STATUTORY INSTRUMENTS.

S.I. No. 340 of 2026

PLANNING AND DEVELOPMENT (EXEMPTED DEVELOPMENT (ACT OF 2000)) (NO. 3) REGULATIONS 2026

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WHEREAS I, JOHN CUMMINS, Minister of State at the Department of Housing, Local Government and Heritage, am of the opinion that development to which the following regulations apply would not offend against principles of proper planning and sustainable development by reason of the nature and limited effect of development belonging to that class on its surroundings; and

WHEREAS a draft of the following regulations has been laid before each House of the Oireachtas and a resolution approving that draft has been passed by each such House;

NOW I, JOHN CUMMINS, Minister of State at the Department of Housing, Local Government and Heritage, in exercise of the powers conferred on me by subsection (2) of section 4 and section 262 of the Planning and Development Act 2000 (No. 30 of 2000) (as adapted by the Housing, Planning and Local Government (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 408 of 2020)) and by the Housing, Local Government and Heritage (Delegation of Ministerial Functions) Order 2025 (S.I. No. 364 of 2025), hereby make the following regulations:

Citation and commencement

1. (1) These Regulations may be cited as the Planning and Development (Exempted Development (Act of 2000)) (No. 3) Regulations 2026.

(2) The collective citation "Planning and Development Regulations 2001 to 2026" includes these Regulations.

(3) These Regulations shall come into operation on the 27th day of July 2026.

Interpretation

2. In these Regulations, "Principal Regulations" means the Planning and Development Regulations 2001 (S.I. No. 600 of 2001).

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 17*th July,* 2026.

Amendment of Part 1 of Schedule 2 of the Principal Regulations

3. Part 1 of Schedule 2 of the Principal Regulations is amended by the insertion after Class 3 of:

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CLASS 3A The construction, erection or placing of a detached house in the rear garden of a principal house.	1. For the purposes of this exemption, the relevant period begins on the date that this Regulation is signed and ends on 31 December 2030. 2. This exemption shall apply only to development that is commenced and completed during the relevant period. 3. The detached dwelling may only be occupied in conjunction with the main dwelling house and cannot be sold or subdivided separate to the principal dwelling. 4. For the avoidance of doubt, the relevant building control legislation shall apply (such as Building Regulations (including Fire Safety) and Building Control Regulations). 5. The construction of the detached house shall not be temporary in nature, such as a caravan or mobile home. 6. The height of any such structure shall not exceed, in the case of a building with a tiled or slated pitched roof, 4 metres or, in any other case, 3 metres. 7. The total area of such structures constructed, erected or placed within the rear garden of the curtilage of a detached house shall not be less than 32 square metres. Taken together with any other such structures previously constructed, erected or placed under Class 3 within the said curtilage, shall not exceed 45 square metres.

	8. This exemption shall not be used in cases where there has been a subdivision of the principal house. 9. The construction, erection or placing within the curtilage of the principal house of any such structure shall not reduce the total amount of private open space reserved exclusively for the use of the occupants of the house to less than 25 square metres. 10. No new vehicular or pedestrian access onto a road shall be constructed under this class. 11. Independent pedestrian and/or wheelchair access to the detached house shall be provided within the curtilage of the principal house. 12. There shall be no separate connection to utilities, including water or wastewater utilities, subject to paragraph 13. 13. In the case of non-piped waste water treatment, the structure shall not encroach on any approved percolation area. On site waste water, treatment shall be of sufficient capacity to meet the additional loading and shall comply with the EPA Code of Practice for Domestic Waste Water Treatment Systems. There shall be no additional waste water treatment units installed as part of this class. 14. The structure shall be a distance of not less than 0.6 metres from any wall or party boundary. 15. Any windows proposed in the structure should be at least 0.6 metres from the boundary they face. 16. Subject to paragraph 17, a notification shall be submitted to the relevant Planning Authority not less

	than 14 days prior to the commencement of the works informing them of the intention to use this Class of exemption, confirming that the site meets the requirements under these Regulations and stating the reason for the intended use. 17. A notification under Paragraph 16 shall include the location of the proposed use of this class of exemption and the Eircode of the relevant property. 18. The Planning Authority shall maintain a record of all notifications under this exemption and report annually to the Minister on the number of notifications received under this Class. 19. The detached dwelling may not be used for the purposes of Short Term Letting. 20. The exemption shall only apply where the principal dwelling house is the sole or main residence of the property owner at the time the development is commenced.

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GIVEN under my hand,
16 July, 2026.

JOHN CUMMINS,
Minister of State at the Department of Housing,
Local Government and Heritage.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
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BÓTHAR BHAILE UÍ BHEOLÁIN,
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