Public submissions**: any person may make a submission within **5 weeks** of receipt of the application.
7. **Decision** within **8 weeks**, unless **Further Information** is requested. A grant is subject to conditions.
8. **Appeal window**: **4 weeks** from the decision for appeals to An Coimisiún Pleanála. If there is no appeal, the final grant follows.

What councils focus on for extensions

Residential amenity

Overlooking, overshadowing, overbearing impact and private open space.

Design and character

Scale, roof form, materials and fit with the house and street.

Standards

Development plan policy for extensions, parking, drainage and, where relevant, flood risk.

If permission is refused, a **revised application** that addresses the reasons for refusal is often quicker and more effective than an appeal. Appeals have their place, but early feasibility work avoids most refusals.

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AVOID THE PITFALLS

Common mistakes and FAQs

Common mistakes

- ✕ Forgetting that a previous extension or garage conversion counts toward the 45 m².
- ✕ Leaving less than 25 m² of rear garden.
- ✕ Assuming side extensions are covered by Class 1.
- ✕ Ignoring an estate condition that removed exempted development rights.
- ✕ Building over a percolation area or close to a septic tank.
- ✕ Treating a garden room as a bedroom or rental unit.
- ✕ Starting a Class 1A or 3A project without the 14-day notification.
- ✕ Relying on an "it's only a small job" view when the house is a Protected Structure or in an ACA.

Did the 40 m² rule change?

Yes. From 27 July 2026 the Class 1 limit is 45 m², including earlier extensions. The other Class 1 conditions still apply.

Can I extend an unauthorised extension?

Not under an exemption. Article 9 removes exempted development rights for works to an unauthorised structure. Regularise the existing works first.

Do I need permission for a home office in the garden?

Usually not if it meets Class 3 (up to 30 m², height limits, 25 m² garden remaining) and is used incidentally to the house.

Do neighbours need to agree?

Not for exempt works, although boundary and party-wall issues are civil matters. For an application, neighbours may make submissions within 5 weeks.

Will exemptions change under the 2024 Act?

The July 2026 classes are in force now. Check the current Regulations before you start, because the system is in transition.

Want a clear answer before you build?

Tell us your Eircode and what you plan to build. We will review the planning history and constraints and tell you whether the works look exempt, need a Section 5 Declaration or need permission.

Ask about my extension → irelandplanning.ie/contact

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CHECKLIST, SOURCES AND CONTACT

Before you build: checklist

- [ ] Eircode and site boundaries confirmed
- [ ] Planning register searched for the house and estate
- [ ] Conditions removing exemptions checked
- [ ] Previous extensions measured and totalled
- [ ] Protected Structure and ACA status checked
- [ ] Natura 2000 and flood zones checked
- [ ] Rear garden of at least 25 m² retained
- [ ] Heights, windows and boundary distances checked
- [ ] Class 1A or 3A notification sent 14 days before starting
- [ ] Section 5 Declaration considered
- [ ] Building Regulations and certification arranged
- [ ] Dated drawings and photographs kept for sale

Sources

- Planning and Development Act 2000 (as amended), sections 2, 3, 4, 5 and 57.
- Planning and Development Act 2024, incl. section 10 (declarations) and commencement notice of 12 November 2026 (DHLGH).
- Planning and Development Regulations 2001 (S.I. No. 600 of 2001), Article 9 and Schedule 2, Part 1.
- Planning and Development (Exempted Development (Act of 2000)) Regulations 2026, S.I. Nos. 338 to 344 of 2026, in operation from 27 July 2026.
- DHLGH circular and press release on the 2026 exemptions, July 2026.
- Dublin City Council and Dún Laoghaire-Rathdown County Council exemption guidance pages.
- Planning and Development (Planning Authority Fees) Regulations 2026 (IPI summary, November 2026).
- EPA Code of Practice: Domestic Waste Water Treatment Systems (PE ≤ 10), 2021.

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