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

Circular Letter PLR 05/2026

06 November 2026

To: Mayor of Limerick
Chief Executives and Director General, City and County Councils
Chief Executive, Office of the Planning Regulator
Chief Executive, An Coimisiún Pleanála
Directors of Service - Planning, City and County Councils
Directors, Regional Assemblies

CC: Senior Planners, City and County Councils
Deputy Regulator, Office of the Planning Regulator
Directors of Planning, An Coimisiún Pleanála
Assistant Directors, Regional Assemblies
Maritime Area Regulatory Authority
National Transport Authority

SI 340 of 2026 Class 3A – Detached house in the rear garden of a principal house

Purpose of Circular

This circular follows Circular PLR 02/2026 (previously issued on 17 July 2026) to further assist planning authorities by clarifying a number of matters that have been raised relating to the use of the exemption Class 3A detached house in the rear garden of a principal house as provided for under the Planning and Development (Exempted Development (Act of 2000)) (No. 3) Regulations 2026 (S.I. 340 of 2026).

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The Class 3A planning exemption for a detached house in the rear garden of a principal house was introduced from 27 July 2026 to assist homeowners by increasing habitable space within the curtilage of existing housing stock.

The exemption includes several conditions and limitations to ensure sustainable development and proper planning.

Clarifications on Condition 7

I would like to clarify the intention, purpose and scope of Condition 7 of the exemption which states:

> *"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."*

Firstly, to clarify a typographical error. As the title makes clear, the Class 3A exemption relates to a detached auxiliary dwelling within the rear garden of the curtilage of a principal house. The exemption is not limited to detached principal houses, and likewise no condition should be limited to only apply to detached principal houses. I can therefore clarify that this condition applies to structures within the rear garden of the curtilage of the principal house.

Secondly, the reference to Class 3 within this condition should be a reference only to Class 3A. The intention is to be clear that this new Class 3A should be used only once. When this condition is applied in combination with condition 9, it means that in practice, the key requirement is that free garden space can be no less 25sqm, regardless of any other structures that may be erected or built in the garden.

Thirdly, to clarify that the new Class 3A is to be treated similarly to the exemption under Class 1 which relates to the extension of a house, by the construction or erection of an extension (including a conservatory) to the rear of the house or by the conversion for use as part of the house of any garage, store, shed or other similar structure attached to the rear or to the side of the house. This clarification is to draw specific attention to the condition relating to the size of the structure, and to make it clear that the intention is that the 45sqm condition in Class 3A is aligned with the 45sqm condition in Class 1. In both these Classes, 'floor area' and 'total area' are measured by reference to the total internal floor area of the structure subject to this exemption.

Finally, in light of the imminent commencement of Part 4 of the Planning & Development Act, 2024 (2024 Act), I would like to confirm that the provisions for all exempted development under the Planning & Development Act 2000 (as amended) and under the Planning & Development Regulations 2001 (as amended) will apply to the 2024 Act until such time as they are repealed/revoked and replaced by Regulations made under the 2024 Act.

I trust this circular is clear but if there are any further queries on the operation of the legislation or comments, they can be sent to the Department at planningreform@housing.gov.ie.

Yours sincerely,



Assistant Secretary,
Planning Division

Useful references:

- Planning and Development Act 2024 (No. 34 of 2024)
- Planning and Development (Amendment) Act 2025 (No. 9 of 2025)
- Planning and Development (Amendment) Act 2026 (No. 27 of 2026)
- Planning and Development (Exempted Development (Act of 2000)) (No. 3) Regulations 2026 (S.I. 340 of 2026).
- Building Control Note: 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/
- Planning Circular: https://www.gov.ie/en/department-of-housing-local-government-and-heritage/circulars/planning-and-development-exempted-development-act-of-2000-regulations-2026/