



Circular Letter BC07-2026

Date: 24 July 2026

BUILDING CONTROL (AMENDMENT) REGULATIONS 2026 (S.I. No. 359 of 2026)

To: Chief Executive of each Local Authority
Director General of Limerick City and County
Director of Services for Building Control in each Local Authority
National Building Control & Market Surveillance Office
Building Control Officers in each Local Authority

Colleagues,

As you are already aware Mr. John Cummins, T.D., Minister of State at the Department of Housing, Local Government and Heritage, has recently signed a series of Planning and Development (Exempted Development (Act of 2000)) Regulations 2026 which come into operation with effect from 27th July 2026.

In the interest of clarity and consistent implementation, this circular provides information on the application of Building Regulations and Building Control Regulations for the new planning exemptions.

1. Extensions to dwellings

The Planning and Development (Exempted Development (Act of 2000)) Regulations 2026 provide for the existing exemption for extension of a dwelling to be increased from 40 square metres to 45 square metres.

To ensure alignment between Planning legislation and Building Control legislation, Mr. John Cummins, T.D., Minister of State at the Department of Housing, Local Government and Heritage has signed the Building Control (Amendment) Regulations 2026 (S.I. No. 359 of 2026) which also come into operation with effect from 27 July 2026. A copy of these Regulations are attached for information.



The effect of the Building Control (Amendment) Regulations 2026 is that a Commencement Notice will not be required for an extension to a dwelling involving a total floor area of 45 square metres (an increase from 40 square metres), providing the extension falls within the scope of the planning exemptions. Notwithstanding the easing of building control procedures, the requirements of the Building Regulations will continue to apply to such extensions.

2. Auxiliary Dwellings

The Planning and Development (Exempted Development (Act of 2000)) Regulations 2026 provide for a new exemption for an auxiliary habitable dwelling to allow for the addition of a detached habitable accommodation linked to the services of the principal house, which may be between 32 and 45 square metres. Hereafter, such development is referred to as an auxiliary dwelling.

Irrespective of the exemption from planning permission, an auxiliary dwelling must comply with Building Regulations, in the same manner as any new dwelling. The normal building control process is required e.g. the submission of a Commencement Notice (CN) with Additional Documentation, including the nomination of a Design Certifier, Assigner Certifier, competent builder and a Certificate of Compliance on Completion (CCC).

The Department has prepared an Information Note providing general information on how an auxiliary dwelling can comply with the requirements of the Building Regulations and Building Control Regulations.

The Information Note is attached to this Circular and is also available on the Department's website, at: <https://www.gov.ie/en/department-of-housing-local-government-and-heritage/publications/application-of-the-building-regulations-and-the-building-control-regulations-to-auxiliary-dwellings/>.

3. Subdivision

The Planning and Development (Exempted Development (Act of 2000)) Regulations 2026 provide for a new exemption for sub-division of a principal dwelling to allow for the creation of up to 1 additional self-contained unit within the existing building envelope, with a minimum floor area for each subdivided unit of 32 square metres.



The subdivision of a dwelling into 2 dwellings, whether by horizontal separation or vertical separation constitutes a material change of use to which the Building Regulations (S.I. No. 497 of 1997, Article 13) relate. In respect of other works carried out in connection with the subdivision, Building Regulations apply in so far as they apply to works to an existing building e.g. material alteration etc., and prohibit any work that would cause a new or greater contravention.

In relation to Building Control Regulations, a Fire Safety Certificate is required for the subdivision of a dwelling horizontally, creating two flats one above the other. However, where the subdivision of a dwelling is vertical e.g. dividing an existing dwelling, creating two dwellings side-by side (semi-detached houses), a Fire Safety Certificate is generally not required, unless a shared internal access/egress route, such as a common lobby, is created.

In all cases where a dwelling is subdivided, the normal building control process is required e.g. the submission of a Commencement Notice (CN) with Additional Documentation, including the nomination of a Design Certifier, Assigner Certifier, competent builder and a Certificate of Compliance on Completion (CCC).

Further information is available in [Bringing Back Homes - Manual for the Reuse of Existing Buildings](#) on subdivision of dwellings.

4. Other planning exemptions

The Planning and Development (Exempted Development (Act of 2000)) Regulations 2026 also provide for other exempted development works. While these may not require the submission of a Commencement Notice, all works, to which the Building Regulations relate, must comply with Building Regulations.

All enquiries about this Circular should be addressed to buildingstandards@housing.gov.ie.

Yours sincerely,

Sarah Neary
Principal Adviser
Building Standards Advisory Unit



Attachments for information:

- Building Control (Amendment) Regulations 2026 (S.I. No. 359 of 2026)
- Circular PLR 02/2026 (Planning Circular)
- Auxiliary Dwellings: Information Note on the Application of Building Regulations and Building Control Regulations

c.c. Mayor of Limerick

National Building Control & Market Surveillance Office Steering Group