An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage

To: Directors of Planning in each local authority

CC: Chief Executives
Senior Planners
An Coimisiún Pleanála
Office of the Planning Regulator
Directors of Regional Assemblies

Letter 2025/08

23 December 2025

Re: Planning and Development (Exempted Development (Act of 2000)) Regulations 2025
And
Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2025

I am directed by John Cummins, T.D., Minister of State at the Department of Housing, Local Government and Heritage to advise that he has recently made new regulations entitled the Planning and Development (Exempted Development (Act of 2000)) Regulations 2025, and the Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2025, copies of which is attached for information.

Planning and Development (Exempted Development (Act of 2000)) Regulations 2025 (S.I. 648 of 2025)

The Planning and Development (Amendment) (No.2) Regulations 2018 - S.I. No. 30 of 2018 - which came into operation on 8 February 2018, provided for an exemption from the requirement to obtain planning permission in respect of the change of use of certain vacant commercial premises, including vacant areas above ground floor premises, to residential use. The regulations are primarily aimed at facilitating the productive re-use of qualifying vacant commercial buildings as homes, while also facilitating urban renewal and the bringing on stream of increased housing supply.

The Planning and Development (Exempted Development (Act of 2000)) Regulations 2025 (S.I. 648 of 2025) extends to 31 December 2028 the exemption given by S.I. 30 of 2018.

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The requirements as set out in Letters PL02/2022 and PL 01/2018 when the exemption was introduced and first extended remain in place. These include:

- In order to avail of the exemptions being provided for, the structure, or part of the structure, which is the subject of the change of use must have been vacant for at least 2 years immediately prior to the commencement of the relevant works, with such works being required to be completed by 31 December 2028.
- The classes of use that qualify under the 2018 and 2022 change of use exempted development provisions – i.e. Classes 1, 2, 3 and 6 and 12 – as outlined in Part 4 of Schedule 2 of the Planning and Development Regulations 2001, as amended, remains unchanged.
- Compliance with the conditions and limitations that applied to the 2018 exempted development provisions, as outlined in previous Circular Letter PL 01/2018, continue to apply under these regulations
- Development must not contravene a condition attached to a permission issued under the Act, including any condition specifying the permitted use of the building concerned.
- Notification Requirement - a planning authority must be notified in writing of the details of the development at least 2 weeks prior to the commencement of the proposed change of use, A planning authority remains required to:

    - maintain a record of any notifications received,
    - make the record publicly available online and at their office, and
    - submit annual returns to the Minister detailing the notifications received.

- Planning Enforcement - planning authorities should ensure compliance with the exemption and a co-ordinated approach between such planning inspections and wider building regulations and fire safety or other inspections (e.g. conservation) required in relation to the relevant wider consents.
- Compliance with Building Regulations - as with the planning system generally, neither the granting of planning permission or the provision of an exemption from the requirement to obtain planning permission, removes the requirement to comply with any other code, particularly in relation to building regulations.

Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2025 (S.I. 649 of 2025)

The Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2025 (S.I. 649 of 2025) update planning exemptions in relation to agricultural structures under Class 6 of Part 3 of Schedule 2 of the Planning and Development Regulations 2001, as amended.
The Regulation:

- Amends Class 6 of Part 3 of Schedule 2 of the 2001 Regulations to increase the provision for animal housing by 50% from 200 square metres to 300 square metres and total aggregated housing from 300 square metres to 450 square metres.
- Provide a new class 6A for the storing of slurry with a tank capacity of 1000 cubic metres and a total per farm holding of 1500 cubic metres.

These exemptions are subject to the limitations and conditions as set out in regulations. Some key points include:

- prohibition on use of the exemption in flood zones,
- setback distances from water sources,
- the requirement for a section 5 declaration,
- exclusion of earth lined slurry tanks,
- the inclusion of installations (signage, fences) for safety purposes and
- construction shall be in accordance with Department of Agriculture, Food and the Marine and Department of Housing, Local Government and Heritage requirements.

The requirement of a section 5 declaration to utilise these exemptions is not intended to create an additional burden on either farmers or Local Authorities as a section 5 declaration is a requirement where a farmer is applying for an agricultural capital grant under TAMS from the Department of Agriculture, Food and the Marine (DAFM).

Queries in relation to DAFM requirements for the construction of Agricultural structures should be directed to TAMS@agriculture.gov.ie with information available at: https://www.gov.ie/en/department-of-agriculture-food-and-the-marine/collections/tams-farm-building-and-structures-specifications/

Any queries in relation to this letter should be emailed to the Department at planningreform@housing.gov.ie .



Assistant Principal Officer,

Planning Legislation Reform Unit

Enclosures:

- **Planning and Development (Exempted Development (Act of 2000)) Regulations 2025 (S.I. 648/2025)**
- **Copy of Letter PL 01/2018 -** https://www.gov.ie/en/department-of-housing-local-government-and-heritage/circulars/circular-pl-012018-amendments-to-the-exempted-development-provisions-in-the-planning-and-development-regulations/
- **Copy of Letter PL 02/2022 -** https://www.gov.ie/en/department-of-housing-local-government-and-heritage/circulars/circular-pl-022022-planning-and-development-act-exempted-development-regulations-2022-si-75-of-2022/
- **Planning and Development (Exempted Development (Act of 2000)) (No. 2) Regulations 2025 (S.I. 649 of 2025)**