



Circular on Short-Term Letting and the Planning System

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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
Mayor of Limerick
Land Development Agency

Short-Term Letting and the Planning System

Purpose of Circular

The purpose of this Circular is to clarify the current legislative and policy framework for the regulation of short-term letting of houses and apartments and other residential accommodation in the planning system.

Current Legislative Framework

In accordance with current planning legislation, i.e. the Planning and Development Act 2000 and associated Planning and Development Regulations 2001, short-term letting is defined as letting all or part of a property, where the property owner or 'host', may or may not be present, for periods of up to 2 weeks at a time. It is also defined as a material change of use that may, in certain circumstances, require planning permission.

At present, planning permission is not required for short-term letting use in any location where:-



- a house or apartment that is a person's principal private residence (i.e. main home), is used for short-term letting for a cumulative period of *up to 90 days per annum*, where the host is not present; or
- a house or apartment that is a person's principal private residence, is used for short-term letting where *the host also continues to reside*, for any period; or
- a residential property *already has planning permission* for short-term letting use, which may include a hotel, apartment, tourist village or student accommodation, as well as any houses or apartments for which planning permission for short-term letting use has been granted.

Currently, planning permission for short-term letting use is required in any location where:-

- a house or apartment that is a person's principal private residence (i.e. main home), is used for short-term letting for a cumulative period of *more than 90 days per annum* where the host is not present; or,
- a house or apartment that is *not a person's principal private residence* (i.e. is a second or subsequent property), is used for short-term letting for any period, and
- the house or apartment that is being used for short-term letting, does not have planning permission for that use.

Current Planning Policy Framework

There is currently no statutory national-level planning policy in place with regard to short-term letting, although individual local authorities may devise their own locally-determined county or city development plan policies.

Assessment of Planning Applications

In order to ensure compliance with statutory planning requirements, many short-term letting hosts are required to make a planning application to the relevant local authority.



This should be for change of use in the case of a new proposal for short-term letting, or retention of change of use in seeking to continue an existing short-term letting operation, in accordance with the regulations summarised above. In either case, new works may also be sought.

In assessing any such planning applications, planning authorities must make a planning decision on the merits of the particular application, having regard to any relevant policies set out in the local authority development plan for the area in question.

In conjunction with, or absent development plan policies, the assessment of a planning application for short-term letting may also consider relevant planning matters to determine suitability, which may include:-

- access, traffic, parking, drainage, waste management, design, privacy, noise, disturbance, open space and amenities;
- the nature of the site/location and any relevant statutory designations;
- evidence of the level of housing demand in the area and in particular, the nature of the rental market.

Declaration of Exemption

If a property owner or host wishes to confirm that they are within a short-term letting category for which planning permission is not required, as summarised further above, they may seek a declaration of exempted development from the relevant planning authority under section 5 of the Planning and Development Act 2000 (as amended).

EU Short-Term Letting Regulation and Planning

The EU Short Term Rental (STR) Regulation was adopted in 2024 and is required to be applicable nationally from 20 May 2026. This Regulation lays down harmonised rules on the collection and exchange of data on short-term rental services for member states, hosts providing short-term accommodation rental services, and online platforms that offer services to hosts providing short-term accommodation rental services within the EU.



The Department of Enterprise, Tourism and Employment (DETE) is drafting Short-Term Letting and Tourism (STLT) legislation to align with the STR Regulation, which is expected to be published within the coming weeks and enacted in the coming months, with the aim of having the provisions in place by 20 May 2026. The introduction of the STLT legislation will provide a legal and administrative framework to regulate short-term lettings, by providing the statutory basis for the establishment of a register for short-term lets.

Registration will be via an on-line portal and all property owners will be required to confirm that they are compliant with statutory obligations, which include, *inter alia*, planning legislation and regulation.

Failure to engage with the registration system will ultimately result in the denial of access for hosts to the short-term letting market via on-line platforms. It is therefore necessary for all hosts who wish to continue with short-term letting to register and as part of that process, to ensure planning compliance.

As things stand, any planning application submitted for short-term letting will be considered as set out above.

Statutory National-Level Planning Policy

In parallel with the EU Short Term Rental (STR) Regulation and the DETE STLT Bill process, the Department of Housing, Local Government and Heritage (DHLGH) committed to the preparation of a National Planning Statement (NPS), to set out policy and provide guidance for planning authorities. Any NPS must be approved by Government.

In order to provide a clear policy rationale for future planning guidance on short-term letting, in April 2025 a Government decision set out a policy direction which proposes restricting, through a general presumption against granting planning permission, short-term letting in cities and larger towns with a population of more than 10,000 persons at the most recent Census.

This policy direction currently forms the basis for the preparation of a draft NPS. However, as part of this, it is intended that planning permission for short-term letting may be granted in limited circumstances within cities and larger towns, for example



where such development would enable a viable ‘over the shop’ use or the refurbishment of a protected structure.

It is intended that in areas outside cities and larger towns, local authorities will be encouraged to develop local policies to balance the needs of housing supply and tourism through their county development plan. In such locations, there will be a greater degree of flexibility to grant planning permission for short-term letting proposals that are considered suitable in planning terms.

As things stand, this statutory national planning policy is not yet in place and any planning application submitted for short-term letting will be considered as set out further above.

Indicative Timetable

To March 2026

- Government approval and publication of DETE STLT Bill to implement EU STR Regulation;
- Publication of amendment to Planning and Development Act 2024 and the Planning and Development Act 2000, as amended, to increase period defined as short-term letting for planning purposes from 2 to 3 weeks to align with EU Regulation and DETE Bill;
- Subject to requisite environmental assessment and Government approval, publication of a new NPS for short-term letting.

To June 2026

- Progression of DETE STLT Bill and separately, amendments to the Planning and Development Act 2024 and the Planning and Development Act 2000, as amended, through the Oireachtas;
- Enactment of the DETE STLT Bill and introduction of a registration system for short-term letting;
- Commencement of Part 4 of the Planning and Development Act 2024 and associated Regulations, to enable assessment of planning applications under that Act and Regulations.



Any changes that affect the planning assessment of proposals for short-term letting will be communicated as they are put in place. In the meantime, planning applications for short-term letting may be considered as set out in this Circular.

Any enquiries regarding this circular can be emailed to the Department at
Planningperformance@housing.gov.ie

A handwritten signature in blue ink that reads "Danny O'Sullivan".

Danny O'Sullivan
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