This leaflet sets out the main planning issues when doing work around the house - domestic extensions, minor works etc.

This leaflet is intended as a practical guide. It is not a definitive legal interpretation of planning law. For more information you should consult your planning authority.

1. When do I need planning permission?
Generally, you need planning permission for any development of land or property unless it is specifically exempted from this need. The term development includes the carrying out of works (building, demolition, alteration) on land or buildings, and the making of a material (i.e. significant) change of use of land or buildings.

What is exempted development?
Exempted development is development for which planning permission is not required. Categories of exempted development are set out in planning law. Relevant exemptions in relation to domestic developments are outlined in the leaflet. There are usually certain thresholds relating to, for example, size or height. Where these thresholds are exceeded, the exemption no longer applies. The purpose of exemption is to avoid controls on developments of a minor nature, such as small extensions to houses.

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Can I build an extension?
Small scale domestic extensions, including conservatories, do not require planning permission if the extension is to the rear of the house and comply with the following:
- the original floor area of the house is not increased by more than 40 square metres. It is important to note that where the house has been extended before, the floor area of the extension you are now proposing and the floor area of any previous extension, including those for which you got planning permission, cannot exceed 40 square metres.
- for terraced or semi-detached houses, the floor area of any extension above ground level does not exceed 25 square metres, this includes any previous extensions carried out;
- any extension above ground floor level is at least 2m from any boundary;
- any extension does not exceed the height of the house;
- any extension does not reduce the area of private open space reserved for the occupants of the house, to less than 25 square metres.

There are also rules about the height allowed in such an extension. These are that:
- if the rear wall of the house does not include a gable, the height of the walls of the extension must not exceed the height of the rear wall of the house;
- if the rear wall of the existing house has a gable, the walls of the extension (excluding any gables built as part of the extension) shall not be taller than the side walls of the existing gable;
- in the case of a flat roofed extension, the height of the highest part of the roof may not exceed the height of the ground floor of the house. In any case, no part of the new roof may exceed the highest part of the roof of the house;
- a gable is the upper part of a wall (normally triangular), between the sloping ends of a pitched roof.

There are also rules about the required distances between windows in extensions, the facing boundary of the adjoining property and the use of the roof of the extension. These are that:
- any windows proposed at ground floor level as part of an extension shall not be less than 1 metre from the boundary of the extension;
- any windows proposed at above ground level should be not less than 11 metres from the boundary they face;
- the roof of any such extension should not be used as a balcony or roof garden.

Can I convert my garage to domestic use?
The conversion for use as part of a dwelling house (e.g. a living room or bedroom) of a garage, store, shed etc. attached to the rear or side of a house is normally exempted development, subject to the 40 square metre limit and conditions as outlined in Questions 1 and 3 above.

Note: You should contact your planning authority if you are unsure of any of the above conditions in relation to your proposed extension.

Can I build a small garage?
You can build a garage, carport, shed, greenhouse, carport for domestic petrol etc. etc., as long as it does not extend or project forwards from the front of the building line of the house and does not exceed 4 metres in height, (if it has a tiled or slated pitched roof), or 3 metres (if it has any other roof type). The floor area limitation for exempted development is 25 square metres. The structure must not be used for any permanent or temporary purposes or for keeping pets, poultry, pigeons or horses. Garages, sheds and stores could be a permitted development if they do not exceed 4 metres in height and do not project forwards from the front of the building line of the house. You cannot reduce the open space reserved for the occupants of the house, to less than 25 square metres. In any case, no part of the new roof may exceed the highest part of the roof of the house.

Can I build a front porch?
You can build a porch without planning permission, as long as it does not exceed 2 square metres in area and is more than 2 metres in height at any part of its sides or front.

A habitable house is a house which is:
- used as a dwelling;
- is not in use, but last used it was a dwelling and is not derelict;
- is provided for as a dwelling but has not been occupied;
- it also includes a building where the last permitted use was as a house, even if it has been in unoccupied use since then.

Can I erect walls, fences and gates?
On a freehold site, walls, fences and gates may be erected as long as:
- a building in a terrace, or one which is attached to another building in separate ownership.
- a structure is not less than 1 metre from the boundary they face;
- a habitable house is a house which is:
- a gable is the upper part of a wall (normally triangular), between the sloping ends of a pitched roof.
- any extension above ground floor level is at least 2m from any boundary;
- any extension does not exceed the height of the house;
- any extension does not reduce the area of private open space reserved for the occupants of the house, to less than 25 square metres.
- the roof of any such extension should not be used as a balcony or roof garden.
- this exemption does not apply to protected structures, nor to the subdivision of a house into flats or flat rooms. Planning permission must be obtained for such works.
- a house which is used as a dwelling;
- is not in use, but last used it was a dwelling and is not derelict;
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17. Are there any limitations to exempted development?

All forms of development which are normally exempted lose this status and require planning permission if they:

- contravene a condition of a planning permission;
- endanger public safety by causing a traffic hazard or obstructing the view of road users;
- build forward of the building line (except in the case of small porches);
- involve a new or wider access to a public road;
- affect a building, feature, site, character of landscape, view of special amenity value or special interest, etc., (check your local development plan);
- obstruct a public right of way;
- are not wholly related to the use of the house for domestic purposes;
- involve development within a special amenity area;
- involve development to a protected structure;
- involve development within a special amenity area;
- involve any works to, or changes to, an unauthorised structure, or one where there is an unauthorised use. ("Unauthorised" means without the benefit of planning permission or exempted development status).

18. Do the exemptions apply to apartments?

The exemptions listed above at 5, 7, 8, 10, 11, 12 and 15 do not apply in the case of flats or apartments and the provison of car parking is only exempt when to the rear.

19. Where can I get more information on exempted development?

The full list of exempted developments is set out in the Planning Acts and Regulations (details at the end of this leaflet). The planning authority can advise on whether planning permission is necessary, or not, in a particular case. If you disagree with the planning authority on whether planning permission is needed, or not, in a particular case, you can obtain a formal ruling by referring the decision to the planning authority for permission to retain the work done. This is generally known as “retention” permission. It does not automatically follow that the work will be granted. This fee for a retention application is 3 times more than the standard fee and you may have to take down, alter or rectify work done, which can be costly. Provision for breaches of planning law can result in heavy fines or imprisonment. You may also find it difficult to sell property which does not comply with planning requirements. If buying property check that the building itself and any extensions or alterations comply with planning requirements or you, as the new owner, may be liable to enforcement action.

21. Should I consult the planning authority before carrying out exempted development?

If you have any doubts or queries on any planning aspect you can contact the planning authority. See also Question 23 in relation to Building Regulations.

22. Should I consult any other bodies?

You should contact your local E.S.B. office (see PL 6 - Paragraph 13) if your proposed works are near existing electricity lines, if there is a question of clearance heights under power lines or if the construction work will bring anyone within reach of the electricity supply to your house. In fact, you must do so where any overhead lines come within 6 metres of the construction works.

23. Do Building Regulations Apply?

Your development must be in accordance with the building regulations. These regulations set out the basic design and construction requirements and apply to all new buildings, extensions, alterations and certain changes of use of existing buildings. Details of the building regulations and of the associated procedures are available in PL 11 - A Guide to the Building Regulations. Further information may be obtained from your local authority. You may also need other types of approval e.g., making a new connection to a sewer. Contact your local authority in such cases.

24. Should I notify my neighbours beforehand?

This is not a legal requirement for exempted development. However, it is in your interest to let neighbours know about work you intend to carry out to your property. They are likely to be as concerned about work which might affect them as you would be if the roles were reversed. You may be able to meet some of your neighbour’s worries by modifying your proposals. Even if you decide not to change, it is usually better to have told your neighbours before the building work starts.

If you or your contractor need to go on to a neighbour’s property, you should obtain his or her consent before doing so.

Alterations or additions to your house may make it more vulnerable to burglary. Your local Garda Station can provide helpful advice on ways of reducing risk.

The law governing the planning system is set out in the Planning and Development Acts 2000 and 2001 and the Planning and Development Regulations 2001 to 2003. These may be purchased from the Government Publications Sales Office, Sun Alliance House, Molesworth Street, Dublin 2, Telephone (01) 6479954.

The leaflets in this series are:

- A Guide to Planning Permission PL 1
- Making a Planning Application PL 2
- Commenting on a Planning Application PL 3
- Building A House - The Planning Issues PL 4
- Doing Work around the House - The Planning Issues PL 5
- Agriculture and Farm Development - The Planning Issues PL 6
- Planning for the Business Person PL 7
- The Development Plan PL 8
- Environmental Impact Assessment PL 9
- Making a Planning Appeal PL 10
- A Guide to the Building Regulations PL 11
- A Guide to Architectural Heritage PL 12

To leagan Gaeltacht den bhítheach seo ar fáil.