The planning authority can give advice on whether it is likely that local community will need planning permission. Any development which has an impact or potential impact on neighbours or the public generally will need planning permission. This depends on the circumstances of each situation.

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 the 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.

2. What is exempted development? Exempted development is development for which planning permission is not required. Categories of exempted development are set out in various Planning Acts.

Relevant exemptions in relation to domestic developments are outlined in the leaflet. There are usually certain detailed limits to what can be done, 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.

3. Can a change of use be exempted development? Yes. Where a change of use is not “material”, planning permission is not required. (See Q3 PLT)

4. What is a “material change” of use? This depends on the circumstances of each situation. Generally, any change of use of a substantial nature which results in a significant change of use or purpose or for keeping pigs, poultry, pigeons, ponies or any other domestic pets etc., as long as it does not extend out in front of the building line of the house and does not exceed 4 metres in height, (if it has a tile 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 temporary purposes, or for keeping poultry, pigpen, pigsties or ovens. Garages, sheds or similar structures on the rear or side of a house are exempted development, subject to the 40 square metre limit and conditions as set out in Question 5 above.

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

7. Can I build a chimney and a boiler house? A boiler house or a chimney for a central heating system, or an oil storage tank (up to 3,500 litres capacity), is exempted development. You can demolish without permission a building other than a habitable house which is:

- used as a dwelling
- 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 unauthorised use since then.

8. Can I build a front porch? A front porch within these limits is the only type of new or replacement development allowed to extend beyond the front wall of the building (the building line) and still remain exempted. You can erect walls, fences and gates. Capped walls made of brick, stone or block with a tiled or slated roof may be up to 1 metre high, provided that they are not more than 40 square metres in area and do not extend out in front of the building line of the house. You will need planning permission if you wish to make a new or wider access to the public road. A boiler house or a chimney for a central heating system, or an oil storage tank (up to 3,500 litres capacity), is exempted development. A habitable house is a house which is:

- for domestic purposes or for keeping pigs, poultry, pigeons, ponies or any other domestic pets etc., as long as it does not extend out in front of the building line of the house and does not exceed 4 metres in height, (if it has a tile 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 temporary purposes, or for keeping poultry, pigpen, pigsties or ovens. Garages, sheds or similar structures on the rear or side of a house are exempted development, subject to the 40 square metre limit and conditions as set out in Question 5 above.

13. Can I carry out internal alteration, external repairs and maintenance? You can carry out any internal alteration you wish as long as you do not alter the domestic use of the house. External works of repair, maintenance and improvement as such as painting or replastering do not need planning permission provided they do not materially affect the external appearance, thus rendering the appearance inconsistent with neighbouring buildings. You may need approval for certain external alteration e.g. a new connection to a sewer.

This exemption does not apply to protected structures, nor to the subdivision of a house into flats or garage flats. Planning permission must be obtained for such works.

14. Can I demolish an old building? You may demolish without permission a building other than:

- a habitable house, or;
- a protected structure or a proposed protected structure;
- a building in a town, or one which is attached to another building in separate ownership.

However, it does not automatically follow that you will get permission to build a replacement.

15. Can I store caravans and boats? One caravan, one campervan or one boat may be stored in your garden for up to 9 months of the year as long as it is not in use or in unauthorised use since then.

16. Can I put up advertising? You do not need permission for domestic advertisements up to 0.3 square metres in area, such as your house number and name or “Beware of Dog” type signs. If having a sign or letting your house the size increases to 0.6 metres but only one advertisement is allowed and it may not be left up longer than 7 days after the sign or letting.

5. Can I build on 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 12 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 exceed the area of private open space reserved for the occupants of the house, or 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 higher than the side walls of the extension (excluding any gable being built as part of the extension); • in the case of a flat roofed extension, the height of the highest part of the roof may not exceed the height of the lowest part of the rear wall 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 in 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 the extension shall not be less than 1 metre from the boundary they face; • any windows proposed at above ground level should be at least 1.1 metres from the boundary they face; • the roof of any such extension should not be used as a balcony or roof garden.

6. Can I convert my garage to domestic use? The conversion for use as part of a dwelling house (e.g. as 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 set out in Question 5 above.

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• a gable is the upper part of a wall (normally triangular).
• 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 higher than the side walls of the extension (excluding any gable being built as part of the extension).
• 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 exceed the area of private open space reserved for the occupants of the house, or 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 higher than the side walls of the extension (excluding any gable being built as part of the extension);

- in the case of a flat roofed extension, the height of the highest part of the roof may not exceed the height of the lowest part of the rear wall 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 in 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 the extension shall not be less than 1 metre from the boundary they face;

- any windows proposed at above ground level should be at least 1.1 metres from the boundary they face;

- the roof of any such extension should not be used as a balcony or roof garden.

6. Can I build on front extension? 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 from any public path or footpath. Where the porch has a tiled or slated pitched roof, it must not exceed 4 metres in height, or 3 metres for any other roof type. A front porch within these limits is the only type of development allowed to extend beyond the front wall of the building (the building line) and still remain exempted.
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 S. 7, 8, 10, 11, 12 and 15 do not apply in the case of flats or apartments and the provision of car parking is only exempt when to the rear.

19. Where can I get more information on exemptions? 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 needed, or not, in a particular case. If you disagree with the planning authority’s decision, you can obtain a formal ruling by referring the decision to An Bord Pleanála on payment of the appropriate fee. Further information is available directly from the Board at 64 Marlborough Street, Dublin 1, Telephone (01) 6476995/4. The planning authority can advise on whether planning permission is needed, or not, in a particular case. If you disagree with the planning authority’s decision, you can obtain a formal ruling by referring the decision to An Bord Pleanála on payment of the appropriate fee. Further information is available directly from the Board at 64 Marlborough Street, Dublin 1, Telephone (01) 6476995/4.

20. What happens if exemption limits are exceeded? The limits must be observed and the planning authority has powers to stop the development if they are breached. If, due to an oversight an error is made, you should apply to the planning authority for permission to retain the work done. This is generally known as “retention” permission. It does not automatically follow that this 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. Procurement 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 proposal. 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) 6476954/5.

The leaflets in this series are:

- A Guide to Architectural Heritage PL.12
- 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 legen Gaslín den bhíthí seo ar fáil.