

House Extensions: Planning Permission Exemption Guide

South Dublin County Council Planning Department

House Extensions

Planning Permission and Exempted Development

Many house extensions require planning permission. However, there are certain exceptions to this known as 'exempted development', which can be constructed without planning permission.

Categories of exempted development are set out in the Planning and Development Act 2000 (as amended), and the Planning and Development Regulations 2001 (as amended).- Exempted Development 'Development within the curtilage of a House', Classes 1, 3 and 7 set out the main criteria and thresholds relating to extensions, for example; size, height and distance from the boundary.

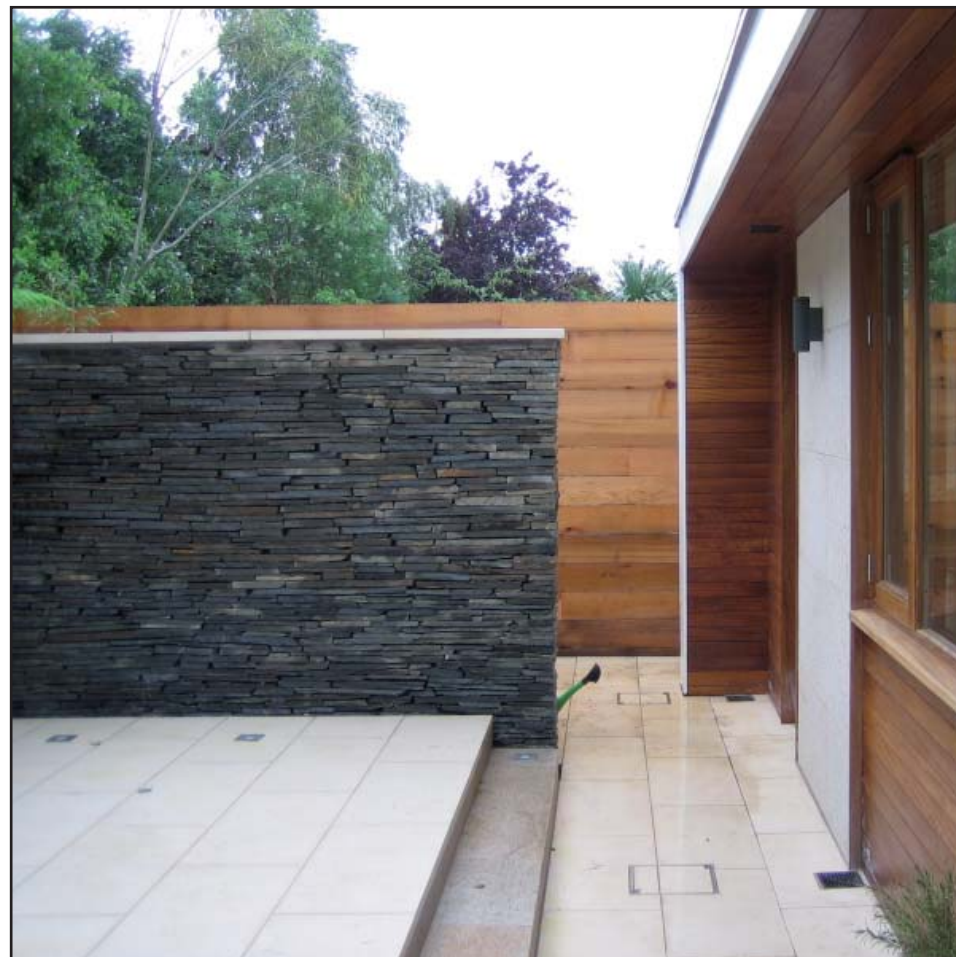
An extension can be constructed as exempted development and without planning permission provided it complies with ALL of the relevant criteria and thresholds. If it doesn't comply with the criteria, then planning permission is required.

This section contains a summary of the main criteria relating to exempted development for extensions. For further details regarding exempted development, refer to the Planning and Development Regulations 2001 (as amended), in particular Articles 6 and 9 and Schedule 2 Part 1 'Exempted Development'; available on the Department of the Environment, Heritage and Local Government website www.environ.ie.

It is important to note that:

- Exemptions listed in this section only apply to an existing house.
- Exempted development CANNOT be added to a house under construction
- Exemptions do not apply to apartments or duplexes

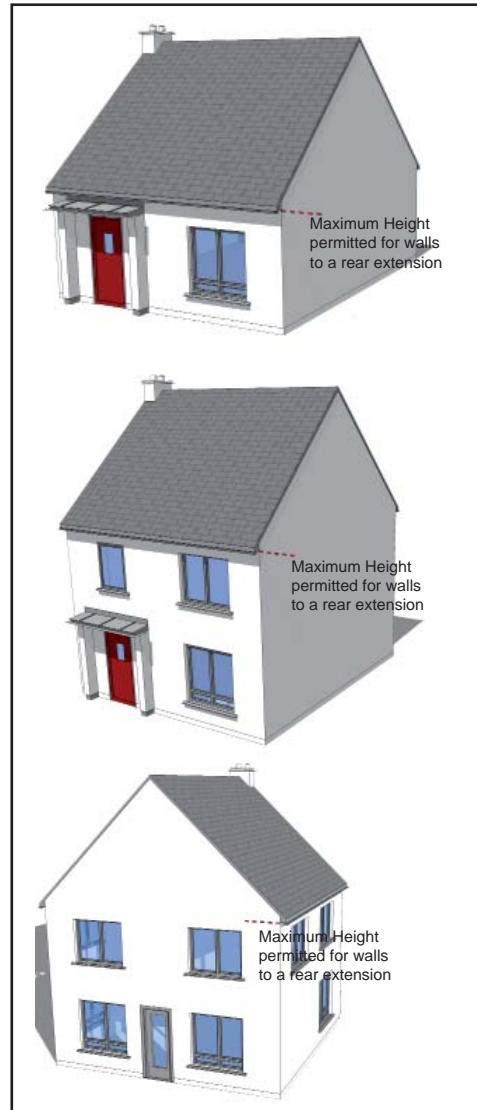
It is the householder's responsibility to check if planning permission is needed or not for an extension before starting any site preparation or construction work.



Careful choice of materials to enhance the setting
Studio D Architects

Exemption Criteria:

- Extensions (other than porches but including conservatories) should be located to the rear of the house.
- The original floor area of the house will not be increased by more than 40 sq.m. in total.
- If the dwelling has been extended previously, the combined floor area of the proposed extension and the floor area of previous extensions cannot exceed 40 sq.m.
- If a two-storey extension is proposed to a *terraced or semi-detached house*, no more than 12 sq.m. of the total 40 sq.m. can be built above ground floor level.
- If a two-storey extension is proposed to a *detached house*, no more than 20 sq.m. of the total 40 sq.m. can be built above ground floor level.
- Any part of an extension above ground floor level including soffit, fascia, gutter and pipework must be at least 2m away from a party boundary (see Gap (i) Diagram C, page 25).
- Any ground floor window in a proposed extension must be at least 1m away from the boundary it faces onto (see Gap (ii) Diagram C, page 25).
- Any window above ground floor level in an extension must be at least 11m away from the boundary it faces onto (see Gap (iii) Diagram C, page 25).
- The extension should not reduce the rear garden area to less than 25 sq.m in total.

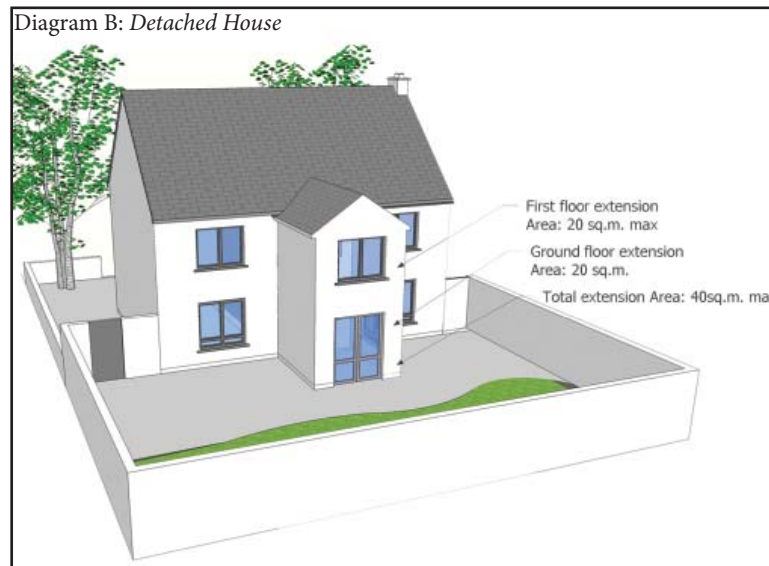


Exempted Development Criteria for wall height

Exemption Criteria (condt.):

- The extension should not exceed the height of the house.
- If the rear wall of the house does not include a gable, the height of the extension walls must not exceed the rear wall of the house.
- If the rear wall of the existing house has a gable, the walls of the extension (excluding any gable being built as part of the extension) shall not be higher than the side walls of the house.
- In the case of a flat roofed extension, the height of the highest part of the roof may not exceed the height of the eaves or parapet of the original house. In any other case, no part of the new roof may exceed the highest part of the roof of the house.
- Any extension roof should not be used as balcony or roof garden.
- In the case of a porch extension to the front of a house, the proposed porch should be located at least 2m from any public road or footpath, and not have a floor area greater than 2 sq.m. If the porch has a tiled or slated pitched roof, it should not exceed 4m in height or 3m in height for any other roof type.
- Construction of any extension should not contravene any condition of a planning permission relating to the house or estate.
- The extension should only be used for residential purposes.

Exemption Criteria (condt.):



Diagrams A and B:
Examples of how maximum extension sizes permissible under exempted development for semi-detached, terraced and detached houses might look

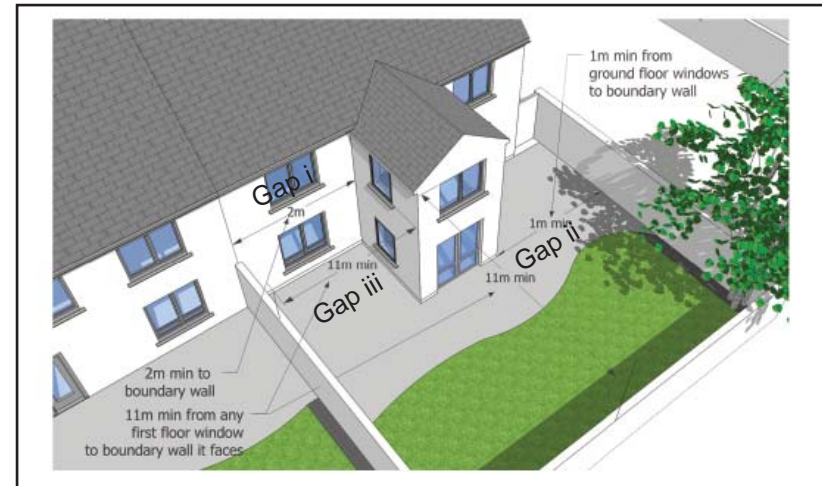
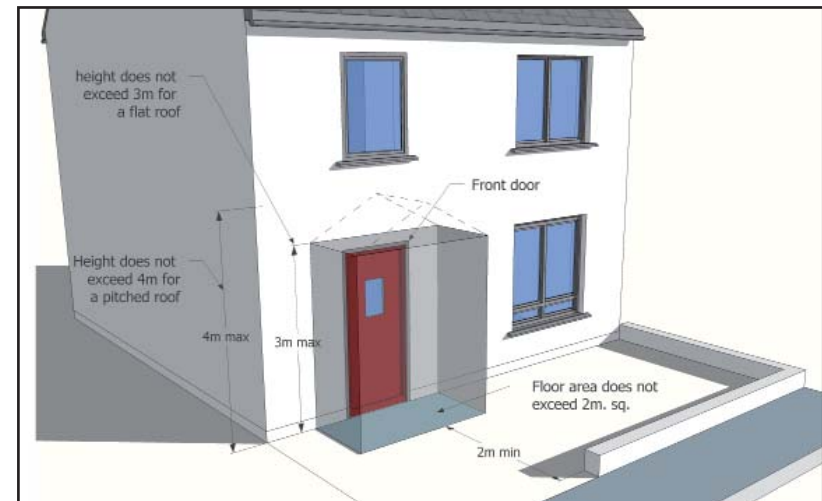


Diagram C: Exempted Development Distance Criteria for windows in extensions



Exempted Development Criteria for porches to the front of the house

How can I check if a proposed extension is exempt or not?

If further advice is required on whether or not planning permission is needed for a proposed extension, then you can contact the Planning Department at South Dublin County Council for advice or, if written advice is required, apply to the Council's Planning Department for a Declaration of Exemption (form available on www.sdublincoco.ie) with the appropriate fee. A declaration on the matter will be issued within 4 weeks with a report outlining the basis for the decision. If the applicant is unhappy with the decision made by the Council, they can appeal the decision to An Bórd Pleanála.

Frequently Asked Questions

Do I need planning permission to insert dormer windows or rooflights in the roof of my house?

Planning permission is required for ALL types of dormer windows proposed to any part of the roof of a house.

Planning permission is required for rooflights or skylights proposed on any roof slope of a dwelling that faces onto a public street. Planning permission is not required for rooflights or skylights proposed on the rear roof slope of a dwelling or on roof slopes that do not face onto a public street provided that they lie flush with the existing roof slope. In this case, it should be noted that the number and size of rooflights or skylights proposed should not dominate the roof slope - it is recommended that they do not cover more than 20% of the roof slope on which they are located.

Do I need planning permission to make changes to the front of my house?

Planning permission is required for all extensions proposed to the front of a house (except for the small porch structures illustrated on this page). This includes structures to the front of the house such as a canopy or bay windows, or other changes that will affect the character of the house.

Do I need permission to erect a TV satellite dish on my house?

Where the erection of a dish type antenna used for the receiving and transmitting of signals from satellites is to take place on or around a house the following limitations apply:

- No more than one such antenna shall be erected on, or within the curtilage of a house
- The diameter of any such antenna shall not exceed 1 metre
- No such antenna shall be erected on, or forward of, the front wall of the house
- No such antenna shall be erected on the front roof slope of the house or higher than the highest part of the roof of the house

If any of these restrictions (detailed in 'Class 4 Exempted



Converting a garage can provide valuable additional living space but may require planning permission



Example of solar panels on an extension.



Do not widen driveway entrances without planning permission

Development') are to be exceeded planning permission is required.

In the case of a simple television antenna, other than a satellite television signal receiving antenna, the height of the antenna above the roof of the house shall not exceed 6 metres. If the antenna is higher than this, permission is required.

Does a garage conversion need planning permission?

Garages are often converted into an extra family room or playroom and incorporated into the main living area of the house. If the garage to be converted is attached to the side or rear of the main house, planning permission is not normally required, as long as the combined floor area of the garage conversion taken together with any other extensions does not extend the floorspace of the original house by more than 40m². In such cases, the front garage door should be replaced with a window matching those on the remainder of the property.

However, if more significant changes to the exterior of the garage are proposed such as replacing the garage door with both a window and door, planning permission may be required as these changes may alter the character and appearance of the dwelling. It is recommended that you check the situation with the Planning Department.

Is planning permission needed for solar panels on the wall or roof of a house?

Planning permission is not required for the erection of a solar panel on the wall or roof of a house or any buildings within the curtilage of a house as long as it meets the following criteria:

- the total aperture area of any panel combined with any existing solar panels on the house or within the curtilage does not exceed 12sq.m. in area or 50% of the total roof area, whichever is the lesser;
- the solar panel is located a minimum of 50cm from the edge of the wall or roof on which it is mounted;
- the distance between the plane of the wall or a pitched roof and the panel is not more than 15cm;
- the distance between the plane of a flat roof and the solar panel is not more than 50cm.

Frequently Asked Questions (condt.)

Is planning permission needed for garden decks or other landscape works?

Garden decking or the creation of other hard surfaces are exempt from planning permission provided that the ground level is not altered or raised by more than 1m. Therefore, where ground levels in a rear garden vary considerably, resulting in the decking or hard surface being raised by more than 1m, planning permission will be required.

Is planning permission needed to widen an existing entrance?

A hard surface to provide no more than two car parking spaces can be provided to the front of a house without planning permission. However, widening an existing driveway entrance will require planning permission.

The Council's Roads Department should be consulted if the roadside kerb is to be dishd and a roadside concrete apron laid to provide access to car parking spaces in front of a house. The Council's Parks Department should also be consulted if the grass verge or any roadside trees are affected.

Is planning permission required to construct or alter a wall in my garden?

In the construction or alteration of a gate, gateway, railing or wooden fence or a wall of brick or stone you must ensure the following:

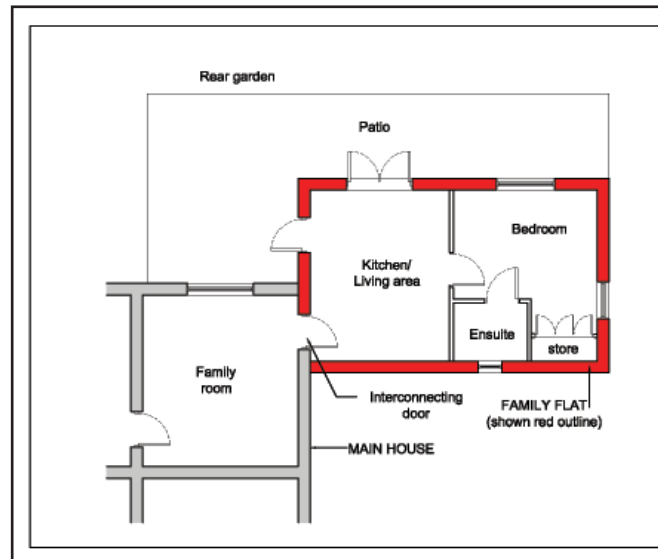
- The height of a wall or fence within or bounding any garden or other space in front of a house shall not exceed 1.2 metres or 2.0m in height if located to the rear of a house.
- Every wall other than a dry or natural stone wall bounding any garden or other space shall be capped and the face of any wall of concrete or concrete block (other than blocks with decorative finish) which will be visible from any road, path or public area, including public open space, shall be rendered or plastered.
- No garden boundary shall be a metal palisade or other security type fence.

The plastering or capping of a concrete block or mass concrete wall does not in itself require planning permission, but in the interests of residential amenity every effort should be made to achieve a finish which is consistent with that of your property and other buildings in the area.

While you may not require planning permission in the circumstances outlined above you should, where a common boundary exists, consult your neighbour. The Planning Authority has no liability in the event of any dispute that may arise in this respect.

Do I need planning permission to create a family flat?

A family flat refers to a unit created through the subdivision or extension of a dwelling to accommodate a member of the immediate family for a limited period. Planning permission is normally required for such development.



Example of a floor plan of a family flat showing an interconnecting doorway between it and the main house

In these circumstances the family flat should be

- subordinate to the main dwelling
- generally not exceed 50% of the floor area of the main dwelling
- be linked directly to the main dwelling via an internal access door (at both ground and first floor levels if the extension or sub-division is two-storey in nature).

If an external door to the new family flat is required, it should be located to the side or rear of the new unit rather than to the front of the house.

When a planning application for the creation of a family flat is submitted to the Council, it should include information explaining why a family flat is needed and details of the name of the proposed occupant and their relationship to the householder. A condition will normally be attached to any planning permission granted for a family flat that requires the extended house to be returned to a single dwelling unit when the flat is no longer required as a family flat. This condition prevents it being occupied or sublet as a separate unit to the main house.

Do I need planning permission to run a small business from a new extension to my home?

Many small scale commercial and professional businesses may be carried out by people in their homes where they are secondary to the main use of the house as a residence.

This Guide is not intended to cover extensions proposed specifically for the purpose of running a business from home. Planning permission is normally required for running a business from home and information on the circumstances in which the Council will consider granting planning permission for such businesses can be found in the South Dublin County Development Plan.

Frequently Asked Questions (condt.)

What if my house is a Protected Structure or in an Architectural Conservation Area?

Planning permission is required for any works, including extensions, to Protected Structures (including Proposed Protected Structures) or works to the exterior of a structure within an Architectural Conservation Area. Details of Protected Structures and Architectural Conservation Areas in the county can be found in the South Dublin County Development Plan or by contacting the Planning Department's Conservation Officer.

It is recommended that proposals to alter or extend a Protected Structure or a structure within an Architectural Conservation Area are discussed with the Council's Conservation Officer before submitting a planning application.

It is important to note that any person who damages or undertakes works to a Protected Structure without the necessary planning permission is committing an offence.

Should I notify my neighbours before submitting a planning application?

There is no legal requirement to consult with your neighbour when drawing up plans for an extension. However, where planning permission is required for an extension, the application will be publicised through newspaper and site notices, and the public given an opportunity to make representations to the Council. Therefore, the Council strongly recommends that you discuss your extension proposal with neighbours before submitting a planning application. This can provide an opportunity to resolve minor issues and may help avoid objections being made to the application and subsequent appeals to An Bórd Pleanála.

COMMENCEMENT NOTICE Second Schedule															
Form of Commencement Notice for Development (Notice to a Building Control Authority pursuant to Part II of the Building Control Regulations, 1997)															
South Dublin County Council Planning Department County Hall, Town Centre, Tallaght, Dublin 24 Telephone: 01-4149000 Owner Mail No: 01-4149100 Fax: 01-4149104 Email: planning.dept@sdbublincoco.ie															
<table border="1"> <thead> <tr> <th colspan="2">OFFICE USE ONLY</th> </tr> </thead> <tbody> <tr> <td>Date received:</td> <td>_____</td> </tr> <tr> <td>Register Ref.:</td> <td>_____</td> </tr> <tr> <td>Entered on:</td> <td>_____</td> </tr> <tr> <td>Entered by:</td> <td>_____</td> </tr> <tr> <td>Fee received:</td> <td>_____</td> </tr> <tr> <td>Receipt No.:</td> <td>_____</td> </tr> </tbody> </table>		OFFICE USE ONLY		Date received:	_____	Register Ref.:	_____	Entered on:	_____	Entered by:	_____	Fee received:	_____	Receipt No.:	_____
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I, the undersigned, hereby give notice on behalf of the person(s) named below*, to the above Building Control Authority (in accordance with Part II of the Building Control Regulations) that I/the persons named below* intend to carry out the development as described below. (* Cross out whichever is inappropriate)															
Signature: _____	Date: _____														
Name of person(s): _____															
Address: _____															
Tel: _____	Fax: _____														
Email Address: _____															
Commencement date (of works): _____															
Fee payable (€): _____															
26. PROJECT PARTICULARS: (In addition, for Residential Developments, please complete Section 28 below)															
Description of proposed development: _____															
Location of Development: _____															
Planning permission no.: _____															
Date of grant: _____	Date of expiry: _____														
Fire Safety Certificate Number (if applicable): _____															
28. Residential Development Information:															
Total number of dwelling units (all phases)**: _____	Total no. of phases**:														
Phase for this commencement notice: _____															
No. of units for this phase/commencement notice**:															
Commencement date for this phase: _____															
(Proposed) end-date for this phase: _____															
* where applicable, i.e. planning not relevant for single houses. ** the total single house figures here also															


How do I apply for planning permission for a house extension?

You will need to complete a planning application form which is available from South Dublin County Council's offices or can be downloaded from the Council's website www.sdblincoco.ie. The Council will normally make a decision on a planning application for a home extension within 8 weeks of receiving a valid application. A checklist of the plans and information you need to submit for a valid planning application is set out overleaf. A summary of the planning permission process is set out at the end of this Guide.

Do Building Regulations apply to extensions?

Your development must comply with the provisions of the Building Regulations. A Commencement Notice and relevant fee will need to be submitted to Building Control in the Council not more than 28 days and not less than 14 days before commencement of works. Commencement Notices can be downloaded from the Council's website www.sdblincoco.ie. Primary responsibility for compliance with the Building Regulations rests with designers, builders and building owners.

There are heavy penalties, including fines and imprisonment, for breaches of the Building Regulations. In addition, when it comes to selling a property, there may be difficulties if the purchaser's solicitor cannot be satisfied that the requirements of the Building Regulations have been met.

SOUTH DUBLIN COUNTY COUNCIL	
	
PLANNING APPLICATION FORM (Form No. 2 of Schedule 3 to the Planning and Development Regulations 2006)	
Planning Department, County Hall, Town Centre, Tallaght, Dublin 24. Tel: (01) 4149000 Fax: (01) 4149104 Email: planning.dept@sdblincoco.ie	
PLEASE NOTE THAT INFORMATION SUBMITTED WITH A PLANNING APPLICATION WILL BE AVAILABLE TO VIEW ON THE PUBLIC FILE AND ON THE COUNCIL'S WEBSITE WITH THE EXCEPTION OF CONTACT DETAILS OF APPLICANTS www.sdblincoco.ie	
SUPPLEMENTARY INFORMATION	
It should be noted that each planning authority has its own development plan, which sets out local development policies and objectives for its own area. The authority may therefore need supplementary information (i.e. other than that required in this form) in order to determine whether the application conforms to the development plan and may request this on a supplementary application form.	
Failure to supply the supplementary information will not invalidate your planning application. However, if it is not supplied, the planning authority may not be able to reach a decision on whether or not to grant permission on the basis of the information available to it. Therefore failure to supply this information could delay the decision on an application or lead to a refusal of permission.	
Applicants should contact the relevant planning authority to determine what local policies & objectives would apply to the development proposed and whether additional information is required.	
STANDARD PLANNING APPLICATION FORM & ACCOMPANYING DOCUMENTATION:	
Please read directions and documentation requirements at back of form before completion.	
All questions relevant to the proposal being applied for must be answered.	
Non-relevant questions: Please mark n/a	
Please ensure all necessary documentation is attached to your application form.	
Failure to complete this form or attach the necessary documentation, or the submission of incorrect information or omission of required information will lead to the invalidation of your application.	

Planning Application Checklist

Checklist of plans and information to be submitted for a valid planning application

<input type="checkbox"/>	Completed planning application form.
<input type="checkbox"/>	The page of the relevant newspaper showing the newspaper notice. This must have been published not more than 14 days before submission of the application to the County Council.
<input type="checkbox"/>	A copy of the site notice erected along with a plan showing the position on the land of the site notice (this can be shown on the site layout plan).
<input type="checkbox"/>	The appropriate fee.
<input type="checkbox"/>	A schedule listing all the maps and plans submitted with the application. It is essential that all maps, plans and measurements are in metric scale.
<input type="checkbox"/>	6 copies of a site location plan at a scale not less than 1:1000 in a built-up area and not less than 1:2500 in all other areas. The location plan must show the application site boundary clearly marked in red, other land in the vicinity which is in the ownership of the applicant or landowner outlined in blue and wayleaves shown in yellow.
<input type="checkbox"/>	6 copies of a layout plan at a scale not less than 1:500 showing the application site boundary in red. Existing buildings, roads, boundaries, septic tanks and percolation areas, bored wells, significant trees and other features on and adjoining the application site. Distances of extension from site boundaries should be shown clearly on the plan. Site levels should be shown clearly on the layout plan.
<input type="checkbox"/>	6 copies of drawings, floor plans, elevations and sections at a scale not less than 1:200 showing the proposed extension and the main features of the existing building. Plans should be clearly marked to distinguish proposed extensions / alterations from existing structures. The principal dimensions including overall height should be clearly shown and marked on the plans in metric measurements.
<input type="checkbox"/>	If appropriate, elevation drawings should show the main features of any neighbouring buildings that would adjoin the extension (even if they are not owned by the applicant) at a scale of not less than 1 : 200.

SOUTH DUBLIN COUNTY COUNCIL ⁽¹⁾

SITE NOTICE

I / We Mr & Mrs T Smith ⁽²⁾
intend to apply for (tick as appropriate)

- Permission**
- Retention permission**
- Outline permission**
- Permission consequent on the grant of
outline permission (Reg. Ref. _____) ⁽³⁾**

for development at this site ⁽⁴⁾

1 Hill View, Tallaght

The development will consist / consists ⁽⁵⁾ of
⁽⁶⁾ _____
Erection of two storey extension to rear of house

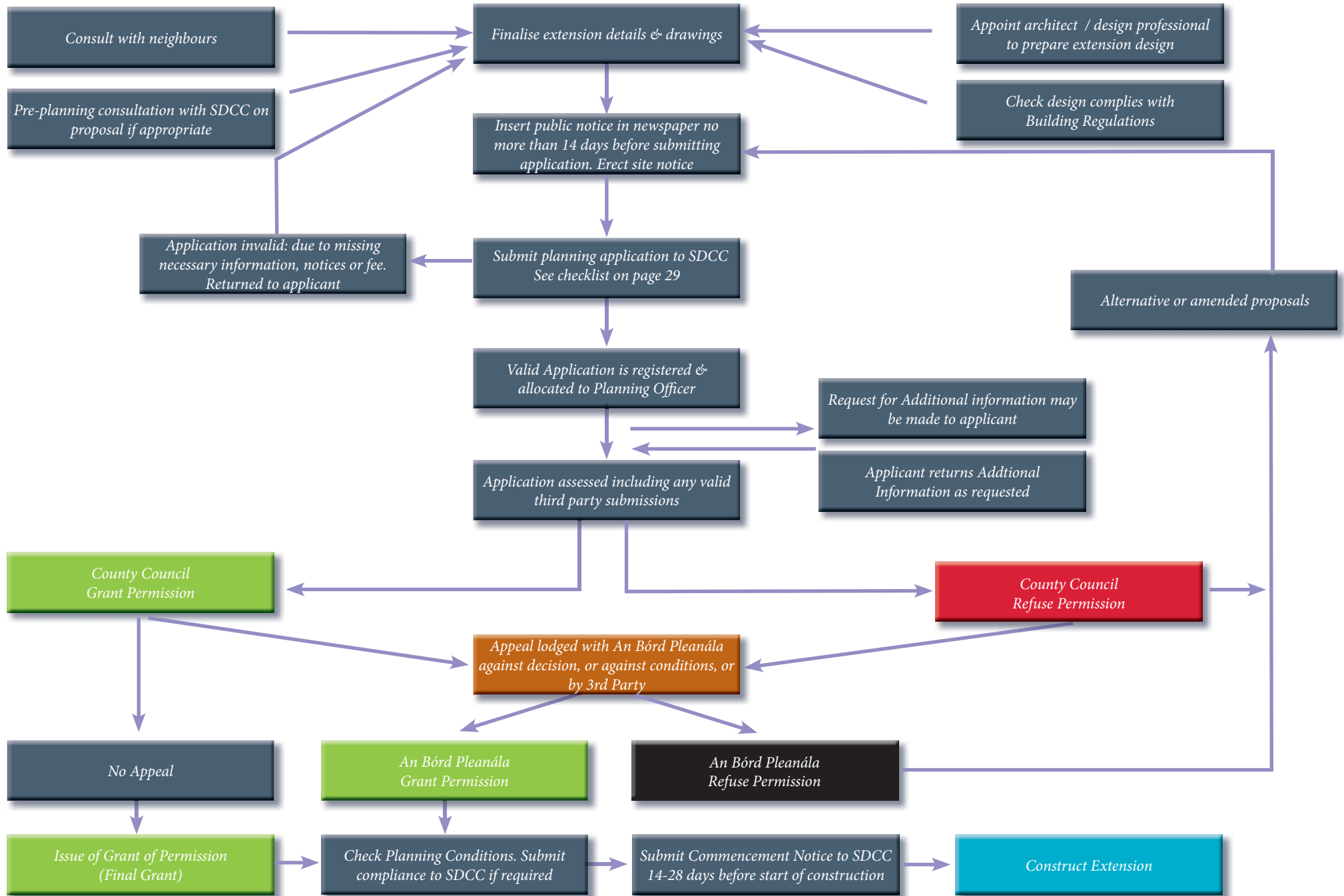
The planning application may be inspected or purchased at the offices of South Dublin County Council, County Hall, Town Centre, Tallaght, Dublin 24, during its public opening hours of Monday to Friday from 9.00 a.m. to 4.00 p.m.

A submission or observation in relation to the application may be made in writing to South Dublin County Council on payment of the prescribed fee of €20 within the period of 5 weeks beginning on the date of receipt of the application by South Dublin County Council.

Signed: Mr T Smith ⁽⁷⁾ (If Agent give address) _____
(Applicant/agent delete as appropriate)

Date of erection of site notice: 16 April 2007 ⁽⁸⁾

Illustration of the Planning Application Process:





Planning Department
South Dublin County Council
County Hall
Tallaght
Dublin 24

Tel: 01 4149000
Fax: 01 4149104
Email: planning.dept@sdublincoco.ie
www.southdublin.ie