



Rialtas na hÉireann  
Government of Ireland

# Bringing Back Homes

Manual for the reuse of  
existing buildings (2<sup>nd</sup> edition)

Department of Housing,  
Local Government and Heritage  
[housing.gov.ie](http://housing.gov.ie)

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# Introduction

**Addressing vacancy and maximising the use of existing building stock is a primary objective of Government.**

Many areas of our cities, towns, villages and rural areas face the blight of vacant properties. If not addressed, these vacant properties can fall into dereliction and negatively impact on the surrounding areas and communities living in them.

Conversely, bringing vacant and derelict properties back into reuse can be a catalyst for regeneration and revitalisation, bringing vibrancy back to communities.

*Bringing Back Homes – Manual for the reuse of existing buildings* was first published in September 2018. Since then, the policy context has developed with the publication of a number of important government policies - *Housing for All* (2021), *Towns Centre First* (2022) and *Our Rural Future* (2021). More recently, the Department of Housing, Local Government and Heritage published the *Vacant Homes Action Plan* (2023) which focuses on the actions presented in Pathway 4 of *Housing for All* on addressing vacancy and presents information on progress and delivery of these actions.

This revised and updated Manual reflects this new landscape.

The updated Manual captures:

- changes in the policy context since publication of the document in 2018,
- changes made to regulations and technical guidance, as well as

- changes and additions to the schemes and supports available to bring vacant and derelict properties back into use as homes.

The Manual also provides a number of examples of properties brought back into use, utilising the schemes and supports available.

## Use of this Manual

*Bringing Back Homes – Manual for the reuse of existing buildings* was developed to support and facilitate the reuse of vacant buildings in towns and cities for residential use. The objective is to increase the number of viable residential properties.

The Manual aims to provide property owners, members of the public, local authorities and those involved in the construction industry with guidance on how to facilitate the reuse of these buildings and how current regulatory requirements apply to common, existing building types. It should be noted that the Manual is intended to serve as a reference guide only and is not envisaged as a substitute for compliance with legal obligations.

This Manual is laid out in five chapters:

Chapter 1	Outlines the policy context and various regulatory requirements which may arise with respect to the refurbishment / conversion of a vacant or derelict building for residential use. Topics covered include planning, conservation, building regulations and building control, fire services, energy performance of buildings and in-built physical infrastructure.
Chapter 2	<p>Describes the basic process which applies when an existing building is to be brought back into use for residential purposes. The chapter covers the typical questions that may arise regarding the regulatory system, the design work and the approvals needed before the building work can commence.</p> <p>The chapter illustrates conversion opportunities for common building types. Information on how the statutory regulations are likely to impact each specific building type is also provided, along with guidance on how to address resulting issues in a step-by-step manner.</p>
Chapter 3	Elaborates on how the building regulations apply to three of the most common building types that have high reuse potential. This information will provide interested parties with a clearer understanding of the scale of intervention that each reuse option requires.
Chapter 4	Provides information on the assistance, grants and incentives that may be availed of to support bringing a vacant or derelict property back into use.
Chapter 5	<p>Presents examples of successful refurbishments for each of the building types outlined in Chapter 2.</p> <p>Supplementary information is provided in the Appendices.</p> <p>A separate <a href="#">Frequently Asked Questions</a> document is available on the Department of Housing, Local Government and Heritage website to accompany this Manual.</p>

# Chapter 1

## Policy and Regulatory Context

**This chapter presents the policy context in relation to tackling vacancy and maximising use of existing building stock. It then outlines the regulatory requirements which may arise with respect to the refurbishment and conversion of a vacant or derelict building for residential use. Topics covered include planning, conservation, building regulations and building control, fire services, energy performance of buildings and in-built physical infrastructure.**

In refurbishing a vacant property, consideration must be given to a number of factors including the type of property, the age of the property, the reason for vacancy, the condition of the property and the level of work to be carried out. The extent to which regulatory requirements will apply will depend on the individual property and the works planned. It is, however, important that those undertaking refurbishment to bring a property back into use are aware of the regulatory context.

### Policy Context

*Project Ireland 2040, National Planning Framework (2018) and National Development Plan (2021)*

The *Programme for Government: Our Shared Future* (2020) reaffirms that ‘everybody should have access to good-quality housing’ as well as prioritising investment in housing as a ‘social and economic imperative’. Related to this priority, the *National Planning Framework* (NPF), published in 2018, together with the *National Development Plan 2021*, combine to form *Project Ireland 2040*, the overarching policy and planning framework for Ireland.

The NPF guides the future development of Ireland, taking into account projected population increase and the accompanying need for more homes. The NPF also seeks to target the reversal of rural decline in towns and villages through targeted measures that address vacancy through sustainable reuse, thereby supporting local communities. It states that building stock in a state of obsolescence has the potential to offer transformative options for housing and as part of the original fabric of some settlements, can serve to further preserve the heritage and cultural identity of a place. Both documents are available to view at <https://www.gov.ie/en/campaigns/09022006-project-ireland-2040/>.

The Planning and Development Act 2000 (as amended) requires Government to revise, replace or state why the Government has decided not to revise the NPF, every six years after its publication. A decision was made by Government in June 2023 to revise the NPF, in recognition of changes in relation to climate transition, population and demographics and digitalisation since 2018. This review is expected to be completed in 2024.



**Housing for All**

Housing for All (2021), provides a housing plan for Ireland to 2030 with the overall objective that every citizen in the State should have access to good quality homes through a steady supply of housing in the right locations with economic, social and environmental sustainability built into the system.

The Plan builds on the objectives of *National Planning Framework* (2018) and sets out over four pathways:

1. Supporting Home Ownership and Increasing Affordability,
2. Eradicating Homelessness, Increasing Social Housing Delivery and Supporting Social Inclusion,
3. Increasing New Housing Supply, and
4. Addressing Vacancy and Efficient Use of Existing Stock,

a broad suite of measures to achieve its policy objectives. The Plan recognises the opportunity to reimagine and transform cities and towns and increase residential development in tandem with an emphasis on amenities and quality of life.

The reasons for vacancy can be complex and multifaceted as can its impact on communities and their surroundings. Tackling vacancy requires a co-ordinated and cross government approach. This approach is reflected in the actions identified in *Housing for All*, all of which build on the objectives of the *National Planning Framework*. In Pathway 4, “Addressing Vacancy and Efficient Use of Existing Stock”, *Housing for All* sets out a blueprint to ensure that houses already built are being fully used as well as resolving issues which see habitable properties remaining vacant.

**Our Rural Future**

Our Rural Future (2021) provides a framework for the development of rural Ireland for the period 2021 – 2025. One of its key objectives is revitalising rural towns and villages by investing in projects which support economic activity, increasing footfall, encouraging town centre living and combatting vacancy and dereliction.

**Town Centre First**

Town Centre First (2022) published jointly by the Department of Housing, Local Government and Heritage, and the Department of Rural and Community Development, provides a co-ordinated, whole-of-government policy framework to proactively address the decline in the health of towns across Ireland and supports measures to regenerate and revitalise them. It highlights how reuse and regeneration of vacant and derelict buildings for community, commercial or residential use can be an essential catalyst to transforming the capacity and potential of smaller towns in Ireland.

Under the policy a suite of supports have been developed to address the decline in the health of towns and take measures to regenerate and revitalise them. The Policy sets out a coordinated framework to enable local communities to prepare a bespoke Town Centre First Plan for their town with the support of a dedicated Town Regeneration Officer within their local authority, and a National Town Centre First Office to coordinate and drive best practice implementation across the country. The Town Centre First website provides information on available resources, toolkits and funding streams to support Town Teams to deliver on the vision and actions identified in their Town Centre First Plans.

**Vacant Homes Action Plan**

The Vacant Homes Action Plan (2023) focuses on the actions presented in Pathway 4 of *Housing for All*. It presents information on progress and delivery of these actions, and further actions to be pursued to continue to return as many vacant properties back to viable use as possible, increasing the supply of housing available, while also revitalising local communities. The Action Plan also presents information on the support structures that have been established to support the addressing of vacancy and bringing existing properties back into use.

**Climate Action Plan**

The Climate Action Plan (2024) recognises that a range of measures will be required to meet the CO<sub>2</sub> emission reduction targets for the built environment, including fabric and energy efficiency improvements for existing buildings and promotion of the use of lower carbon building materials. This aligns with the EU Renovation Wave initiative, which aims to expand the market for sustainable construction products and services<sup>1</sup>.

From a climate perspective, bringing vacant and derelict properties back into use can contribute to the transition to a low carbon society. The reuse of existing built structures also offers the opportunity for people to live closer to work, local services and amenities as well as promoting compact growth, thereby making a valuable contribution to the *Climate Action Plan*.

The reuse of such buildings is also in-keeping with climate sectoral targets for the built environment, accounting for the embodied carbon in the materials of older buildings.

**Places for People**

Places for People (2022) is Ireland’s national policy on architecture. It outlines ways to promote and embed quality in architecture and the built and natural environment over the coming years. Under the Places for People – the National Policy on Architecture implementation programme, a number of key policies have been developed to align the objectives of heritage-led regeneration with those of spatial planning.

**The Circular Economy**

The circular economy offers an alternative to the linear ‘take-make-waste’ model of production and consumption. The principles of the circular economy are to create durable and repairable products, reuse and recycle as much as possible, and minimise the generation of waste. The Department of Environment, Climate and Communications have developed the Whole of Government Circular Economy Strategy 2022 – 2023 which notes the benefits of greater resource efficiency and resource reuse within the construction sector. Further information on the circular economy is available on the Department of the Environment, Climate and Communication’s website: <https://www.gov.ie/en/policy-information/528f7-circular-economy/>.

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1. European Commission (2020)

## Regulatory Context

The following provides a brief description of the legislation that may be relevant when bringing an existing vacant or derelict building back into use for residential purposes.

The main legislative provisions that affect the design, build and use of the building on completion are:

- The planning system
- Specific legislation affecting older buildings
- The building control system
- Minimum standards in rented accommodation
- Safety Health and Welfare at Work Act
- The Fire Services Acts
- The Energy Performance of Buildings Directive
- The European Union (In-Building Physical Infrastructure for High-Speed Electronic Communications) Regulations 2022

## The Planning System

The planning system aims to ensure that the right development takes place in the right locations and at the right time. It provides the social, economic and physical infrastructure necessary to meet the needs of citizens and to do so in a way that protects the many qualities of the natural and built environments. This system guides Ireland's planning authorities, which in turn apply these policies when assessing individual applications.

## Legislative Provisions

Under the [Planning and Development Act 2000](#) (as amended)<sup>2</sup>, all development including a material change of use, unless specifically exempted under the Act or associated [Planning and Development Regulations 2001](#) (as amended), requires planning permission. Section 4(1) of the Act provides for a range of exemptions, and section 4(2) provides that the Minister may, by regulations, provide for further classes of development to be exempted development.

### Exempted Development

Article 6 and Schedule 2 of the [Planning and Development Regulations 2001](#) (as amended) set out certain classes of development which are exempt from planning permission requirements, many of which classes have specific conditions or limitations which restrict the exemption. In certain circumstances, for example, the conditions may restrict the exempted development to a certain size or extent.

### General Restrictions on Exemptions

Article 9 of the [Planning and Development Regulations 2001](#) (as amended) provides for a range of restrictions on exemptions generally. For example, it provides that development listed in Schedule 2 which relates to exempted development shall not be exempted development if it would contravene an objective of a development plan, or local area plan or such drafts of such plans, where such objectives may relate to the preservation or protection of the character of a landscape, or of a site of archaeological or historical interest. Restrictions also apply where development would endanger public safety or would obstruct a public right of way, etc.

## Change-of-Use Exemptions

Article 10 of the [Planning and Development Regulations 2001](#) (as amended) provides that certain changes of use, with regard to particular classes of use, are exempted from the requirement to obtain planning permission.

Article 10 change of use exemptions are not subject to Article 9 restrictions. However, all exemptions, under Section 4 of the Act, or Article 6 and 10 of the Regulations are subject to compliance with any general restrictions on exemptions set out in the Act and would need to be considered on a case-by-case basis. For example, section 4(4) of the [Planning and Development Act 2000](#) (as amended) provides that development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required in accordance with relevant EU Directive requirements.

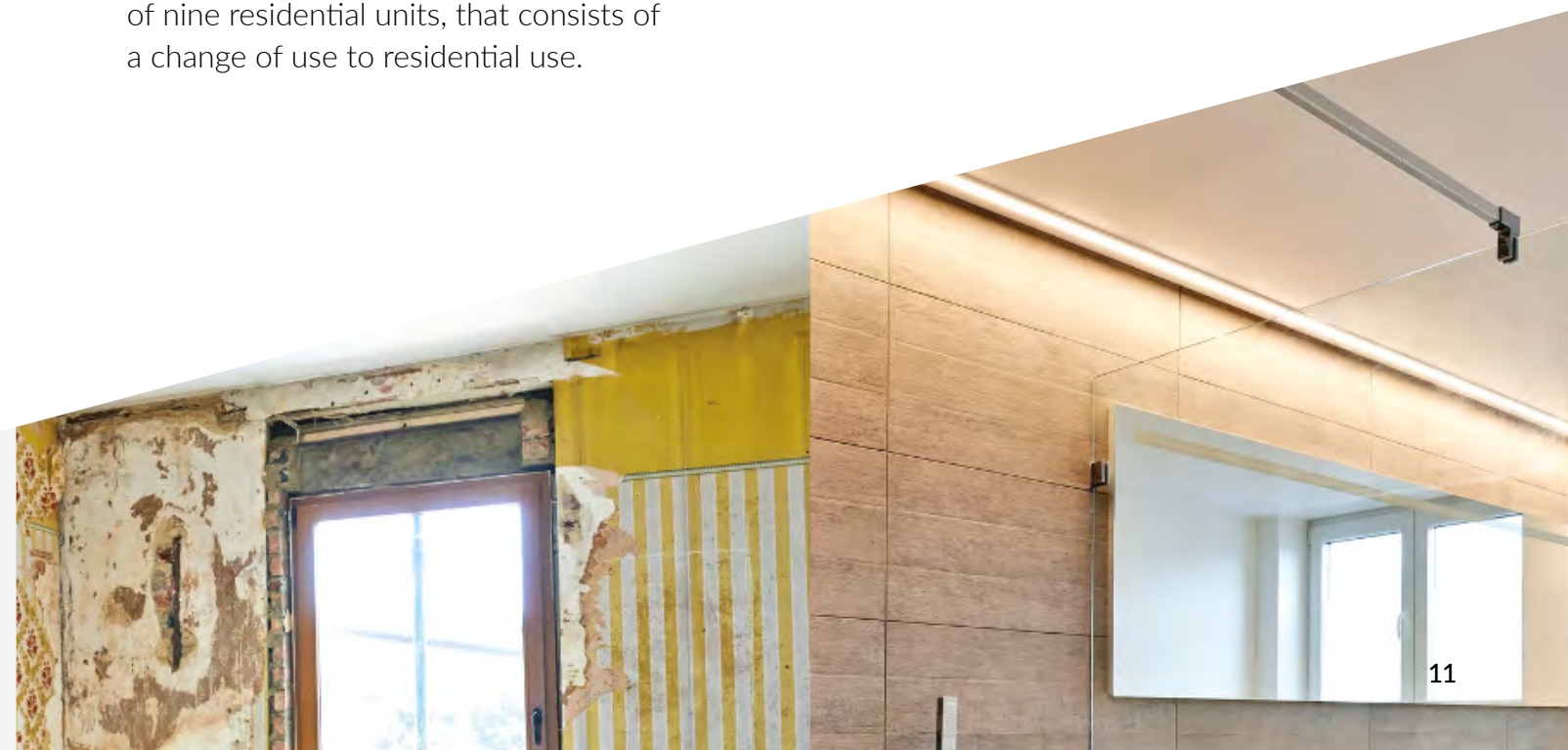
Article 10 was amended by the Exempted Development Regulations, 2022 ([S.I. No. 75/2022 – Planning and Development Act \(Exempted Development\) Regulations 2022](#)) that inserted sub-article 10(6) into these Regulations. This provides an exemption from the requirement for planning permission for the conversion of certain types of vacant commercial property, up to a maximum of nine residential units, that consists of a change of use to residential use.

The exemption applies to existing completed commercial buildings, such as shops, financial and professional services, offices, and guesthouses as defined in Class 1, 2, 3, 6 or 12 of Part 4 to Schedule 2 of the Regulations, which have been in use for commercial purposes but which have been vacant for a period of two years prior to the proposed works commencing and are available and suitable for housing.

These Regulations, which were introduced in 2018, were extended in 2022 and will remain in place until the end of 2025. The 2022 Regulations further add a new use class (Class 12 - public houses), to the specified use classes that can qualify to avail of the planning exemption, subject to certain conditions and limitations.

In general, the development works to the building must primarily be works which only affect the interior of the building. Some limited works to the external appearance of the structure are permitted, but they must be consistent with the character of the structure and of neighbouring properties.

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2. The Planning and Development Bill 2023 is currently at Committee Stage in Dáil Éireann. If passed by the Oireachtas and signed into law by the President, it would repeal the Planning and Development Act 2000 (as amended).





These limited external works may include alterations of existing ground-floor shop fronts, in which case the works must be consistent with the fenestration details and architectural and streetscape character of the remainder of the building and of neighbouring buildings. In addition, minor external works required to provide on-street access to the upper floors of the building are also permitted. Minimum standards shall apply to residential units being developed in relation to floor space, storage space and access to natural light.

For a detailed overview of the provisions and conditions of the exemption please refer to Appendix 1.

### Non-Planning Requirements

It should be noted that an exemption from the requirement to obtain planning permission does not remove other regulatory requirements or general obligations. If a public road or footpath is to be dug up, for example, certain works may require the acquisition of a Road Opening License from the Local Authority (See Appendix 4). The carrying out of works generally require compliance with Building Regulations, Building Control Regulations and/or other regulatory codes and standards, excluding basic refurbishment cases.

Under property law, there may be a requirement to obtain way leave or a right of way from a landowner. These are typically sought for such purposes as the erection of telegraphy wires or the laying of pipes. In addition, there may be a need to obtain a waste license to ensure proper removal and disposal of waste and materials from the sites of certain works. They may also need to make contact with Uisce Éireann where new or additional water connections are required to check supply capacity, including wastewater treatment capacity.

### Section 5 Declaration

Under Section 5 of the [Planning and Development Act 2000](#) (as amended), any person may seek a declaration from a planning authority on the question of whether a development is, or is not, exempted development. The declaration must be issued within four weeks and may be referred to An Bord Pleanála for review.

### General Exemptions

As mentioned above, a wide range of general exemptions is provided for in both the [Planning and Development Act 2000](#) (as amended) and the [Planning and Development Regulations 2001](#) (as amended). Section 4(1) of the Act sets out certain categories of development that are exempted development.

The Act provides that maintenance and improvement works or alterations to a building, which do not materially change the external appearance of a building are exempt from the need for planning permission (section 4(1)). Schedule 2, Part 1 of the Regulations details further relevant exemptions for works within the curtilage of a house, such as an extension to a house (subject to certain restrictions), sundry works and a change of use that would facilitate the return of a building, currently used as two dwellings, back to a single dwelling (see Class 1–7, 9–14 (e)).

### Specific Legislation Affecting Older Buildings

When considering works to an existing building, it is important to establish what (if anything) is important or significant about the building. Older buildings can be significant in different ways e.g. a building's significance may stem from its physical fabric, from its historical associations or from its archaeological potential. Section 51 of the Planning and Development Act 2000 (as amended) sets out eight categories of special interest that a building may have, i.e. architectural, historic, archaeological, artistic, cultural, scientific, social and technical special interest. The better a building's specific significance is understood, the easier it will be to design appropriate solutions. It should be noted that only some older buildings have statutory protection. Many other traditional buildings are not protected but nevertheless are of special value and should be dealt with sensitively in any proposed adaption works.

In some cases, the planning authority's development plan will have specific objectives regarding the adaptation of the existing building stock. An overview of legislation which affects older buildings is provided below.

### Planning Matters Relating to Older Buildings

A historic building may be protected under the [Planning and Development Act 2000](#) (as amended) as amended by being included in the Record of Protected Structures of a particular planning authority or by being located within an Architectural Conservation Area.

Where a building is a protected structure (or has been proposed for protection) or where a building is located within an Architectural Conservation Area, the usual exemptions from the requirement for planning permission may not apply.

In the case of a protected structure, any works which would materially affect its character will require planning permission. Legal protection also extends to the interior of the building and to other structures and features within the curtilage of a protected structure, such as outbuildings, boundary walls, paving, railings, etc.

In an Architectural Conservation Area, any works to the exterior of a building which would materially affect the character of the area also require planning permission. In this context, however, works to the interior may not require planning permission, as they would do in the case of a protected structure.

The Record of Protected Structures forms part of the development plan of each planning authority and is available online on the relevant planning authority's website. The development plan will also contain details, including maps, of any designated Architectural Conservation Area. If a building is a protected structure, or if it is located in an Architectural Conservation Area, the planning authority will be able to advise on its implications for a particular property.

Under Section 57 of the Planning and Development Act 2000 (as amended), the owners or occupiers of a protected structure are entitled to ask in writing for the planning authority to issue a declaration which will give guidance on identifying works that would, or would not, in the opinion of the planning authority require planning permission. If an owner or occupier is in any doubt about particular proposed works, the architectural conservation officer in the relevant local authority should be consulted. Under Section 5 of the Act, the owner or occupier of a protected structure — or of a structure in an Architectural Conservation Area — may also or instead request a declaration stating if proposed work should or should not be classified as development — and, if it is classified as development, whether or not planning permission is required.

**NOTE:** A planning authority is required to issue a declaration under Section 57 within 12 weeks of receiving a request. A Section 5 declaration is required to be issued within 4 weeks and is usually subject to a fee.

For general advice on planning issues relating to architectural heritage, see [Architectural Heritage Protection Guidelines for Planning Authorities \(2011\)](#).

These statutory guidelines set out the mechanisms for protecting architectural heritage, and the principles of conservation that should apply to any proposed alterations to the building. Appendix B (Architectural Heritage Impact Assessments) of that document sets out the type of information that the owner should prepare when lodging a planning application.

Any work carried out to improve the energy efficiency of historic, or traditional buildings requires an appropriate approach in terms of materials and insulation regardless of any statutory protection that may apply. Further detailed guidance is set out in [Improving Energy Efficiency in Traditional Buildings \(2023\)](#) published by the Department of Housing, Local Government and Heritage.

The National Built Heritage Service of the Department of Housing, Local Government and Heritage also publishes a series of booklets, the [Advice Series](#), for owners and custodians of historic buildings. The booklets offer detailed guidance on how best to repair, maintain and adapt such properties, including improving access, disaster risk management and other topics.

Further information on individual buildings is available on the website of the National Inventory of Architectural Heritage: [www.buildingsofireland.ie](http://www.buildingsofireland.ie).

**National Monuments Acts**

In some cases, a structure or site may be protected under the [National Monuments Acts 1930–2004](#). The Record of Monuments and Places (RMP) is the most widely applying provision of the National Monuments Acts. It comprises a list of recorded monuments and places and accompanying maps on which such monuments and places are shown for each county. The RMP can be consulted in county libraries and main local authority offices, and it is also available to view or download from <https://www.archaeology.ie/publications-forms-legislation/record-of-monuments-and-places>.

The National Monuments Service of the Department of Housing, Local Government and Heritage can advise on the protection applying to any particular monument or place under the [National Monuments Acts](#) by reason of its being entered in the Record of Monuments and Places – and should be consulted if there is any doubt as to the status of the site.

Where a building is subject to National Monuments Acts, it is exempt from the Building Control Regulations 1997 (S.I. No. 497 of 1997) (Third Schedule, Class 8 of the Building Control Regulations 1997).

The Historic and Archaeological Heritage and Miscellaneous Provisions Act 2023 will, when fully in force, replace the existing National Monuments Acts completely. This will include the replacement of all existing provisions under the National Monuments Acts for protection by monuments by means of:

- A new system of Prescribed Monuments under which classes of monuments set out in Regulations will be automatically protected;
- Establishment of a new Register of Monuments in place of the RMP and other registers under the existing legislation.

Information about these new systems will be made available as they come into effect, on the website of the National Monuments Service: <https://www.archaeology.ie>.

**Further Information**

For information on the application of the Building Regulations to existing buildings, see Appendix 2.

**Building Control System**

In order to ensure the safety of people within the built environment, the design and construction of buildings is regulated under the [Building Control Acts](#) (as amended). The Building Control Acts (as amended) set out the primary purpose for which the Building Regulations may be made, i.e. the health, safety and welfare of people in and around buildings. The focus is on protection of people rather than property.

**Building Regulations**

The Building Regulations apply to the design and construction of buildings. The minimum performance requirements that a building must achieve are set out in the Second Schedule to the Building Regulations.

The Building Regulations apply to:

- a. the construction of new buildings (residential and non-residential),
- b. the construction of extensions, material alterations and repair of renewals to existing buildings,
- c. provision of services, fittings and equipment (by way of new work or by way of replacement),
- d. material change of use of existing buildings (certain Parts),
- e. major renovations, and
- f. major renovation works

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3. Section 7 of TGD B (2024) provides specific guidance with respect to works or a change of use to existing buildings and incorporates a measured approach to the implementation of fire safety requirements for such works or buildings (including buildings containing flats).



Guidance on compliance with the various parts of the Building Regulations is given in the associated [Technical Guidance Documents \(TGDs\)](#). The TGDs provide general information on how the requirements of the Building Regulations can be achieved, inter alia, in relation to historic or existing buildings. Where works are carried out in accordance with the TGDs, this will, *prima facie*, indicate compliance with the Building Regulations.

**NOTE:** Many of the TGDs contain specific provisions for existing buildings e.g. TGD L – Conservation of Fuel and Energy – Buildings other than Dwellings – Section 2 and TGD B – Fire Safety (2024) – Section 7 Existing Buildings<sup>3</sup>.

In the case of material alterations or changes of use of existing buildings, the adoption without modification of the guidance in the TGDs may not, in all circumstances, be appropriate. In particular, the adherence to guidance, including codes, standards or technical specifications, intended for application to new work may be unduly restrictive or impracticable. Buildings of architectural or historical interest are especially likely to give rise to such circumstances.

In these situations, an approach other than that outlined in the TGDs may be applied providing the building, the works or the material change of use satisfy the requirements of the Building Regulations. Where alternative approaches are adopted, reference should be made to the publication [Information Note on Alternative Approaches to Demonstrate Compliance with the Building Regulations](#) (2024) which is available on the website of the Department of Housing, Local Government and Heritage.

The primary responsibility for compliance with the requirements of the Building Regulations rests with the designers, builders and owners of buildings.

## Building Control Regulations

Building Control Regulations apply generally to new buildings and to existing buildings which undergo an extension, a material alteration or a material change of use. The Building Control Regulations require owners, builders, and registered construction professionals to demonstrate through building control processes that the works or building concerned have been designed and constructed in compliance with the Building Regulations.

[The Building Control \(Amendment\) Regulations 2014 \(BCAR\)](#) require accountability in relation to compliance with Building Regulations by ensuring:

- that design and construction receive statutory certification from registered construction professionals and builders,
- that Commencement Notices as well as compliance documentation are lodged,
- that mandatory inspections are carried out during construction and validation, and
- that certificates are registered, where S.I. No. 9 of 2014 applies (See Figure 8 below for examples).

On completion of a building or works, a certificate of compliance is jointly signed by the builder and the assigned certifier. This must be accompanied by plans and documentation that collectively show how the constructed building or works complies with the building regulations – and also with the inspection plan, as implemented.

## Further Information

For information on the application of the Building Control Regulations to existing buildings, see Appendix 2.

## Minimum Standards in Rented Accommodation

All landlords have a legal duty to ensure that their rented properties comply with certain minimum physical standards. These minimum standards are set out in the [Housing \(Standards for Rented Houses\) Regulations 2019](#).

For each house let or available for letting, the landlord must ensure that the rental property is in a proper state of structural repair. This means that the landlord must maintain the property in a sound state, inside and out. Roofs, slates, windows, floors, ceilings, walls, stairs, doors, skirting boards, fascias, gutters, down pipes, fittings, gardens and common areas must be maintained in good condition and repair, as must all tiles on floors, ceilings and walls.

The landlord must ensure that all gas, oil and electricity installations are maintained in good repair and safe working order and that every room has adequate ventilation and both natural and artificial lighting.

Responsibility for enforcement of the Regulations in the private rental sector rests with the local authorities.

## Further Information

For information on the [Housing \(Standards for Rented Houses\) Regulations 2019](#), see Appendix 3.

## Safety, Health and Welfare at Work Act 2005

The [Safety, Health and Welfare at Work Act 2005 \(as amended\)](#) places responsibility for occupational health and safety on all stakeholders. The Act develops the role of employers, employees and Government in framing and implementing occupational safety and health policy in Ireland.

For designing or carrying out construction work, the [Safety, Health and Welfare at Work \(Construction\) Regulations 2013 \(S.I. No. 291 of 2013\)](#) prescribe the main requirements for the protection of the safety, health and welfare of persons working on construction sites and to give further effect to Council Directive 92/57/EEC on the minimum safety and health requirements at temporary or mobile construction sites.

These Regulations are designed to clarify and strengthen the general duties of all parties as regards securing occupational safety, health and welfare in construction work, including those of clients, project supervisors, designers, contractors and employees.

These Regulations apply to all construction projects including the alteration, decoration, maintenance and repair of buildings and the installation, maintenance and removal of mechanical and other systems fixed within or to structures. They place obligations on clients and designers to ensure that safety and health is taken into account before any construction work begins.

## Further Information

For further information see the website of the Health and Safety Authority at: [https://www.hsa.ie/eng/Your\\_Industry/Construction/Construction\\_Duty\\_Holders/](https://www.hsa.ie/eng/Your_Industry/Construction/Construction_Duty_Holders/).

## Fire Services Acts

With the exception of dwelling houses occupied as single dwellings, buildings are subject to the requirements of Part III of the [Fire Services Acts, 1981 and 2003](#).

A building containing a flat(s) – dwelling(s) separated by horizontal construction from other part(s) of the building - is subject to the requirements of the Fire Services Acts, 1981 and 2003. The person having control over premises has duties in respect of fire safety, as provided for in section 18(2).

The building should comply with *Fire Safety in Flats* (1994), a document published by the Department of Housing, Local Government and Heritage. It provides persons having control over premises with guidance on how to best implement and manage fire-safety requirements.

Among other things, *Fire Safety in Flats* highlights the importance of:

- Properly maintaining effective escape routes
- Inspecting and maintaining fire-protection equipment
- Maintaining fire-safety records
- Inspecting and maintaining fire-fighting equipment
- Ensuring that occupants of flats are properly informed about fire safety
- Preventing fire outbreaks
- Ensuring security arrangements do not impede escape in the event of fire

*Fire Safety in Flats* (1994), can be accessed at: <https://www.gov.ie/en/publication/3003c-guide-to-fire-safety-in-flats-bedsitters-and-apartments-1994/>.

## Energy Performance of Buildings Directive (Directive 2010/31/EU of 19 May 2010)

The Energy Performance of Buildings Directive (EPBD) sets requirements at an EU level for Member States to improve the energy performance of buildings and make an important contribution to the reduction of greenhouse gas emissions, including installation of appropriate infrastructure to enable the installation of recharging points for electric vehicles. There has been a series of regulations and guidance produced over recent years to transpose the requirements of the EPBD and, in addition, several consequential amendments to Building Regulations. Enforcement of these regulations is also the responsibility of the 31 Building Control Authorities, which have comprehensive statutory powers to deal effectively with cases where noncompliance with the requirements is identified.

The initial Energy Performance of Buildings Directive (Council Directive 2010/31/EU) was amended in 2018. In December 2021, the European Commission published a proposal for a further revision to upgrade the legislation and reflect higher ambition. The recast Directive was adopted by the European Council on 10 April 2024.

## In-Building Physical Infrastructure for High-Speed Electronic Communications

The European Union (In-Building Physical Infrastructure for High-Speed Electronic Communications) Regulations 2023 transpose Articles 8(1) and 8(2) of [Directive 2014/61/EU](#) of the European Parliament and of the Council of 15 May 2014, on measures to reduce the cost of deploying high-speed electronic communications networks. These regulations provide for in-building physical infrastructure in new buildings and in existing buildings where major renovation works are being carried out.

For further information, see the [European Union \(In-Building Physical Infrastructure for High-Speed Electronic Communications Regulations 2023\) Technical Guidance publication](#).

## Conclusion

The current policy context and the legal and regulatory requirements which may arise with respect to the refurbishment or conversion of a vacant or derelict building for residential use have been outlined in this chapter, with links provided where further information is available. It is important to note that while a comprehensive overview of the legal and regulatory frameworks is presented above, not all will be relevant to particular refurbishment projects. The type of property being refurbished and the extent of work being undertaken, as well as other factors, will determine the specific requirements in each case.

# Chapter 2

## The Basic Process

This chapter describes the basic process which applies when an existing building is to be brought back into use for residential purposes. The basic process is applied to four common building types. The chapter covers the typical questions that may arise regarding the regulatory system, the design work, and the approvals needed before the building work can commence.

The simplest and most cost effective reuse options are to refurbish an existing vacant dwelling or to convert a dwelling with an existing ancillary shop back into a property used exclusively as a dwelling.

Where a building is planned to be sub-divided, to create multiple units, the works will involve a higher degree of complexity, such as the introduction or alteration of services or strengthening of floors, and may have to satisfy additional regulatory requirements, particularly with regard to fire, sound and energy efficiency.

This basic process is applied to the four common building types which have high reuse potential for residential purposes, as follows:

- Type 1 - Existing Dwelling**  
This refers to an existing vacant dwelling in need of repair or refurbishment, so that it can be reused for owner-occupation or rental purposes.
- Type 2 - Two-Storey Building with Over-the-Shop Accommodation**  
This refers to an existing vacant dwelling that has a shop at ground level.
- Type 3 - Three-Storey building with Over-the-Shop Accommodation**  
This refers to an existing vacant dwelling that has a shop at ground level.
- Type 4 – Multi Storey Building (Non-Dwelling)**  
This refers to an existing building with multiple floors which is or was used for non-residential purposes, e.g. as offices or commercial or mixed use.
- NOTE:** It is proposed that a separate, similar type manual to this document will be developed by the Department of Housing, Local Government and Heritage to appropriately point to planning, building control and fire safety guidance in relation to the conversion and repurposing of vacant, large commercial offices to residential use.

Figure 1 – The Basic Process for Bringing a Property Back into Use

### Assess



**Step 1**  
**Consider reusing an existing building for residential purposes**

- Considerations:**
- What is the condition of the existing building?
  - What heritage value (if any) does the building have and what specialist skills will be required to work on this building?
  - What incentives/grants are available?
  - What are the likely costs of the proposed works?
  - Are there any site specific constraints?
  - What utility connections are required e.g. electricity, gas, water, wastewater?



**Step 2**  
**Identify the Regulatory Approval Path**

- Considerations:**
- Do the works require planning permission?
  - Do the works qualify for an exemption under Exempted Development Regulations, 2022?
  - Do the works require a Fire Safety Certificate?
  - Do the works require a Disability Access Certificate?

### Design



**Step 3**  
**Identify the key design work needed**

- Considerations:**
- What standards (planning, building or rental) apply to the works?
  - Are there site specific risks which should be considered in the design e.g. sound insulation on busy streets, flooding risks, etc?

### Approval



**Step 4**  
**Confirm that approvals are in place**

- Considerations:**
- Has planning permission / Fire Safety Certificate been granted?
  - Are other specific permits required or restrictions? e.g.
    - Road closure licence?
    - Refuse/ skips?
    - Utility connections e.g. water, electricity, etc?

### Build



**Step 5**  
**Commence building work**

- Considerations:**
- Is a Commencement Notice required?
  - When can I start work?
  - Will the Safety, Health, Welfare at Work Regulations apply?



Note

1. Guidance and advice on vacant and derelict properties and supports to bring them into use can be provided by the Vacant Homes Officer in each local authority. (See: <http://www.housing.gov.ie/housing/home-ownership/vacant-homes/vacant-homes>)
2. It is recommended to avail of professional advice when engaging in any part of this process.
  - Find an Architect: <https://www.riai.ie/work-with-an-architect/find-an-architect/practice-directory/>
  - Find an Engineer: <https://www.engineersireland.ie/Professionals/Membership/Members/Find-a-member>
  - Find a Surveyor: [https://scsi.ie/my-account/my-public-detailsfind-an-expert/?gad\\_source=1&gclid=EALalQobChMlnMyLmaKAhQMvY9QBh04PAI7EAAYASACEglxCPD\\_BwE](https://scsi.ie/my-account/my-public-detailsfind-an-expert/?gad_source=1&gclid=EALalQobChMlnMyLmaKAhQMvY9QBh04PAI7EAAYASACEglxCPD_BwE)
  - Find a Builder: <https://www.voluntaryconstructionregister.ie/>
  - Consult with the local authority Architectural Conservation Officer: <https://www.heritagecouncil.ie/content/files/Architectural-Conservation-Officers-in-Local-Authorities.pdf>
3. For Safety, Health and Welfare at Work legislation refer to the Health and Safety Authority's website for guidance <http://www.hsa.ie/eng/>

**Step 1 Consider Reusing an Existing Building for Residential Purposes**

Towns, cities and rural areas contain a large amount of underused building stock. This includes vacant residential stock and unused or underused floors above ground-floor retail premises. In considering reuse of these buildings a number of factors will need to be taken into account. The age and condition of the original building will play a crucial role in determining how to proceed in a given context. While it is vital to deliver housing as quickly as possible, it is equally important to deliver quality and durable housing in manner that is sustainable - economically, socially and environmentally.

There are also important regulations to which redevelopment works must adhere. For example, regulations relating to fire safety, sound and energy efficiency must be taken into account whenever a change of use occurs. The extent of the challenge that arises in this

context will depend on the type of building involved, the nature and number of new units being created and the location of the building.

For historic buildings, it is important to establish at a preliminary stage whether a building is protected by legislation and what types of notifications, permissions and/or consents it may be necessary to obtain before undertaking any works.

To minimise the risk of delays caused by inappropriate or inadequate proposals, the early engagement of a professional agent – such as an architect, an engineer or a building surveyor – who is competent to advise about the existing building is recommended. Where the building is a Protected Structure or located within an Architectural Conservation Area, it may be advisable that an architect with conservation accreditation be consulted.

In considering reuse of an existing vacant or derelict building, the local authority plays a central role from the outset. It will provide information on the financial supports and schemes that are available e.g. Vacant Property Refurbishment Grant, the Living City Initiative, the Repair and Leasing Scheme and the Buy and Renew Scheme (See Chapter 4). Contact should be made with the Vacant Homes Officer in the local authority in this regard. The contact details for each Vacant Homes Officer is available from the respective local authority website.

Each local authority also has a central role to play in bringing homes back into use through the CPO Activation Programme. This Programme was launched in April 2023 by the Department of Housing, Local Government and Heritage as part of the *Vacant Homes Action Plan*. Under the Programme, local authorities are required to adopt a proactive, planned and systematic approach to the identification and activation of vacant and derelict properties, including the use of their compulsory acquisition powers where engagement with owners does not result in the property being brought into use. Where properties are acquired, the objective for the local authority is to bring them back into use as quickly as possible. The acquired properties may subsequently be used for social housing, made available for sale on the open market or used for other purposes e.g. community use.

In order to highlight the key considerations involved in the reuse of existing buildings for residential purposes, this Manual explores four common building types. It considers some of the different types of potential development that are available for these buildings and discusses the feasibility of such development opportunities in towns and villages across the country.

**Step 2 Identify the Regulatory Approval Path**

The regulatory system of planning, fire safety, accessibility and heritage conservation all require consideration in order to avoid uncertainty and unnecessary delays with regard to the various approvals required i.e. planning permission, fire safety certificates, disability access certificates etc., and should not be dealt with in isolation.

Typical considerations associated with the common existing building typologies are outlined in Figure 2.

**NOTE:** Where a building is a protected structure or is located in an architectural conservation area, the usual exemptions from planning permissions may not apply.

At all times the relevant building regulations apply to the works.

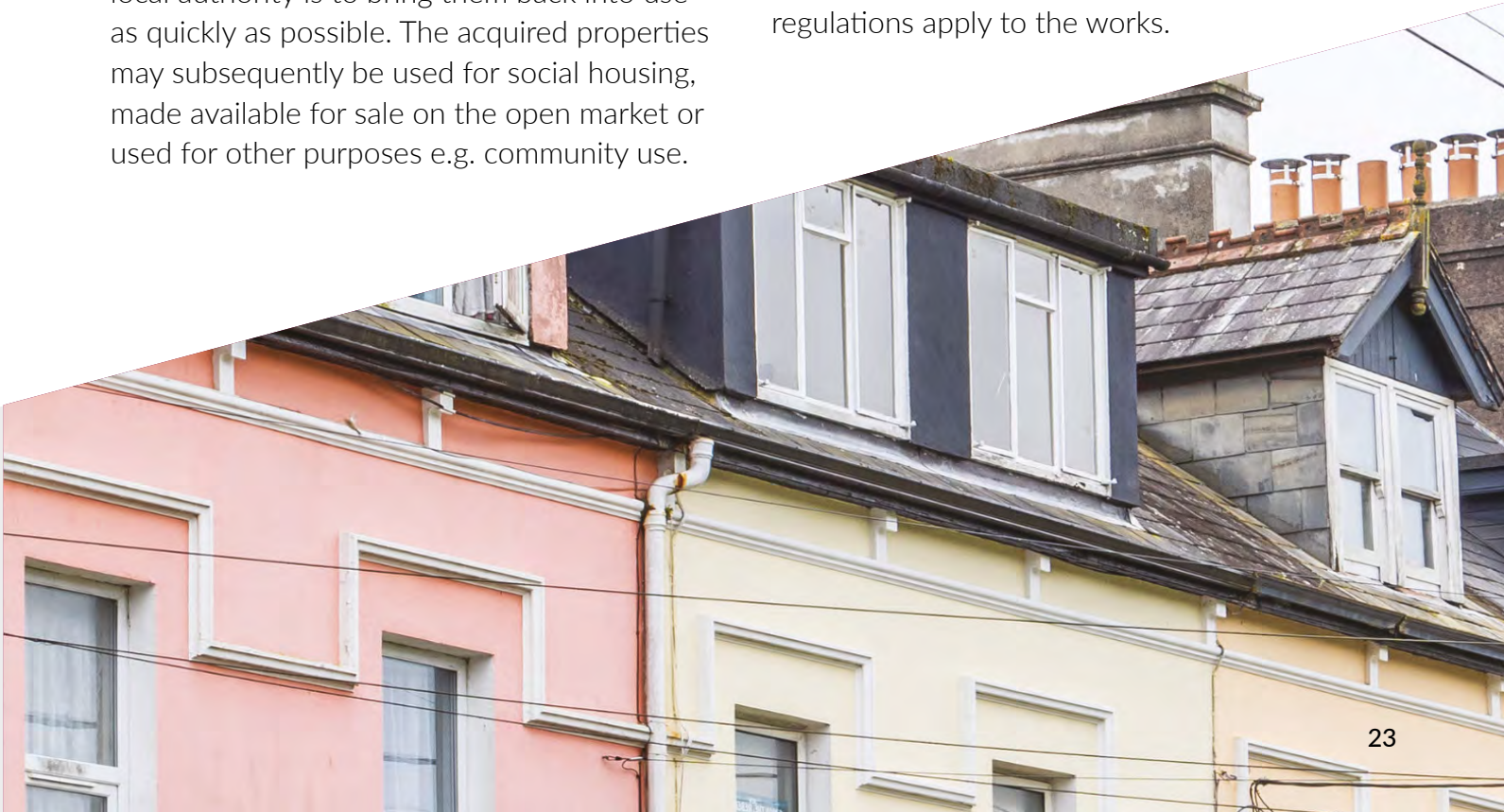




















Figure 2 – Typical considerations associated with the common existing building types

Existing Building	Reuse Options	Do the works require Planning Permission?	Do the works require a Fire Safety Certificate?	Do the works require a Disability Access Certificate (DAC)?
<b>Type 1</b> Existing Dwelling    Elevation Section	<b>Option a</b> Refurbishment 	There is no change to the building use; so, planning permission is generally not required.	A Fire Safety Certificate is not required for a dwelling house.	A Disability Access Certificate is not required for a dwelling house.
	<b>Option b</b> Conversion of dwelling into two dwellings <b>NOTE:</b> This is a material change of use 	Planning permission is required for change of use to two dwellings.	A Fire Safety Certificate is required for a building which undergoes a material change of use i.e. the whole building.	A Disability Access Certificate is not required.
<b>Type 2</b> Two-Storey Building with Over-the-Shop Accommodation  <b>NOTE:</b> The shop may be ancillary to the dwelling or may be an independent unit.    Elevation Section	<b>Option a</b> Inclusion of an ancillary shop as part of the existing dwelling 	Planning permission generally not required.**	Fire Safety Certificate is not required for a dwelling house.	A Disability Access Certificate is not required for a dwelling house.
	<b>Option b</b> Conversion of ancillary shop to an independent shop unit with an existing dwelling overhead <b>NOTE:</b> This is a material change of use* for the shop only. 	Planning permission generally required due to the change from ancillary shop to permanent shop.	A Fire Safety Certificate is required for a building which undergoes a material change of use,* i.e. the shop only. <b>NOTE:</b> The finished flat overhead should conform to <i>Fire Safety in Flats</i> (1994).	A Disability Access Certificate is required for the shop only, as Part M applies to a material change of use* to a shop, (See Appendix 2).
	<b>Option c</b> Conversion of an ancillary/independent dwelling unit with another dwelling overhead. <b>NOTE:</b> This is a material change of use*. 	Planning permission required unless the Exempted Development Regulations, 2022 apply, (See Appendix 1).	A Fire Safety Certificate is required for a building which undergoes a material change of use,* i.e. the whole building.	A Disability Access Certificate is not required.
<b>NOTE:</b> For the purposes of clarity “ancillary” means a secondary use to the main purpose of the building i.e. dwelling.		* Reference to Material change of use in the context of Building Regulations (See Appendix 2)  ** Planning permission may be required in certain circumstances, for example, if proposed works on the ground floor conflict with an objective in the relevant development or local area plan for the ground floor to remain in retail use. Consult the relevant planning authority.		

Existing Building	Reuse Options	Do the works require Planning Permission?	Do the works require a Fire Safety Certificate?	Do the works require a Disability Access Certificate (DAC)?
<div><div>Type 3</div><div>Three-Storey Building with Over-the-Shop Accommodation</div><div><div><div><div><div><div></div><div></div><div></div><div></div><div></div><div></div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div></div><div></div><div></div><div></div><div></div><div></div></div><div></div><div></div><div></div><div></div><div></div><div></div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> <div></div> 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Existing Building	Reuse Options	Do the works require Planning Permission?	Do the works require a Fire Safety Certificate?	Do the works require a Disability Access Certificate (DAC)?
<b>Type 4</b> Multi-Storey Building (Non-Dwelling)   Elevation  Section	<b>Option a</b> Conversion of a multi-storey building (non-dwelling) into a single dwelling. 	Planning permission required unless Exempted Development Regulations, 2022 apply, (See Appendix 1).	A Fire Safety Certificate is not required for a building which undergoes a material change of use* to a single dwelling.	A Disability Access Certificate is not required.
	<b>Option b</b> Maintaining a non-dwelling unit at ground floor and creating a two-storey dwelling overhead. <b>NOTE:</b> This is a material change of use* of the building. 	Planning permission required unless Exempted Development Regulations, 2022 apply, (See Appendix 1).	A Fire Safety Certificate is required for a building which undergoes a material change of use,* i.e. the whole building.	A Disability Access Certificate is not required for a material change of use to a dwelling(s).
	<b>Option c</b> Conversion of a multi-storey building (non-dwelling) into multiple dwellings. 	Planning permission required unless Exempted Development Regulations, 2022 apply, (See Appendix 1).	A Fire Safety Certificate is required for a building which undergoes a material change of use,* i.e. the whole building.	A Disability Access Certificate is not required.
	<b>Option d</b> Maintaining a non-dwelling unit at ground floor and creating multiple dwellings overhead. 	Planning permission required unless Exempted Development Regulations, 2022 apply, (See Appendix 1).	A Fire Safety Certificate is required for a building which undergoes a material change of use,* i.e. the whole building.	A Disability Access Certificate is not required for a material change of use to a dwelling(s).
<b>NOTE:</b> * Reference to Material change of use in the context of Building Regulations (See Appendix 2).		** Planning permission may be required in certain circumstances, for example, if proposed works on the ground floor conflict with an objective in the relevant development or local area plan for the ground floor to remain in retail use. Consult the relevant planning authority.		

Step 3 Identify the Key Design Work Needed

Analysis of the feasibility of development should be undertaken by exploring a range of development ‘interventions’ for the building type concerned. As can be seen in Figures 3 to 6 on the following pages, there are a wide range of different building types and a variety of residential development options —

from low level refurbishment to large scale redevelopment of the entire plot — all of which have their own challenges and opportunities. Typical intervention measures relevant to the building reuse options from Figure 3 are outlined below as a broad guide to the building owner of the extent of works likely to be required. This is not a substitute for appropriate professional advice that is building-specific.

Figure 3 – Type 1 Existing dwelling – Reuse options

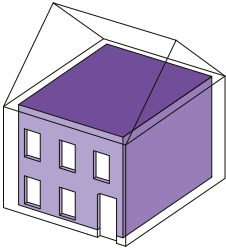
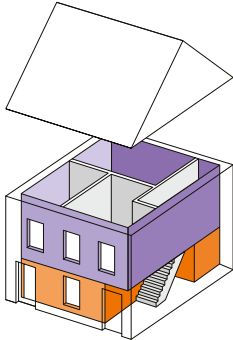
Option a Refurbishment		Option b Conversion of dwelling into two dwellings	
	<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• No requirements for owner occupation, but an upgrade of finishes (painting, floor finishes) is likely to be carried out.</li><li>• Building Regulations* apply where:<ul style="list-style-type: none"><li>- Services are being renewed e.g. WCs, stoves, etc.</li><li>- Windows and external doors are being replaced</li><li>- Boilers are being replaced</li><li>- More than 25% of the dwelling envelope undergoes renovation***</li></ul></li><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>		<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• Building Regulations* apply, as this work is a material change of use to the building.</li><li>• Typical works will include:<ul style="list-style-type: none"><li>- Fire separation and sound insulation between dwellings (walls and floors)</li><li>- Provision of independent services (including heating, lighting and plumbing)</li><li>- Installation of integrated fire-alarm system in the building (where common access exists)</li><li>- Upgrade of thermal insulation</li><li>- Replacement of windows (except display windows)</li></ul></li><li>• Rental standards regulation apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>
<p>*See Appendix 2 for the application of the Building Regulations to works to existing buildings.</p> <p>**See Appendix 3 for Minimum Standards in Rented Accommodation.</p> <p>***The ‘surface area of the building thermal envelope’ means the entire surface area of a building through which it can lose heat to the external environment or the ground, including all heat loss areas of walls, windows, floors and roof.</p>			

Figure 4 – Type 2 Two-storey building with Over-the-Shop Accommodation – Reuse options

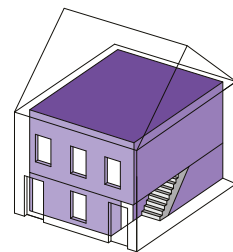
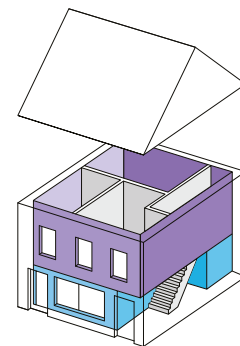

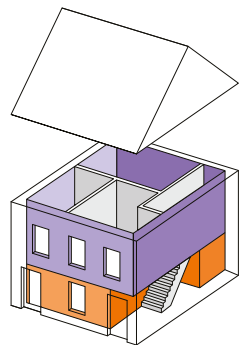
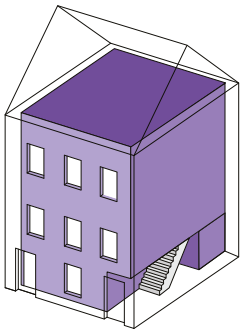
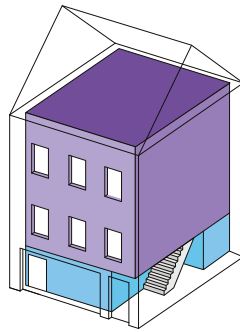
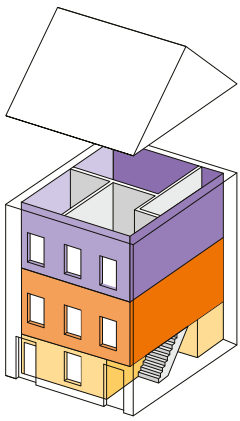
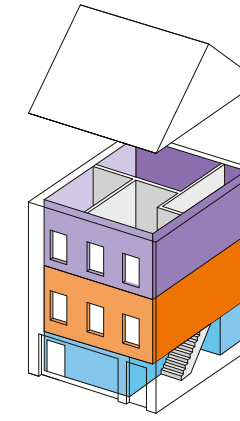
Option a Inclusion of an ancillary shop as part of the existing dwelling		Option b Conversion of ancillary shop to an independent shop unit with an existing dwelling overhead	
	<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• No requirements for owner occupation, but an upgrade of finishes (painting, floor finishes) is likely to be carried out.</li><li>• Building Regulations* apply where:<ul style="list-style-type: none"><li>- Services are being renewed, e.g. WCs, stoves etc.</li><li>- Windows and external doors are being replaced</li><li>- Boilers are being renewed</li><li>- More than 25% of the dwelling envelope undergoes renovation***</li></ul></li><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>		<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• Building Regulations* apply, as this work is a material change of use to a shop. Typical works will include:<ul style="list-style-type: none"><li>- Fire separation and sound insulation between shop and dwelling (walls and floors)</li><li>- Provision of independent services (including heating, lighting and plumbing)</li><li>- Installation of integrated fire-alarm system in the building</li><li>- Replacement of windows (except display windows)</li></ul></li><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>
Option c Conversion of independent/ ancillary shop to an independent dwelling unit with another dwelling overhead			
	<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• Building Regulations* apply as this work is a material change of use to the building. Typical works will include:<ul style="list-style-type: none"><li>- Fire separation and sound insulation between dwellings (walls and floors)</li><li>- Provision of independent services (including heating, lighting and plumbing)</li><li>- Installation of integrated fire-alarm system for building (where common access exists)</li><li>- Upgrade of thermal insulation</li><li>- Replacement of windows</li></ul></li><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>		
<p>*See Appendix 2 for the application of the Building Regulations to works to existing buildings.</p> <p>**See Appendix 3 for Minimum Standards in Rented Accommodation.</p> <p>***The 'surface area of the building thermal envelope' means the entire surface area of a building through which it can lose heat to the external environment or the ground, including all heat loss areas of walls, windows, floors and roof.</p>			



Figure 5 - Type 3 Three-Storey Building with Over-the-Shop Accommodation

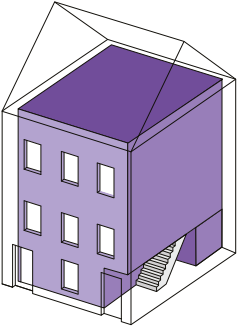
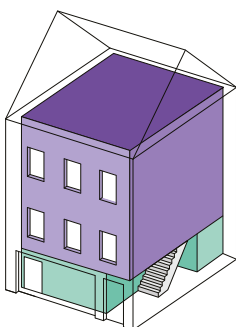
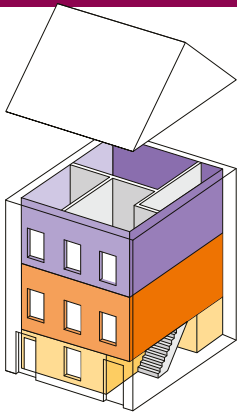
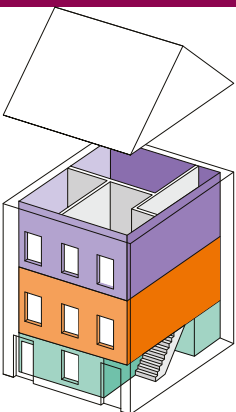
Option a Inclusion of an ancillary shop as part of the existing dwelling		Option b Conversion of ancillary shop to an independent shop unit with an existing two storey dwelling overhead	
	<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• No requirements for owner occupation, but an upgrade of finishes (painting, floor finishes) is likely to be carried out.</li><li>• Building Regulations* apply where:<ul style="list-style-type: none"><li>- Services are being renewed e.g. WCs, stoves, etc.</li><li>- Windows and external doors are being replaced</li><li>- Boilers are being renewed</li><li>- More than 25% of the dwelling envelope undergoes renovation***</li></ul></li><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>		<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• Building Regulations* apply, as this work is a material change of use to the shop. Typical works will include:<ul style="list-style-type: none"><li>- Fire separation and Sound insulation between shop and dwelling (walls and floors)</li><li>- Provision of independent services to shop (including heating, lighting and plumbing, where appropriate)</li><li>- Installation of fire alarm in shop (if required)</li><li>- Replacement of windows in shop (except display windows)</li></ul></li><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>
Option c Conversion of an ancillary shop/ independent shop to an independent dwelling unit with multiple dwellings overhead		Option d Conversion of an ancillary shop to an independent shop unit with multiple dwellings overhead	
	<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• Building Regulations* apply, as this work is a material change of use to the building. Typical works will include:<ul style="list-style-type: none"><li>- Fire separation and Sound insulation between dwellings (walls and floors) and access corridors</li><li>- Provision of independent services (including heating, lighting and plumbing)</li><li>- Installation of integrated fire-alarm system in the building</li><li>- Upgrade of thermal insulation</li><li>- Replacement of windows</li></ul></li><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>		<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• Building Regulations* apply, as this work is a material change of use to the building. Typical works will include:<ul style="list-style-type: none"><li>- Fire separation and sound insulation between dwellings/ shop (walls and floors), and access corridors</li><li>- Provision of independent service (including heating, lighting and plumbing)</li><li>- Installation of integrated fire-alarm system for building</li><li>- Upgrade of thermal insulation</li><li>- Replacement of windows (except display windows)</li></ul></li><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>

\*See Appendix 2 for the application of the Building Regulations to works to existing buildings.

\*\*See Appendix 3 for Minimum Standards in Rented Accommodation.

\*\*\*The 'surface area of the building thermal envelope' means the entire surface area of a building through which it can lose heat to the external environment or the ground, including all heat loss areas of walls, windows, floors and roof.

Figure 6 - Type 4 Multi-Storey Building (Non-Dwelling)

Option a Conversion of a multi storey building (non dwelling) into a dwelling		Option b Maintaining a non dwelling unit at ground floor and creating a two storey dwelling overhead	
	<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• Building Regulations* apply, as this work is a material change of use to the building. Typical works will include:<ul style="list-style-type: none"><li>- Fire resistance of floors and stairway enclosure</li><li>- Provision of services (including heating, lighting and plumbing)</li><li>- Installation of fire-alarm system in the dwelling</li><li>- Upgrade of thermal insulation</li><li>- Replacement of windows</li></ul></li></ul> <p><b>NOTE:</b> Where the building is greater than 3 storeys in height, further provisions/measures may apply.</p> <ul style="list-style-type: none"><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>		<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• Building Regulations* apply, as this work is a material change of use to the upper floor levels. Typical works will include:<ul style="list-style-type: none"><li>- Fire resistance of intermediate floor and stairway enclosure</li><li>- Fire separation and sound insulation between non-dwelling and dwelling (walls and floors)</li><li>- Provision of independent services (including heating, lighting and plumbing)</li><li>- Installation of fire-alarm system in the dwelling</li><li>- Upgrade of thermal insulation</li><li>- Replacement of windows</li></ul></li></ul> <p><b>NOTE:</b> Where the building is greater than 3 storeys in height, further provisions/measures may apply.</p> <ul style="list-style-type: none"><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>
Option c Conversion of a multi storey building (non dwelling) into multiple dwelling		Option d Maintaining a non dwelling unit at ground floor and creating multiple dwellings overhead	
	<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• Building Regulations* apply, as this work is a material change of use to the building. Typical works will include:<ul style="list-style-type: none"><li>- Fire separation and sound insulation between dwellings (walls and floors) and access corridors</li><li>- Provision of independent services to each dwelling (including heating, lighting and plumbing)</li><li>- Installation of integrated fire-alarm system in the building</li><li>- Upgrade of thermal insulation</li><li>- Replacement of windows</li></ul></li></ul> <p><b>NOTE:</b> Where the building is greater than 3 storeys in height, further provisions/measures may apply.</p> <ul style="list-style-type: none"><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>		<p><b>Typical Scale of Intervention</b></p> <ul style="list-style-type: none"><li>• Building Regulations* apply, as this work is a material change of use to the upper floors. Typical works will include:<ul style="list-style-type: none"><li>- Fire separation and sound insulation between dwellings (walls and floors), access corridors and non-dwelling unit</li><li>- Provision of independent services to each dwelling (including heating, lighting and plumbing)</li><li>- Installation of integrated fire-alarm system in the building</li><li>- Upgrade of thermal insulation</li><li>- Replacement of windows</li></ul></li></ul> <p><b>NOTE:</b> Where the building is greater than 3 storeys in height, further provisions/measures may apply.</p> <ul style="list-style-type: none"><li>• Rental standards regulations apply in any case where it is proposed to offer a dwelling for rental.**</li></ul>
<p>*See Appendix 2 for the application of the Building Regulations to works to existing buildings.</p> <p>**See Appendix 3 for Minimum Standards in Rented Accommodation.</p>			

Step 4 Confirm that Approvals are in Place

It is essential that the required local authority approvals for the proposed work are in place. The required approvals for each reuse option are outlined below.

**NOTE:** If a public road or footpath is to be dug up, certain works may require the acquisition of a Road Opening Licence from the Local Authority. In some cases, to ensure proper removal and disposal of waste from the site, a

waste license may be required. A Road Closure Notice may be required if the street elevation is such that scaffolding needs to be erected. Appendix 4 provides guidance on typical licences that may be required.

Where a building is a protected structure or is located in an architectural conservation area, the usual exemptions from planning permissions may not apply.

Figure 7 - Summary of Approvals Required

Building Type	Reuse Option	Planning Permission	Fire Safety Certificate	Disability Access Certificate*
Type 1 Existing dwelling	Option a Refurbishment	✗	✗	✗
	Option b Conversion of a dwelling into two dwellings	✓	✓	✗
Type 2 Two-storey building with Over-the-Shop Accommodation	Option a Inclusion of an ancillary shop as part of the existing dwelling	Generally not required	✗	✗
	Option b Conversion of an ancillary shop to an independent shop unit with an existing dwelling overhead	Generally required	✓ (for shop only)	✓ (for shop only)
	Option c Conversion of an ancillary independent shop to an independent dwelling unit with another dwelling overhead	✓ (Unless Exempted Development Regulations, 2022 apply)	✓	✗



Building Type	Reuse Option	Planning Permission	Fire Safety Certificate	Disability Access Certificate*
Type 3 Three-storey building with Over-the-Shop Accommodation	Option a Inclusion of an ancillary shop as part of the existing dwelling	Generally not required	✗	✗
	Option b Conversion of ancillary shop to an independent shop unit with an existing two-storey dwelling overhead	Generally required	✓ (for shop only)	✓ (for shop only)
	Option c Conversion of an ancillary/ independent shop to an independent dwelling unit with multiple dwellings overhead	✓ (Unless Exempted Development Regulations, 2022 apply)	✓	✗
	Option d Conversion of an ancillary shop to an independent shop unit with multiple dwellings overhead	✓	✓	✓ (for shop only)



Building Type	Reuse Option	Planning Permission	Fire Safety Certificate	Disability Access Certificate*
Type 4 Multi-storey building (non-dwelling)	<b>Option a</b> Conversion of a multi-storey building (non-dwelling) into a single dwelling	✓ (Unless Exempted Development Regulations, 2022 apply)	✗	✗
	<b>Option b</b> Maintaining a non-dwelling unit at ground floor and creating a two-storey dwelling overhead	✓ (Unless Exempted Development Regulations, 2022 apply)	✓	✗
	<b>Option c</b> Conversion of a multi-storey building (non-dwelling) into multiple dwellings	✓ (Unless Exempted Development Regulations, 2022 apply)	✓	✗
	<b>Option d</b> Maintaining a non-dwelling unit at ground floor and creating multiple dwellings overhead	✓ (Unless Exempted Development Regulations, 2022 apply)	✓	✗

NOTE:

For licences/ approvals required to facilitate works, e.g. road closure, refuse/ skips, deliveries, traffic free flow, water/ wastewater connection(s) - refer to Appendix 4.

\* A Disability Access Certificate must be granted prior to valid submission for a Certificate of Compliance on Completion (but a Disability Access Certificate is not legally required before commencement of work).

Step 5 Commence Building Work

A summary of the notification processes, relevant to each reuse option and the routes available to enable work to commence on-site are outlined below.

Planning

Where a person is undertaking development which avails of the exemptions afforded by the Planning and Development Act (Exempted Development) Regulations 2022 (S.I. No. 75 of 2022), they must notify the planning authority two weeks prior to commencing development (See Appendix 1).

**NOTE:** Separate notifications may still be required for Building Control purposes (see below), but may be submitted concurrently.

Health and Safety

For Safety, Health and Welfare at Work legislation refer to the Health and Safety Authority’s website for guidance: [http://www.hsa.ie/eng/Your\\_Industry/Construction/](http://www.hsa.ie/eng/Your_Industry/Construction/).

Building Control

Where a notification is required prior to commencing works on-site, the Local Authority Building Control section may be notified in two different ways:

- a) The most common method is by submitting a Commencement Notice, which is a notification to a Building Control Authority that a person intends to carry out works or a material change of use to a building to which the Building Regulations apply. This notice must be given to the authority not more than 28 days and not less than 14 days before the commencement of works or the change of use.
- b) To expedite the start date on site, there is also the option of submitting a 7 Day Notice. This is similar to a Commencement Notice and may be used for works that require a Fire Safety Certificate but need to start before the Fire Safety Certificate is granted.

A Commencement Notice or 7 Day Notice may be submitted online via the Building Control Management System available at: <https://www.localgov.ie/en/bcms>.



Figure 8 - Building Control Notifications Required Prior to Commencing Works On-Site

Type	Option	Is notification of commencement of works required?
1	a. Refurbishment	A Commencement Notice is not required (because neither Planning permission nor a Fire Safety Certificate is required).  Works may commence on-site, as desired.
2	a. Inclusion of ancillary shop as part of the existing dwelling	
3	a. Inclusion of ancillary shop as part of the existing dwelling	
4	a. Conversion of a multi-storey building (non-dwelling) into a single dwelling	A Commencement Notice without accompanying documentation is required.
1	b. Conversion of a dwelling into two dwellings	<div>A Commencement Notice (CN) with accompanying documentation (S.I. No.9 of 2014) is required (because a Fire Safety Certificate is required).</div> <div><div>Choice of Notification of Commencement of work</div><div><div>Commencement Notice + Accompanying Documentation, where a Fire Safety Certificate has been granted</div><div>7 Day Notice + Accompanying Documentation, where Fire Safety Certificate has not been granted</div></div><div><div>Works must start between 14 days and 28 days from date of submission</div><div>Works may start 7 days from date of application</div></div><div>Notice Validated Commence Works</div></div>
2	b. Conversion of an ancillary shop to an independent shop unit with an existing dwelling overhead  c. Conversion of an ancillary/ independent shop to an independent dwelling unit with another dwelling overhead	
3	b. Conversion of ancillary shop to an independent shop unit with an existing two-storey dwelling overhead  c. Conversion of an ancillary/ independent shop to an independent dwelling unit with multiple dwellings overhead  d. Conversion of an ancillary shop to an independent shop unit with multiple dwellings overhead	
4	b. Maintaining a non-dwelling unit at ground floor and creating a two-storey dwelling overhead  c. Conversion of a multi-storey building (non-dwelling) into multiple dwellings  d. Maintaining a non-dwelling unit at ground floor and creating multiple dwellings overhead	

# Chapter 3

## Detailed Guidance

This chapter elaborates on the typical intervention measures outlined in Figure 5 for a Type 3 building (a three-storey building with over-the-shop accommodation) where reuse Options b and d are considered.

This chapter also elaborates on the typical intervention measures outlined in Figure 6 for a Type 4 building (a Multi-Storey Building (Non-Dwelling)) where reuse Option b is considered.

Where a building is planned to be subdivided resulting in horizontal and/or vertical separation to create multiple units, the works will involve a high degree of complexity. The works may have to satisfy additional regulatory requirements, particularly with regard to fire safety and sound. There may also be disruption of the existing building fabric to facilitate, for example, the introduction or alteration of services.

A holistic approach is required when bringing buildings back into reuse, taking into consideration fire safety, sound insulation, conservation of fuel and energy etc.

Typical issues that are relevant to the refurbishment of old buildings include:

- Structural assessment of timber elements (floors and roofs and in some cases lintels).
- Fabric assessment of the structure of the building for moisture ingress.

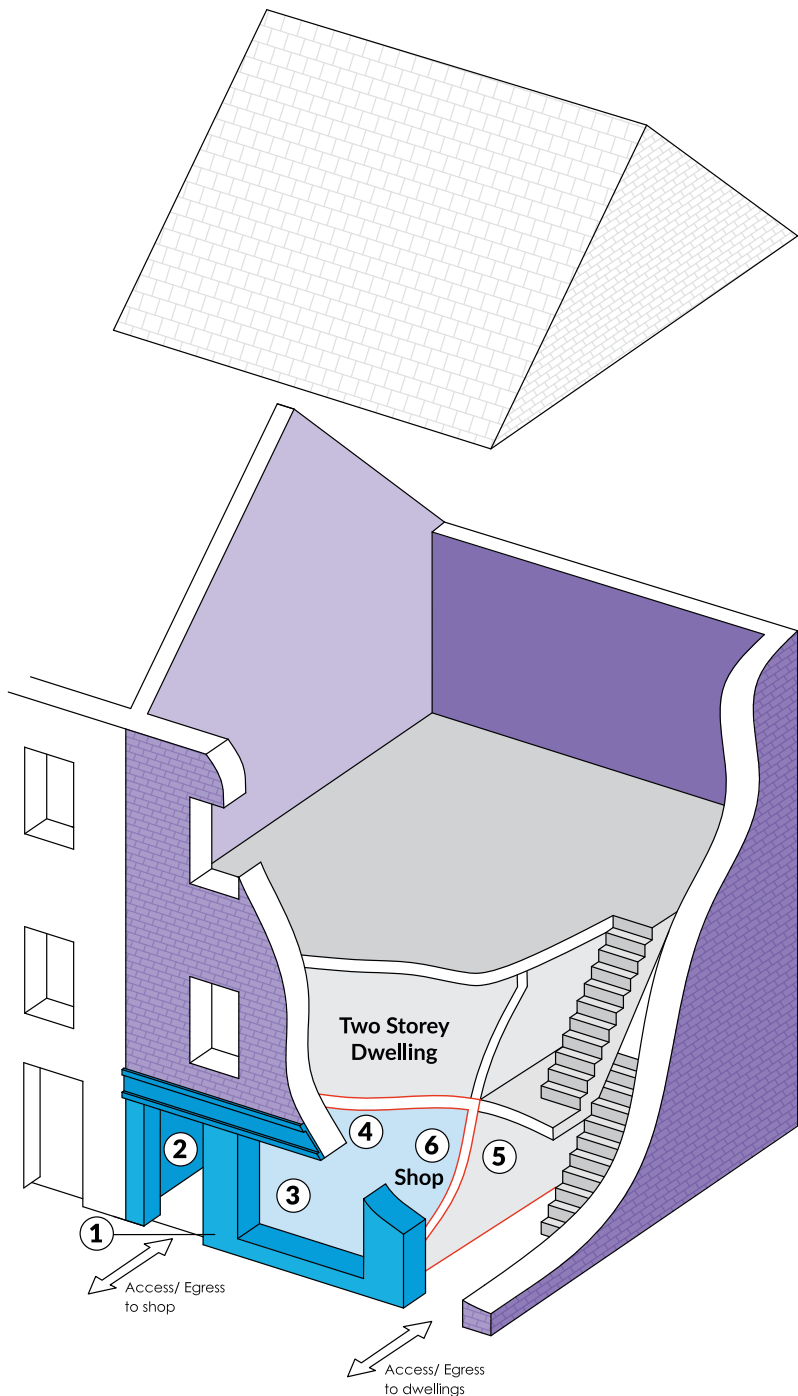
- Assessment of floor load carrying capacity and structural strengthening if required, particularly where existing timber elements are intended to be reused and where additional load is being placed on floors (to meet fire safety and sound requirements for example).
- Masonry wall structural condition and stability including masonry panel assessment, review of cracking and source of any cracking and identification of masonry repairs.
- Overall stability – sometimes structural walls have been removed at ground floor for retail or other use which may have acted as shear walls in the original building and this will affect the structural integrity of the building.
- Co-ordination of M&E service installations – very often there are significant limitations within timber floors in particular for service penetrations.
- Assessment of existing drainage for reuse. Often there can be significant defects with old and historic local drainage systems associated with older properties.

Figure 9 - Type 3 Three-Storey Building with Over-the-Shop Accommodation



**Reuse Option b**  
Conversion of an ancillary shop to an independent shop unit with an existing two-storey dwelling overhead

**Existing Building** – Typically solid walls, timber floors, pitched roof, un-insulated throughout




Ref	Element (Shop Unit)	Main Requirements (non-exhaustive) for works to shop only <sup>(1,2)</sup>
1	External wall	<ul style="list-style-type: none"><li>– Confirmation that existing walls are structurally sound</li><li>– Confirmation of Class 1 (or Class C-s3,d2) - Internal fire spread of flame (subject to the transitional arrangements of TGD B 2024)</li><li>– Confirmation that the fire resistance of the wall is appropriate in relation to the boundary</li><li>– Confirmation that existing walls are not showing evidence of ingress of moisture from ground or external source</li><li>– Threshold U-value – 0.55 W/m²K for solid walls, otherwise upgrade to 0.35 W/m²K</li></ul>
2	Separating wall between shop and adjoining building	<ul style="list-style-type: none"><li>– Confirmation that existing wall is structurally sound</li><li>– Class 1 (or Class C-s3,d2) Internal fire spread of flame (subject to the transitional arrangements of TGD B 2024)</li><li>– 60 minute fire resisting construction (No penetrations or openings)</li><li>– Confirmation that there is no rising damp</li><li>– Sound Insulation – Airborne 53 D<sub>nT,w</sub> dB (min), if shop is adjoining a dwelling</li></ul>
3	Windows	<ul style="list-style-type: none"><li>– Purge ventilation – total openable area ≥ 1/20th floor area.</li><li>– Background ventilation may be provided via trickle vents or wall vents</li><li>– Threshold U-value - 3.6 W/m²K , otherwise upgrade to 1.6 W/m²K</li></ul>
4	Separating floor above shop	<ul style="list-style-type: none"><li>– Confirmation that existing floor is structurally sound</li><li>– 60 minute fire resisting construction with no penetrations with surface mounted fittings or a service zone to be provided below floor construction for shop. Vertical pipes to be fire stopped at floor level and pipes &gt;40 mm ø (PVC) fitted with fire collars</li><li>– Sound Insulation - Airborne 53 D<sub>nT,w</sub> dB (min)</li></ul>
5	Compartment wall between shop and dwelling overhead	<ul style="list-style-type: none"><li>– 60 minute fire resisting construction with no penetrations</li><li>– Sound Insulation - Airborne 53 D<sub>nT,w</sub> dB (min)</li></ul>



6	Shop/Commercial unit	<ul style="list-style-type: none"><li>- Confirmation that ground floor will prevent ingress of moisture</li><li>- Fire alarms – Depending on size, layout and occupancy</li><li>- Independent services</li><li>- Access and Use</li></ul>
<p><b>NOTE:</b></p> <ol style="list-style-type: none"><li>1. Because this is a material change of use only in respect of the shop unit, only works to the shop must comply with the Building Regulations.</li><li>2. No requirements apply to the existing dwelling, but any works in the dwelling should create no new or greater contravention and works constituting a material alteration must comply with all parts of the Building Regulations (See Appendix 2). Rental standards regulations apply where the dwelling is proposed to be rented (See Appendix 3 Minimum Standards in Rented Accommodation).</li></ol>		

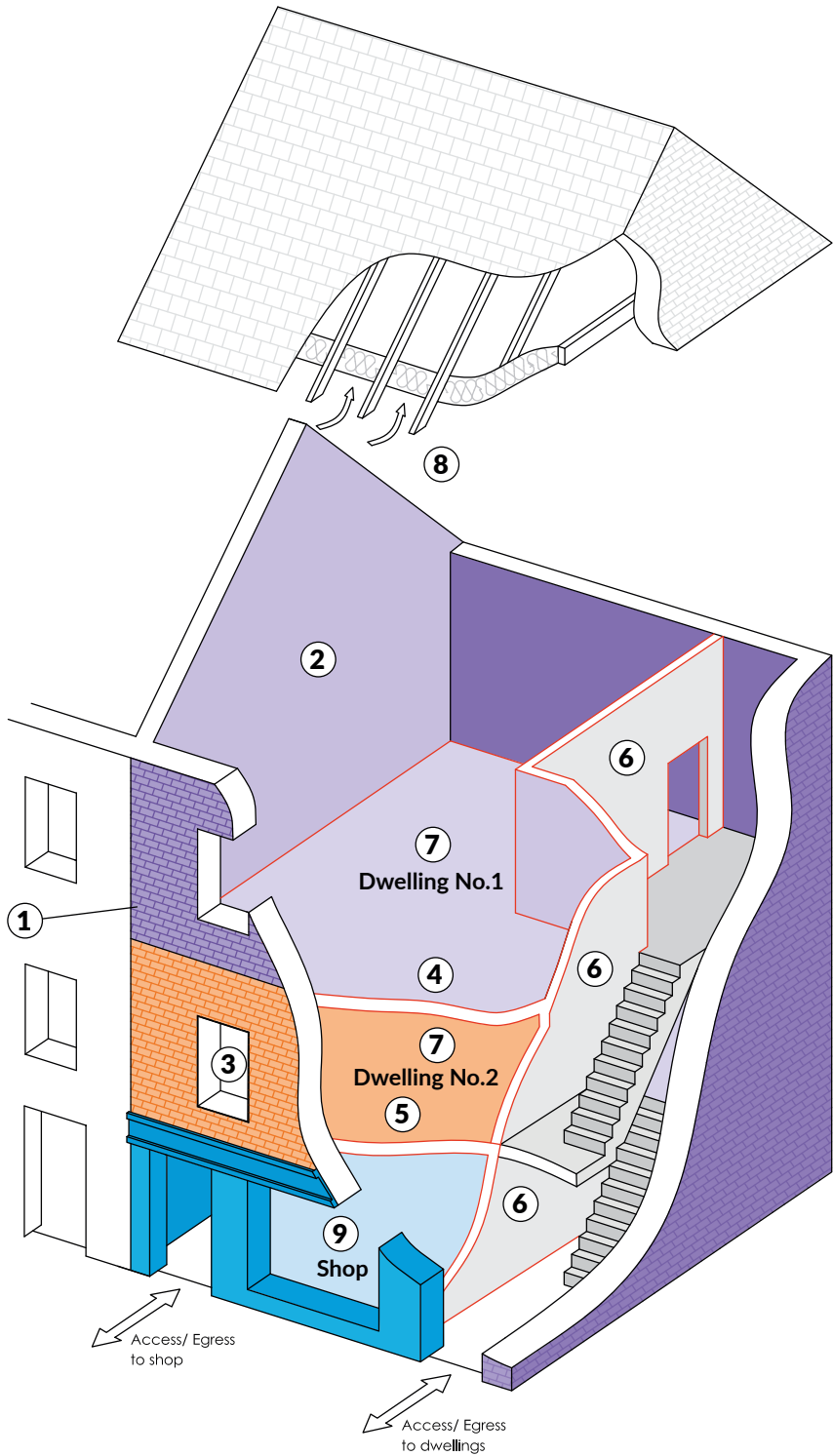


Figure 10 - Type 3 Three-Storey Building with Over-the-Shop Accommodation



**Reuse Option d**  
Conversion of an ancillary shop to an independent shop unit with multiple dwellings overhead

**Existing Building** – Typically solid walls, timber floors, pitched roof, un-insulated throughout



Ref	Element (dwelling)	Main Requirements (non-exhaustive) <sup>1, 2, 3, 4</sup>
1	External wall	<ul style="list-style-type: none"><li>– Confirmation that existing walls are structurally sound</li><li>– Confirmation of Class 1 (or Class C-s3,d2) Internal fire spread of flame (subject to the transitional arrangements of TGD B 2024)</li><li>– Confirmation of Class 1 (or Class C-s3,d2) External fire spread of flame (subject to the transitional arrangements of TGD B 2024)</li><li>– Confirmation that existing walls are not showing evidence of ingress of moisture from ground or external source</li><li>– U-value – 0.35 W/m²K for solid walls</li></ul>
2	Separating wall	<ul style="list-style-type: none"><li>– Confirmation that existing wall is structurally sound</li><li>– Confirmation of Class 1 (or Class C-s3,d2) Internal fire spread of flame (subject to the transitional arrangements of TGD B 2024)</li><li>– 60 minute fire-resisting construction with fire stopping at roof level and at eaves (No penetrations or openings)</li><li>– Confirmation that existing walls are not showing evidence of ingress of moisture from ground</li><li>– Sound Insulation – Airborne 53 D<sub>nT,w</sub> dB (min)</li></ul>
3	Windows	<ul style="list-style-type: none"><li>– Purge ventilation – total openable area ≥ 1/20th floor area</li><li>– Background ventilation may be provided via trickle vents or wall vents</li><li>– U-Value ≤ 1.4W/m²K</li></ul>
4	Separating floor between dwellings	<ul style="list-style-type: none"><li>– Confirmation that existing floor is structurally sound</li><li>– 60 minute fire-resisting construction with no penetrations. Surface mounted services or service zone to be provided below floor construction for lower dwelling. Vertical pipes to be fire stopped at floor level</li><li>– Sound Insulation - Airborne 53 D<sub>nT,w</sub> dB (min), Impact 58 L'<sub>nT,w</sub>dB (max)</li></ul>
5	Separating floor above shop	<ul style="list-style-type: none"><li>– Confirmation that existing floor is structurally sound</li><li>– 60 minute fire resisting construction with no penetrations. Service zone to be provided below floor construction for shop; vertical pipes to be fire stopped at floor level and pipes &gt;40 mm ø (PVC) fitted with fire collars</li><li>– Sound Insulation - Airborne 53 D<sub>nT,w</sub> dB (min)</li></ul>
6	Protected Stairwell	<ul style="list-style-type: none"><li>– 60 minute fire resisting construction to plane of roof or fire resisting ceiling throughout</li><li>– Confirmation of Class O (or Class B-s3,d2) Internal fire spread of flame (subject to the transitional arrangements of TGD B 2024)</li><li>– 30 minute self-closing fire door at entrance to dwellings</li><li>– All doors on escape route to be readily openable (incl. dwelling entrance door and main entrance door)</li></ul>



		<ul style="list-style-type: none"><li>– Sound Insulation - Airborne 53 <math>D_{nT,w}</math> dB (min)</li><li>– Reverberation control in common area</li><li>– Fire detection and alarm system to common area</li><li>– Emergency escape lighting and smoke ventilation</li></ul>
7	Dwelling No.1 and No.2	<ul style="list-style-type: none"><li>– Travel distance within apartment protected corridor with self-closing fire doors up to 9 m long</li><li>– Integrated mains powered smoke/ heat alarms (with battery back-up) in living room, kitchen and entrance hallway (subject to the transitional arrangements of TGD B 2024)</li><li>– Potable water to sink with water storage serving appliances</li><li>– Dual flush toilets with adjacent wash-hand basin and appropriate drainage system</li><li>– Heating system (boilers) to comply with minimum energy efficiency of 90%</li><li>– Where there are existing open-flued appliances (fireplace, stoves etc.), CO alarms should be fitted in the room and the corridor</li><li>– Where a new mechanical ventilation system is installed as part of a major renovation, the system should be designed by competent designers, installed balanced and commissioned by competent installers and when commissioned and balanced, it should then be validated to ensure that the design flow rates are achieved by an independent competent person, e.g. NSAI certified or equivalent.</li></ul>
8	Roof	<ul style="list-style-type: none"><li>– Confirmation that roof is structurally sound, with no moisture ingress</li><li>– Confirmation that existing slates/ tiles meet AA, AB or AC (National Class) or <math>B_{roof} t4</math> for roof covering</li><li>– U-value – 0.16 <math>W/m^2K</math> (pitched roof) for insulation at ceiling level</li><li>– Adequate roof ventilation at eaves level</li></ul>
9	Shop / Commercial unit	<ul style="list-style-type: none"><li>– See Figure 9 and associated table of requirements for shop unit</li></ul>

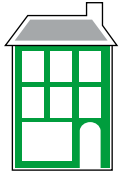
**NOTE:**

1. As this is a material change of use to the whole building, requirements for the shop are as specified in Figure 9 and the associated table.
2. For renovations involving thermal upgrades, see S.R. 54+A2:2022 *Code of Practice for the Energy Efficient Retrofit of Dwellings*.
3. Rental standards regulations apply where a dwelling(s) is proposed to be rented. See Appendix 3 Minimum Standards in Rented Accommodation.
4. Where more than 25% of the surface area of the building envelope undergoes renovation, the energy performance of the whole building should be improved to cost optimal level in so far as this is technically, functionally and economically feasible.





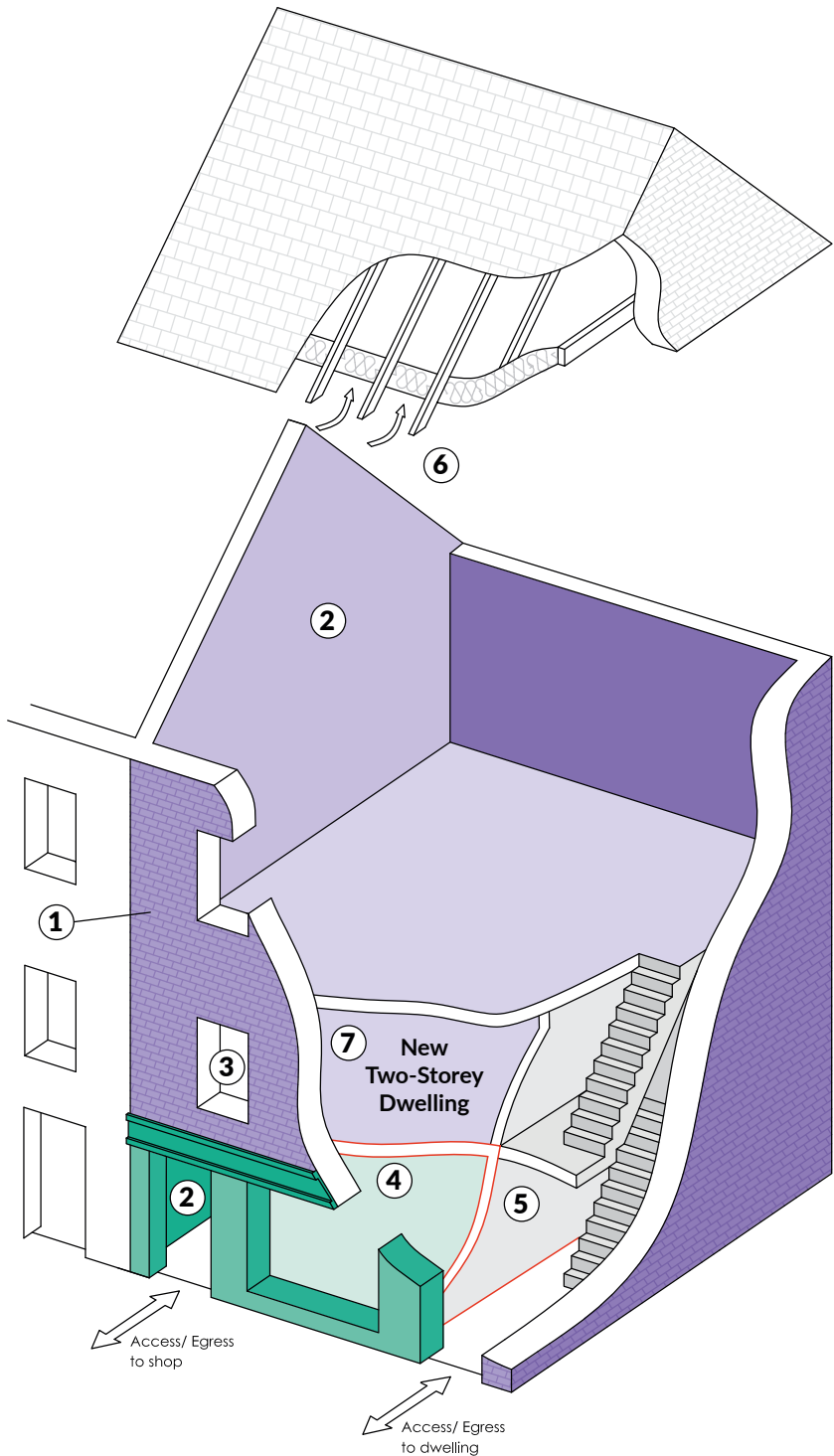
Figure 11 - Type 4 Multi-Storey Building (Non-Dwelling)



**Reuse Option b**

Maintaining a non-dwelling unit at ground floor and creating a two-storey dwelling overhead

**Existing Building** – Typically solid walls, timber floors, pitched roof, un-insulated throughout



Ref	Element (dwelling)	Main Requirements (non-exhaustive) for Works to Dwelling <sup>1,2</sup>
1	External wall	<ul style="list-style-type: none"><li>– Confirmation that existing walls are structurally sound</li><li>– Confirmation of Class 1 (or Class C-s3,d2) Internal fire spread of flame (subject to the transitional arrangements of TGD B 2024)</li><li>– Confirmation of Class 1 (or Class C-s3,d2) External fire spread of flame (subject to the transitional arrangements of TGD B 2024)</li><li>– Confirmation that existing walls are not showing evidence of ingress of moisture from ground or external source</li><li>– U-value – 0.35 W/m²K for solid walls</li></ul>
2	Separating wall	<ul style="list-style-type: none"><li>– Confirmation that existing wall is structurally sound</li><li>– Confirmation of Class 1 (or Class C-s3,d2) Internal fire spread of flame (subject to the transitional arrangements of TGD B 2024)</li><li>– 60 minute fire-resisting construction with fire stopping at roof level and at eaves (No penetrations or openings)</li><li>– Confirmation that existing walls are not showing evidence of ingress of moisture from ground</li><li>– Sound Insulation – Airborne 53 D<sub>nT,w</sub> dB (min)</li></ul>
3	Windows	<ul style="list-style-type: none"><li>– Purge ventilation – total openable area ≥ 1/20th floor area</li><li>– Background ventilation may be provided via trickle vents or wall vents</li><li>– U-value ≤ 1.4W/m²K</li></ul>
4	Separating floor above shop	<ul style="list-style-type: none"><li>– Confirmation that existing floor is structurally sound</li><li>– 60 minute fire-resisting construction with no penetrations. Service zone to be provided below floor construction for shop; vertical pipes to be fire stopped at floor level and pipe &gt;40 mm ø (PVC) fitted with fire collars</li><li>– Sound Insulation - Airborne 53 D<sub>nT,w</sub> dB (min)</li></ul>
5	Compartment wall between shop and dwelling	<ul style="list-style-type: none"><li>– 60 minute fire-resisting construction with no penetrations</li><li>– Sound Insulation - Airborne 53 D<sub>nT,w</sub> dB (min)</li></ul>

Ref	Element (dwelling)	Main Requirements (non-exhaustive) for Works to Dwelling <sup>1,2</sup>
6	Roof	<div><div></div><div><ul style="list-style-type: none"><li>– Confirmation that roof is structurally sound with no moisture ingress</li><li>– Confirmation that existing slates/ tiles meet AA, AB or AC (National Class) or B<sub>roof</sub> t4 for roof covering</li><li>– U-value – 0.16 W/m²K (pitched roof) for insulation at ceiling level</li><li>– Adequate roof ventilation at eaves level</li></ul></div></div>
7	Two-storey Dwelling	<div><div></div><div><ul style="list-style-type: none"><li>– Potable water to sink with water storage serving appliances</li><li>– Dual flush toilets with adjacent wash-hand basin and appropriate drainage system</li><li>– Heating system (boilers) to comply with minimum energy efficiency of 90%</li><li>– Where there are existing open-flued appliances (fireplace, stoves etc.), CO alarms should be fitted in the room and the corridor</li><li>– 30 minute fire resisting construction for intermediate floor</li><li>– Where a new mechanical ventilation system is installed as part of a major renovation, the system should be designed by competent designers, installed balanced and commissioned by competent installers and when commissioned and balanced, it should then be validated to ensure that the design flow rates are achieved by an independent competent person, e.g. NSAI certified or equivalent.</li></ul></div></div>
<div><div>NOTE:</div><div><div>1. As this is a material change of use to the building, the works that must comply with the Building Regulations are those to the upper floor levels (See Appendix 2).</div><div>2. Rental standards regulations apply where the dwelling is proposed to be rented. See Appendix 3 Minimum Standards in Rented Accommodation.</div></div></div>		

# Chapter 4

## Assistance, Grants and Incentives

Solutions to address vacancy need to take into account the various and often complex reasons for why properties become vacant and derelict. There are now a range of schemes and measures in place to support addressing vacancy and bringing properties back into use. This chapter provides information on the supports that are available to individual property owners and local authorities, among others.

Assistance, grants and incentives available to bring existing properties into use		
For property owners	For local authorities	Other supports available
<div><div></div><div><ul style="list-style-type: none"><li>• Vacant Property Refurbishment Grant</li><li>• Repair and Leasing Scheme</li><li>• Living City Initiative</li><li>• Built Heritage Investment Scheme</li><li>• Historic Structures Fund</li><li>• Heritage Council Grants</li><li>• Historic Buildings tax relief</li><li>• Better Energy Home Grants (SEAI)</li><li>• Lead pipework grant</li><li>• Thatching grant</li></ul></div></div>	<div><div></div><div><ul style="list-style-type: none"><li>• Buy and Renew Scheme</li><li>• Compulsory Purchase or Acquisition</li><li>• Urban Regeneration and Development Fund</li><li>• Rural Regeneration and Development Fund</li><li>• European Regional Development Fund</li><li>• Historic Towns Initiative</li><li>• Historic Structures Fund</li></ul></div></div>	<div><div></div><div><ul style="list-style-type: none"><li>• Planning exemptions (Please refer to Chapter 2 and Appendix 1).</li><li>• Secure Tenancy and Affordable Rental investment scheme (STAR)</li></ul></div></div>
<div><div>NOTE:</div><div>Some of the above supports are available to private individuals, landlords, businesses, investors, community groups and others. Please refer to the specific requirements of the relevant support for further information on who can avail of them.</div></div>		



## Supports available to property owners

### Vacant Property Refurbishment Grant

The Vacant Property Refurbishment Grant, which was launched in July 2022, supports bringing vacant and derelict properties back into use. A grant of up to a maximum of €50,000 is available for the refurbishment of vacant properties for occupation as a principal private residence and for properties which will be made available for rent.

Where the refurbishment costs are expected to exceed the standard grant of up to €50,000, a maximum top-up grant amount of up to €20,000 is available where the property is confirmed by the applicant to be derelict or where the property is already on the local authority's Derelict Sites Register, bringing the total grant available for a derelict property up to a maximum of €70,000.

The grant is available in respect of vacant and derelict properties which have been vacant for a period of two years or more, and were built up to and including 2007, in towns, villages, cities and rural areas.

More information can be found at <https://www.gov.ie/en/service/f8f1b-vacant-property-refurbishment-grant/>.

### Repair and Leasing Scheme

The Repair and Leasing scheme (RLS) brings vacant properties back into use as social housing. Under the scheme, property owners can receive an interest free loan to bring a vacant property up to rental standards in return for leasing it to a local authority or an Approved Housing Body for between 5 and 25 years. The loan is repaid as a reduction in the lease payment over an agreed term.

The maximum funding available under the repair and leasing scheme is €80,000, including VAT, per each individual home completed. For example, where a vacant former shop is converted into 4 homes, a loan of up to €320,000 is available.

More information on the Repair and Leasing scheme can be found at: <https://www.gov.ie/en/publication/d32c4-repair-and-leasing-scheme-rls-further-information/>.

### Living City Initiative

The Living City Initiative (LCI) is a tax incentive scheme for special regeneration areas (SRA) in Cork, Dublin, Galway, Kilkenny, Limerick and Waterford. This initiative allows owners and investors to claim tax relief for money spent on refurbishment and/or conversion of residential property either as income tax relief (for owner-occupied residential property) or capital allowance (for rented residential property). To claim the owner-occupier residential relief or the rented residential relief, the property must have been originally built before 1915.

The LCI aims to incentivise owners/investors to carry out the necessary refurbishment and/or conversion works to upgrade existing accommodation or to bring derelict/disused properties back into use. The relevant property can be a house, apartment, shop or any kind of structure and can include all or part of a property. To qualify for the relief, however, it must be located within a designated 'Special Regeneration Area' map of the Special Regeneration Areas. Further details are available on websites of the Local Authorities.

Full details of the scheme are available at: <https://www.revenue.ie/en/property/living-cityinitiative/index.aspx>.

## Historic Buildings – Grant Schemes

The Department of Housing, Local Government and Heritage operates grant schemes for the conservation and repair of historic structures and the heritage-led regeneration of towns.

### Built Heritage Investment Scheme

The Built Heritage Investment Scheme supports owners to carry out repair works to historic buildings, preventing deterioration and promoting reuse.

Eligible structures under the scheme include:

- protected structures,
- proposed protected structures, and
- structures within architectural conservation areas or within the amenity of a national monument where, in exceptional circumstances.

The minimum awarded is €2,500 up to a maximum of €15,000. Total public funding should not exceed 50% of the total project cost. Ring-fenced funding is available for conservation works to historic thatched buildings, with maximum grants of €20,000.

Details of the Built Heritage Investment Scheme and how to apply are available on all local authority websites and the website of the Department of Housing, Local Government and Heritage, <https://www.gov.ie/en/organisation/departments-of-housing-local-government-and-heritage/>.

### Historic Structures Fund

The Historic Structures Fund seeks to invest essential capital into the built heritage and help the owners and custodians of historic structures to safeguard them into the future for the benefit of communities and the public.

The core aims of this fund are to:

- enable larger scale conservation works to be carried out to structures which are deemed to be significant and in need of urgent support;
- encourage the regeneration and reuse of historic properties and to help secure the conservation and repair of protected structures and/or historic-culturally significant assets; and
- support the investment of private capital in labour-intensive projects to conserve historic structures in public and private ownership for community use.





The Historic Structures Fund has two main streams:

- Stream 1 offers grants from €20,000 up to €50,000 and is aimed at essential repairs and smaller capital works for the conservation and repair of historic structures
- Stream 2 offers a small number of grants from €50,000 up to €200,000 for larger enhancement, conservation or reuse projects involving historic structures, where a clear community or public benefit has been demonstrated.

A further stream offers grants of up to €10,000 for works to vernacular buildings such as houses with traditional thatch or flagstone roofs. Vernacular buildings not on the Record of Protected Structures or in an Architectural Conservation Area may be eligible for this stream.

Private applicants or community groups who are owners or custodians of historic structures may apply to the relevant local authority who shortlist projects and submit a specified number to the Department of Housing, Local Government and Heritage for consideration.

The Minister for Housing, Local Government and Heritage may designate part of the Fund for projects in partnership with State-funded organisations. These include the Office of Public Works, the Irish Heritage Trust, Waterways Ireland, the National Parks and Wildlife Service, the Irish Landmark Trust and others, to care for historic structures and buildings in public ownership and improve recreational infrastructure and public access to these heritage assets. State-funded organisations should submit their applications directly to the National Built Heritage Service of the Department of Housing, Local Government and Heritage. Details of the Historic Structures Fund and how to apply are

available on all local authority websites and the website of the Department of Housing, Local Government and Heritage at <https://www.gov.ie/en/publication/32ae3-financial-assistance-for-architectural-heritage/>.

### Heritage Council Grants

The Heritage Council also offers grants for historic buildings to promote the appreciation and enjoyment of heritage, to make a lasting difference to heritage, people and communities and to reach out to new audiences and make heritage accessible to people with special needs.

Priority is given to not-for-profit voluntary and community groups and heritage-related NGOs. Schemes may also be open to applications from individuals, local authorities, statutory organisations, academic institutions and private companies.

More information is available on the website of the Heritage Council at: <https://www.heritagecouncil.ie/funding/funding-schemes>.

### Historic Buildings – Tax Relief

Section 482 of the Taxes Consolidation Act 1997 applies to approved buildings and gardens. Tax relief is available for expenditure incurred in the repair, maintenance or restoration of an approved property. The decision to allow tax relief is a matter for the Revenue Commissioners.

### Better Energy Homes Grants

The Sustainable Energy Authority of Ireland (SEAI) offers a comprehensive range of Government funded financial supports, suiting a variety of circumstances, to help homeowners achieve their home energy upgrade ambitions.

The Better Energy Homes scheme provides individual energy upgrade grants so that homeowners can take a step by step approach to upgrading their home. Homeowners or private landlords apply for the grants, select energy upgrade measures, select their preferred SEAI registered contractor and manage the project themselves.

Grants are available for the following energy efficiency and renewable energy upgrades:

- Attic insulation
- Wall insulation - including cavity-wall insulation, internal dry lining and external insulation
- Heat pumps
- Heating controls
- Solar thermal
- Heat pump systems

The works being undertaken must be carried out by a SEAI-approved contractor.

Full details on the grants that are available, how to apply for them and works that qualify are available from the SEAI website: <https://www.seai.ie/grants/home-energy-grants/individual-grants/>.

### Lead Pipework Grant

A grant is available to help people with the cost of replacing lead piping in their homes. The Domestic Lead Remediation Grant Scheme was introduced in 2016 and was updated by the Housing (Domestic Lead Remediation Grant) Regulations 2022. Further information is available on the Department of Housing, Local Government and Heritage's website at: <https://www.gov.ie/en/service/6e885-domestic-lead-remediation-grant-scheme/>.

### Thatching Grant

The Department of Housing, Local Government and Heritage provides grants for the renewal or repair of a thatched roof.

A grant of up to €3,810 or two thirds of the approved cost (whichever lesser) may be payable towards necessary works to renew or repair the thatched roofs of houses. A higher grant (up to €5,714) may be payable for houses on specified Islands. For owners of qualifying thatch properties, who are also Medical Card holders, the maximum grant available is €6,350, or up to 80% of the approved cost (€8,252 for Islands).

Further information is available on the Department of Housing, Local Government and Heritage's website at: <https://www.gov.ie/en/service/32e72-thatching-grant/>.

## Supports available to local authorities

### Buy and Renew Scheme

Under the Social Housing Programmes of the Social Housing Investment Programme (SHIP) and the Capital Assistance Scheme (CAS), local authorities and Approved Housing Bodies (AHBs) are tackling vacancy and dereliction through the re-purposing/renewing of vacant buildings as new social homes. The social housing capital funding programmes support local authorities and AHBs to acquire and re-develop all types of vacant and derelict buildings and sites, from single properties to more extensive buildings or blocks. There is no limit on what scale of project a local authority or AHB might undertake, other than the extent of social housing need to be met in a locality and the balance between social housing and other uses for town centre properties.

For single properties, local authorities and AHBs are encouraged to acquire vacant or derelict properties to be upgraded as value-for-money social homes, under the Buy and Renew Scheme. For the larger more extensive buildings or blocks where a local authority or AHB undertakes a more substantial renewal project i.e. a derelict town centre building to re-build/repurpose as social homes these projects fall into the category of 'Construction Renewal'.

The funding for re-purposing/renewing vacant buildings or blocks as new social homes, including single 'Buy and Renew' properties, is drawn from the €1.4 billion capital funding available under the SHIP and CAS programmes and is demand-led. There is, therefore, significant funding available that local authorities and AHBs can draw on in relation to these initiatives.

### Compulsory Purchase or Acquisition

Under the CPO Activation Programme, launched by the Department of Housing, Local Government and Heritage in April 2023, local authorities are now required to adopt a proactive, planned and systematic approach to the identification and activation of vacant and derelict properties. The main steps of the Programme include:

- identification of vacant and derelict properties,
- identification of and engagement with owners,
- communication regarding the various schemes and measures in place to support bringing the property back into use, and
- where owners of vacant and derelict properties cannot be identified or where they are unwilling to engage, use of available legislative powers to compulsory purchase or acquire such properties using either the Housing Act, 1966 or the Derelict Sites Act, 1990<sup>4</sup>.

The acquired properties may subsequently be used for social housing, made available for sale on the open market or used for other purposes e.g. community use.

### Urban Regeneration and Development Fund

Established under the National Development Plan 2018 – 2027, the URDF programme was launched in 2018 to primarily support the National Planning Framework's growth enablers for the five cities and other large urban centres (currently 54).

The URDF is providing up to 75% funding for applicant led projects that will support more compact and sustainable development and enable a greater proportion of residential and mixed-use development to be delivered within the existing built-up footprints of our cities and large towns, while also ensuring that more parts of our urban areas can become attractive and vibrant places in which people choose to live and work, as well as to invest and to visit.

In keeping with the aims of the National Planning Framework (NPF) and Project Ireland 2040, the URDF demonstrates a new and more tailored approach to the provision of Government support. Over its planned duration up to 2030, URDF funding support of €2 billion will be targeted to support the regeneration and rejuvenation of our key towns and cities.

To date, there have been two Calls for proposals under the URDF with more than €1.6 billion allocated so far in respect of 132 proposals, comprising of almost 400 projects. The 45 proposals approved under Call 2 in 2021 builds on the existing pipeline of 87 URDF supported projects launched under Call 1.

In January 2023, a third round of funding support under the URDF was announced. Supporting key objectives of *Housing for All* (2021) and *Town Centre First* (2022), this round of URDF support specifically addresses long term vacancy and dereliction across URDF eligible cities and town.

This is being achieved through the provision of a €150m revolving fund for local authorities to acquire long term vacant or derelict properties (residential and/or commercial) and to make them available for re-sale, bring them back into use. The fund will be replenished from the proceeds of sale to the end user

allowing a local authority to establish a rolling programme to tackle long-term vacancy and dereliction without a requirement for borrowing and the associated financial risk. An interactive GIS Storymap has been developed containing details of all URDF funded projects across the country at a Local Authority and settlement level<sup>5</sup>. Further information on the URDF Programme, along with a link to the Storymap site, is also available via the URDF's main webpage: [www.gov.ie/URDF](http://www.gov.ie/URDF).

### Rural Regeneration and Development Fund

The Rural Regeneration Fund, which is administered by the Department of Rural and Community Development, seeks to provide investment to support rural renewal and assist in the regeneration of towns and villages with a population of less than 100,000 and outlying areas. The Fund provides funding for the development and construction of capital projects and supports co-ordinated and collaborative projects between Government departments, state agencies, local authorities, other public bodies communities and, where appropriate, philanthropic funders and / or the private sector.

The Fund seeks to support delivery of a number of Government strategies including *Our Rural Future* (2021), *Housing for All* (2021), *Town Centre First* (2022) and the *Climate Action Plan* (2024). To date the Fund has provided €414 million for 215 projects across the country, worth a total of €567 million to date, and the results of the fifth call for Category 1 projects will be announced in 2024.

Further information on the Rural Regeneration and Development Fund is available at: <https://drcd.gov.ie/about/rural/rural-regeneration-development-fund/>.

4. Under the Housing Act, 1966, the acquiring of a property compulsorily is carried out by way of making a Compulsory Purchase Order (CPO) whereas in the Derelict Sites Act, 1990, the acquiring of a property compulsorily is carried out by way of compulsory acquisition.

5. <https://experience.arcgis.com/experience/98a739a585944cf887f2dffe54c4f129/>

European Regional Development Fund

The European Regional Development Fund (ERDF) 2021-2027 Town Centre First Heritage Revival (THRIVE) scheme is a €120 million fund for local authorities to support the renovation and reuse of vacant heritage buildings aligned with *Town Centre First* policy (2022).

The overall budget for this scheme is €120 million, with €91 million allocated to the southern and eastern programme, and €30m to the northern and western programme over the period to 2027. THRIVE offers 100% grants to local authorities based on competitive calls under two strands:

- Strand 1: Grant amounts of between €40,000 and €200,000 towards integrated urban strategies and project pipeline development.
- Strand 2: Grant amounts of between €2 million and €7 million towards the renovation and adaptive reuse of vacant or derelict heritage buildings in public control or ownership.

The first calls for Strand 1 and Strand 2 projects under the THRIVE scheme were launched in February 2024. The scheme will be administered directly by the Managing Authorities in each programme area, the Southern Regional Assembly and the Northern & Western Regional Assembly respectively.

Historic Towns Initiative

The Historic Towns Initiative (HTI) is a joint undertaking by the Department of Housing, Local Government and Heritage and the Heritage Council, which aims to promote the heritage-led regeneration of Ireland’s historic towns. It is administered by the Heritage Council.

Stream 1 provides funding for the development of conservation plans; Stream 2 provides funding for works to conserve historic buildings and public realm. Local authorities may make one application for each stream per year. Funding for each successful town is in the region of €150,000 to € 350,000, depending on the projects proposed.

Applications are scored based on the contribution works will make to town re-generation and tackling / preventing vacancy and dereliction; the quality of works proposed; community support for the project; and whether works will help build resilience to the effects of climate change.

The HTI has been in operation since 2018 and to date has supported heritage-led regeneration projects in thirty-two towns. The scheme will award up to a total of €2 million competitively to several historic towns for heritage-led urban regeneration projects in 2024.

Other supports available

Secure Tenancy and Affordable Rental investment scheme (STAR)

The Secure Tenancy Affordable Rental investment scheme (STAR) was launched by the Department of Housing, Local Government and Heritage and the Housing Agency in August 2023. The Scheme aims to invest up to €750 million in the delivery of over 4,000 Cost Rental homes, which will benefit from secure tenancies under cost rental housing legislation and will be let at a minimum of 25% below comparable market rental levels in high demand urban areas.

While the Scheme is primarily aimed at private providers and AHBs applying to provide cost rental homes, proposals involving adaptive re-use of non-residential buildings for re-use as residential units will also be considered.

These proposals will be considered provided that these buildings have not been previously in residential use, but may be adapted for such use within the substantive structure/ envelope of the building, into residential units in compliance with planning and building standards regulatory requirements.

Examples of existing buildings suitable for reuse proposals could be office developments (no longer in use or redundant in terms of current viability), institutional buildings or industrial complexes, including single use buildings no longer fit for purpose or use as originally intended.

Supporting structures in place to address vacancy

A number of supporting structures have been established to support the addressing of vacancy and the reintroduction of vacant and derelict properties to the housing stock, since 2018.

These include:

- the establishment of the Vacant Homes Unit in the Department of Housing, Local Government and Heritage. The Unit has a central role in overseeing, driving and supporting a co-ordinated approach at central and local government levels in addressing vacancy,

Conclusion

There are now a range of schemes and supports in place to address vacancy and support bringing vacant and derelict properties into use. These are available to property owners, developers, investors, community groups and local authorities and are supporting projects ranging from refurbishment of individual properties to large scale rejuvenation projects.

For more information on these schemes and supports see [www.housing.gov.ie](http://www.housing.gov.ie).

- the establishment of a full-time Vacant Homes Officer in each local authority, funded by the Department of Housing, Local Government and Heritage. The Vacant Homes Officers ensure a dedicated focus on tackling vacancy and dereliction in each local authority, collect vacancy data locally and use that data to actively engage with property owners and promote use of schemes and supports to bring vacant properties into use, and
- the establishment of Town Regeneration Officers in each local authority, supported by a National Town Centre First Office in the Local Government Management Agency. The Town Regeneration Officers work closely with the Vacant Homes Officers in addressing vacancy.



# Chapter 5

## Case Studies of Successful Reuse of Vacant Properties

This chapter presents examples of successful refurbishments for each of the building types outlined in chapter 2. The following examples demonstrate the potential for bringing vacant and derelict properties back into use as homes using the suite of supports now available.

### Cnoc Eanach Cottage, Ardfert, Kerry - Vacant Property Refurbishment Grant

The property consists of a dormer, detached dwelling location in the rural townland of Knockeanagh. There is evidence of a structure or dwelling at this location on the Ordnance Survey Historic Maps (25”), potentially indicating the dwelling is from the 1800s. However, the structure had been modified, dormer windows and rear extensions added over time. The property was purchased in June 2022.

The existing dwelling had been unoccupied for an extended period of time and it was evident from the condition of the property, that it was in need of extensive refurbishment and modernisation. There were several areas of moisture ingress and so there was dampness throughout the property. The property was construction of mass concrete and random rubble and so insulation and completions, doors and windows, roof tiles, all required repair, and / or upgrading and replacement.

The proposed works undertaken, and facilitated by the **Vacant Property Refurbishment Grant**, included demolitions of existing flat roof extensions, substructure works for the damp proofing, foundations and rising walls for the new extension and access. The superstructure works included works to external and internal walls, chimney, upper floors, roof structure, structural members. The works also included external doors, windows, internal doors and associated woodwork. The upgrade of the services included, plumbing, heating, ventilation and all electrics.

The completion of this property with the assistance of the **Vacant Property Refurbishment Grant** resulted in a disused older property been brought back into use and now a modern property and a principal private residence.

This example aligns with reuse option Type 1 – Existing Dwelling  
Reuse Option 1a – Refurbishment



Convent Road Abbeyfeale, Limerick - Compulsory Acquisition under Derelict Sites Act 1990

This traditionally constructed single storey house was constructed in the early 1900s in the market town of Abbeyfeale. The property was derelict for over two decades before being taken into Limerick City and County Council (LCCC) ownership by **compulsory acquisition under the Derelict Sites Act 1990**.

The property was then transferred to the Rural Limerick Housing Development programme. In this programme, LCCC effectively de-risk the properties, addressing all structural issues and identifying and removing any asbestos. All the main expensive items are addressed with these renovations. LCCC carried out a full thermal upgrade, insulating the floors, walls and roofs, along with the installation of a heat pump heating system. The property has been brought up to a A3 energy rating ensuring it is extremely efficient to run and very comfortable to live in.

The property has been refurbished into a 2-bedroom cottage all on the ground floor with level access to both front and rear door along with an accessible bathroom. The property also has its own parking spaces. There is a large rear garden area to allow the new owners ample private garden space. It has been placed on the open market and available to any member of the public to purchase.

This example aligns with reuse option Type 1 – Existing Dwelling

Reuse Option 1a – Refurbishment



William Street, Askeaton, Limerick - Compulsory Acquisition under Derelict Sites Act 1990

A dormer style property constructed in the very late 19th Century was the end property in a line of similar properties. It is located in the town of Askeaton which is steeped in history and heritage. Being an end of terrace property it boasted a much larger site with off street parking and potential room to extend if future owners wanted. The property was derelict for over two decades before being taken into Limerick City and County Council (LCCC) ownership by **compulsory acquisition under the Derelict Sites Act 1990**.

The property was then transferred to the Rural Limerick Housing Development programme. In this programme, LCCC effectively de-risk the properties, addressing all structural issues and identifying and removing any asbestos. All the main expensive items are addressed with these renovations. LCCC carried out a full thermal upgrade, insulating the floors, walls and roofs, along with the installation of a heat pump heating system. The property has been brought up to a A3 energy rating ensuring it is extremely efficient to run and very comfortable to live in.

The renovation works, while bringing an old building up to current building regulation and energy rating standards, still allowed the building to retain the charm it originally had. The ground floor has separate kitchen and large open-plan dining/living area. Upstairs has two double bedrooms and a bathroom. It has been placed on the open market and available to any member of the public to purchase.

This example aligns with reuse option Type 1 – Existing Dwelling;

Reuse Option 1a – Refurbishment.





Mayors Walk, Waterford - Repair and Leasing Scheme

This two-storey building was built between 1860-1900, with retail ground floor circa 28sqm. There was an extension to facilitate a kitchen and bathroom.

The property was renovated in 2018 with funding provided by the **Repair and Leasing Scheme**. The works undertaken include wall insulation, plumbing and heating system, full electrical rewiring, new windows and doors, along with internal joinery.

The property is leased to Waterford City and County Council on a long term basis, with the capital funding repaid to the local authority as an offset on the lease payment to the owner.

**This example aligns with reuse option Type 2** – Two-Storey Building with Over-the-Shop Accommodation;

**Reuse Option 2a** – Inclusion of an ancillary shop as part of the existing dwelling.



O'Connell Street, Waterford - Repair and Leasing Scheme

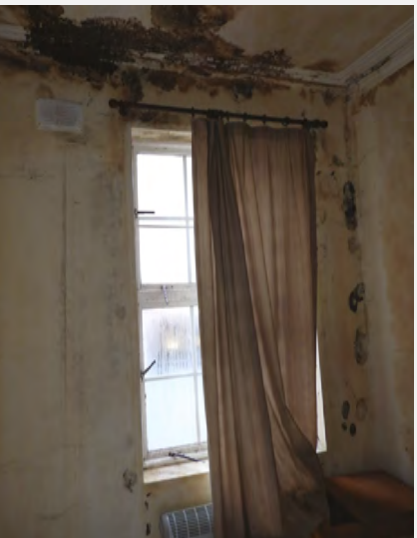
This three-storey building comprised of eight apartments, including two 2-bed apartments and six 1-bed apartments.

The property was renovated in 2020 with funding provided by the **Repair and Leasing Scheme**. The property now has a new layout with seven 1-bed and 2-bed apartments. The works undertaken include remediation works on the roof, installing insulation, stud walls, new plumbing and new floors. A full rewiring was completed along with an extension at the back of the property.

It is leased to Waterford City and County Council on a long term basis, with the capital funding repaid to the local authority as an offset on the lease payment to the owner.

**This examples aligns with reuse option Type 3** – Three-Storey Building with Over-the-Shop Accommodation

**Reuse Option 3d** – Conversion of an ancillary shop to an independent shop unit with multiple dwellings overhead.





Main Street, Bruff, Limerick - Compulsory Acquisition under Derelict Sites Act 1990

This three-storey property is situated in the middle of a terrace of residential and commercial three-storey properties. It is located in the historical town of Bruff in East Limerick. The property had been derelict for over four decades and in a dilapidated condition with all internal floors collapsed. It was taken into Limerick City and County Council (LCCC) ownership by **compulsory acquisition under the Derelict Sites Act 1990**.

The property was then transferred to the Rural Limerick Housing Development programme. In this programme, LCCC effectively de-risk the properties, addressing all structural issues and identifying and removing any asbestos. All the main expensive items are addressed with these renovations. LCCC carried out a full thermal upgrade, insulating the floors, walls and roofs, along with the installation of a heat pump heating system. The property has been brought up to a A3 energy rating ensuring it is extremely efficient to run and very comfortable to live in.

The property underwent an extensive renovation and is now a 1-bedroom townhouse. As the property was within an Area of Architectural Conservation, new timber sliding sash windows and solid timber doors were also installed. It has been placed on the open market and available to any member of the public to purchase.

This example aligns with reuse option Type 3 – Three-Storey Building with Over-the-Shop Accommodation;

Reuse Option 3a – Inclusion of an ancillary shop as part of the existing dwelling.



Elsies, Wolfe Tone Road, Dungarvan, Waterford - Repair and Leasing Scheme

This property was a two-storey building on Wolfe Tone Road, Dungarvan. It was formerly a public house before becoming vacant.

The property was renovated in 2023 with funding provided by the **Repair and Leasing Scheme**. The works undertaken include providing for new internal layouts, roof completion, plumbing works and new electric heating, full rewiring and new windows and doors.

It is leased to Waterford County Council on a long term basis, with the capital funding repaid to the local authority as an offset on the lease payment to the owner.

This examples aligns with reuse option Type 4 – Multi-Storey Building (Non-Dwelling);  
Reuse Option 4c – Conversion of a multi-storey building (non-dwelling) into multiple dwellings.





# Conclusion

**The reasons for vacancy and the forms it takes across our towns, villages, cities and rural areas are complex and multifaceted.**

This is recognised in the range of measures introduced by Government to address vacancy and maximise the use of existing building stock.

Regardless of the type of building or the specific reasons for it becoming vacant, returning it to use brings with it many positive outcomes, not least a home.

This updated *Bringing Back Homes - Manual for the reuse of existing buildings* aims to serve as an important reference guide for property owners, members of the public, local authorities and those engaged in the construction sector who wish to bring a vacant or derelict building back into use as a home.

In Chapter 1, the policy context to vacancy and the refurbishment of a vacant or derelict building for residential use is outlined. Chapter 2 sets out a basic process for bringing existing buildings back into use and applies it to four common types of buildings. Chapter 3 focuses on three of the most common building types that have high reuse potential and elaborates on the typical interventions required and how the building regulations apply to these buildings.

Chapter 4 outlines the range of measures available to support the activation of a vacant or disused building. Chapter 5 provides a number of real life case studies where properties have been successfully refurbished. These case studies highlight how vacant and derelict properties can provide homes, while also rejuvenating communities around the country.

The appendices that follow provide further detail and technical guidance to support the refurbishment of a vacant properties and the accompanying *Bringing Back Homes - Frequently Asked Questions* document provides additional information.

*Bringing Back Homes - Manual for the reuse of existing buildings* supports and facilitates the reuse of vacant buildings as homes in villages, towns, cities and rural areas, revitalising and bringing new life to communities where they are located.



# Appendix 1

## Exempted Development Regulations, 2022 - Detailed Overview of Provisions

### Background

Turning vacant properties into occupied homes is a key objective of *Housing for All*, with these empty properties providing opportunities to improve housing supply and drive regeneration of urban centres. The Planning and Development Act (Exempted Development) Regulations 2022 (S.I. 75 of 2022) extends to 31 December 2025 the exemption given by S.I. 30 of 2018. The review and extension of the 2018 planning regulations up until the end of 2025, and to include public houses, fulfils a commitment made in *Housing for All*, specifically Action 20.3 of *Housing for All* as well as Action 22 of the Government's *Town Centre First Policy*.

### Period in which the Exemptions will Apply

Subject to conditions and limitations, the Regulations will apply for a limited period (8 February 2018– 31 December 2025) and will apply to changes of use and related associated works which occur from the date when the exemption comes into operation.

### Current Classes of Use to which the Exemption will Apply

The Regulations apply to commercial type buildings which may be vacant (and therefore available) and which are suitable for housing, such as shops, offices, etc.

As such, the exemption will apply only to buildings that currently have a specific Class of Use with reference to the Exempted Development Classes of Use set out in Part 4 of Schedule 2 of the Principal Regulations— Planning and Development Regulations 2001 (as amended) — as follows:

- Class 1: Use as a shop*
- Class 2: Use for the provision of*
- (a) *financial services,*
  - (b) *professional services (other than health or medical services),*
  - (c) *any other services (including use as a betting office) where the services are provided principally to visiting members of the public*
- Class 3: Use as an office, other than a use to which class 2 of this part of this Schedule applies*
- Class 6: Use as a residential club, a guest house or a hostel (other than a hostel where care is provided)*
- Class 12: Use as a Public House, meaning a premises which has been licensed for the sale and consumption of intoxicating liquor on the premises under the Licensing Acts 1833 to 2018.*

### Other Limitations on the Buildings which Benefit from the Exemption

There are some limitations on the nature and type of building — or part of a building — which may avail of the exemption as follows:

- It must have been completed prior to the making of the Regulations on 8 February 2018
- It must have been used for one of the five Classes of Use (1, 2, 3, 6 and 12) at some time in the past
- It must have been vacant for two years or more immediately prior to the commencement of development

As envisaged by the Action 20.3 in *Housing For All*, the Regulations aim to facilitate reuse of existing and vacant commercial buildings for residential purposes to 2025.

### Limitations on the Development Works

Given the relatively expansive exemption being provided, it is important that certain restrictions and controls are put in place to ensure that the development undertaken by availing of the exemption is consistent with the principles of 'proper planning and sustainable development'.



Figure A1



Existing



Proposed



In this regard, there are certain limits or restrictions that apply to any works, as follows:

- The works to the building must primarily relate to works which only affect the interior of the structure. Some limited works to the external appearance of the structure are permitted, but they must be consistent with the character of the structure and of neighbouring properties.
- External works to existing ground-floor shop fronts must be consistent with the fenestration details and architectural and streetscape character of the remainder of the structure or of neighbouring structures. See an example in Figure A.1 below.
- Works cannot be carried out to a ground floor area if they conflict with an objective of the relevant Local Authority development plan or local area plan to remain in retail use. Such an objective is designed to keep ground floor premises in retail use in particular areas and to ensure the continued vibrancy of commercial streets and areas. The only exception to this requirement in the exemption is to allow minor works to provide on-street access to the upper floors of the structure. This is necessary to enable the development of above-the-shop premises.
- The provision of an onsite wastewater treatment and disposal system is not exempted development.

Minimum Requirements  
– Residential Units

The Regulations set out some minimum standards – including minimum floor areas, storage space and the provision of natural light – that apply to any residential units being provided.

- A maximum of nine residential units can be provided in any structure.
- The minimum floor area and minimum storage space requirements of the [Sustainable Urban Housing: Design Standards for New Apartments - Guidelines for Planning Authorities, December 2022](#) must be complied with. This ensures that apartments will be of adequate size and will include adequate storage.

The minimum floor areas allowed are as follows:

Studio apartment:	Minimum = 37 m <sup>2</sup>
1 bedroom apartment:	Minimum = 45 m <sup>2</sup>
2 bedroom (3 person) apartment:	Minimum = 63 m <sup>2</sup>
2 bedroom (4 person) apartment:	Minimum = 73 m <sup>2</sup>
3 bedroom apartment:	Minimum = 90 m <sup>2</sup>

The minimum storage space requirements are:

Studio apartment:	Minimum = 3 m <sup>2</sup>
1 bedroom apartment:	Minimum = 3 m <sup>2</sup>
2 bedroom (3 person) apartment:	Minimum = 5 m <sup>2</sup>
2 bedroom (4 person) apartment:	Minimum = 6 m <sup>2</sup>
3 or more bedroom apartment:	Minimum = 9 m <sup>2</sup>

**NOTE:** It should be noted that the area requirements above apply where an exemption is being availed of. Variations to the floor areas and/or storage areas and method of complying with same may be facilitated where a planning permission is sought.

- Rooms for use – or intended for use – as habitable rooms (such as rooms for living or sleeping) must have adequate natural light through the provision of windows. It is important to note that this condition must be met, within the provisions in the Regulations stating that works undertaken should affect the interior of the structure and should not materially affect the external appearance of the structure – and that permitted works must be consistent with the character of the structure and of neighbouring properties

Restrictions for Protected Structures

Where a building is a protected structure or a proposed protected structure, works which are normally exempt from the requirement of planning permission are not exempted development where they would materially affect the character of the structure or any element of it which contributes to its special interest. Section 57 of the Planning and Development Act 2000 (as amended) allows the owner or occupier of a protected structure to make a written request to the planning authority for a declaration as to the type of works the authority considers would or would not materially affect the character of the protected structure.

Restricted Areas where the  
Exemption will not apply

The exemption will not apply to development in a building in the following areas:

- An architectural conservation area. The carrying out of works to the exterior of a structure located in an architectural conservation area shall be exempted development only if those works would not materially affect the character of the area.

- An area to which a special amenity area order relates: A special amenity area order is made for an area of outstanding natural beauty or special recreational value and has regard to any benefits for nature conservation. For example, there is a Special Amenity Area Order in place for Howth.
- An area of Special Planning Control: Areas of Special Planning Control allow the planning authority to specify development objectives for the preservation or enhancement of an area considered to be of special architectural importance. Examples include Grafton Street and O'Connell Street, Dublin. The purpose of the Grafton Street designation is the creation of a busy, thriving, commercial area. O'Connell Street is so designated because of its special architectural importance, as well as its historical and civic importance.
- Within the relevant perimeter distance set out in Table 2 of Schedule 8 of the Principal Regulations of any establishment to which the major accident regulations apply; see the following extract for clarification:

The perimeter distances are within a range of 100 to 2000 metres depending on the type of establishment. Establishments listed in Table A.1 below include establishments where flammable/toxic or chemical substances are stored. This will prevent new residential units being developed in close proximity to such establishments, by way of these exempted development regulations.

Table A.1 Distances from establishments

Type of Establishment	Distance from Establishment Perimeter (Metres)
Establishment where pressurised flammable substances (including liquefied petroleum gas) are stored in bulk –	
above ground	600
- mounded/underground	
< or = 100 tonnes	100
> or = 100 tonnes	200
Establishment where pressurised or refrigerated toxic substances (including ammonia) are present –	
- in bulk storage	2,000
- in cylinder or drum storage.	700
Establishment consisting of or comprising a warehouse where chemicals are present	700
Establishment where non-pressurised flammable substances are stored in bulk	300
Establishment where chemical processing involving flammable or toxic substances takes place	1,000
Establishment where chemical processing, which involves the risk of dust explosion, takes place	300
Establishment where explosives are manufactured	1,000

General Restrictions on Exemptions (Article 9 Provisions)

Article 9 of the Principal Regulations places certain restrictions on exempted development under Article 6 and Schedule 2 of the Regulations.

These restrictions outline a number of forms of development that would not be considered exempted development, e.g. works to archaeological sites, natural heritage areas, an unauthorised structure and works that would require an Environmental Impact Assessment. Also under Article 9, development cannot contravene a condition attached to permission under the Act or be inconsistent with any use specified or included in such permission.

In order to ensure that appropriate controls are in place for the current exemption which relates to change of use and associated works, the Regulations apply certain Article 9 restrictions to the new Article 10 exemption.

The Article 9 restrictions applied are the restrictions set out in subparagraphs (iv), (vii), (viiA), (viiB), (viiC), (viii) or (ix) of article 9(1)(a); or paragraphs (c) or (d) of article (9)(1). The Principal Regulations should be consulted for the full text of the restrictions that apply to the exemptions. In summary, these provisions state that development is not exempted development if it consists of:

- (With the exception of a porch), bringing a building forward beyond the front wall of the buildings on either side or the building line determined in the development plan

- Works to places, caves, sites, features or other objects of archaeological, geological, historical, scientific or ecological interest, the preservation, conservation or protection of which is an objective of a development plan or local area plan
- The excavation, alteration or demolition of any archaeological monuments included in the Record of Monuments and Places
- Works requiring an Appropriate Assessment because they would be likely to have a significant effect on the integrity of a European site<sup>6</sup>
- Works that would be likely to have an adverse impact on an area designated as a natural heritage area
- Works to an unauthorised structure or a structure with an unauthorised use
- Alteration of a building that would restrict the continuance of an existing use where it is an objective of the planning authority to ensure that the building would remain available for such use
- Development to which Part 10 of the Regulations relating to Environmental Impact Assessment applies
- The provision of, or modifications to, an establishment to which the Major Accident Regulations apply, and which could have significant repercussions for major accident hazards

In addition, no development shall contravene a condition attached to a permission issued under the Act, in line with a similar provision in Article 9(1)(a)(i).

6. As defined by section 177R of Part xAB of the Planning and Development Act 2000

Notification Process Provision

A notification provision is included in the Regulations, as follows:

- A person undertaking development under these exemptions must notify the planning authority two weeks prior to commencing development. The notification should detail the location of the structure, the number of residential units involved, the unit sizes and the number of bedrooms in each unit.

See sample notification form overleaf.

- The planning authority must keep a record of all notifications and have it available for inspection at its offices and on its website.

- The planning authority must return annual statistics to the Minister with details of the notifications.
- This notification provision has a threefold purpose:
  - To ensure that planning authorities are informed and aware of change of uses occurring and numbers of residential units being delivered in their functional areas
  - To monitor the effectiveness of the exemption, as indicated by its uptake
  - To facilitate the collation of important information in relation to the amount of additional housing units being provided in this way

Notification Form  
Exempted Development - Article 10(6) Change of use Exemption

Name of Relevant  
Planning Authority: \_\_\_\_\_

Name of Notifier/Property Owner: \_\_\_\_\_

Name of Person/Agent Acting on behalf of Notifier/Property Owner (if any):  
\_\_\_\_\_

[Note: Contact Details to be supplied at the end of this form]

Notification of intention to avail of exempted development provisions under Article 10(6) of the Planning and Development Regulations 2001, as amended by Article 3 of the Planning and Development Act (Exempted Development) Regulations 2022, at least two weeks prior to the commencement of the proposed change of use and any related works.

Notification Details Required:		
Location of structure	Full Postal Address	
	Eircode	
Total number of	number – e.g. 5	
Total Residential Floorspace (m²)	number – e.g. 642	
	Number of bedrooms	Floorspace of unit (m²)
Residential Unit 1	number – e.g. 2	number – e.g. 84
Residential Unit 2		
Residential Unit 3		
Residential Unit 4		
Residential Unit 5		
Residential Unit 6		
Residential Unit 7		
Residential Unit 8		
Residential Unit 9		
Date works will commence (Minimum of two weeks subsequent to date of notification)		dd/mm/yyyy
Signed (Notifier/ Agent as appropriate): _____		Date: _____



Contact Details — Not To Be Published

Notifier/Property Owner

Address:

Eircode:

Telephone number:

Mobile number:

E-mail address:

Person/agent (if any) acting on behalf of the Notifier/Property Owner

Address:

Eircode:

Telephone number:

Mobile number:

E-mail address:

# Appendix 2

## The Application of the Building Regulations and Specific EU Legislation to Works to Existing Buildings

Building Regulations and specific EU legislation apply to existing buildings where works are being performed on a building as prescribed in the Building Regulations 1997 (S.I. No. 497 of 1997) as amended.

### General

Article 9(2) of the Building Regulations 1997 (as amended) prescribes that no works shall be carried out to a building which would cause a new or greater contravention in the building of any provision of Building Regulations.

In addition, subject to Article 3 (Application) and Article 8 (Exemptions), the Building Regulations 1997 (as amended) have specific provisions applying to:

- Material alterations, extensions and repair or renewals
- Provision of services, fittings and equipment (by way of new work or by my of replacement)
- Material changes of use
- Major renovations
- Major renovation works

### Material Alterations, Extensions and Repair and Renewals

‘Material alteration’ means an alteration, where the work or part of the work carried out by itself would be the subject of a requirement of Part A (Structure), B (Fire Safety) or M (Access and Use) of the Second Schedule to the Building Regulations 1997 (as amended).

With regard to material alterations, extensions of buildings and repair and renewals, Article 11 of S.I. No. 497 of Building Regulations 1997 (as amended) applies to:

- a) All works in connection with the material alteration or extension of an existing building
- b) Every part of a building affected by such works referred to in Paragraph (a) above but only to the extent of prohibiting any such works which would cause a new or greater contravention, in such a building, of any of the provisions of the Building Regulations
- c) Any repair or renewal likely to affect the structural integrity of the building or building element that is being repaired or renewed

In addition, Part L (Conservation of Fuel and Energy) of the Second Schedule to the Building Regulations:

- a) Shall apply to renewal works to existing buildings involving the replacement of external doors, windows and roof lights
- b) Requires that replacement oil or gas boilers where practicable should have a boiler efficiency of greater than 90% in dwellings as defined on the HARP database. (Condensing boilers should achieve an efficiency of > 86%).
- c) Does not apply to works (including extensions) to an existing building which is a 'protected structure' or a 'proposed protected structure' within the meaning of the [Planning and Development Act 2000 \(S.I. No. 30 of 2000\)](#).

**NOTE:** 'Works' includes any act or operation in connection with the construction, extension, alteration, repair or renewal of a building.

Repair or renewal' means works of maintenance or restoration of a routine nature relating to:

- a) The keeping of a building in good condition or working order
- b) The return of the fabric of the building to its original condition

–

7. For existing buildings, additional provisions are specified in Section 7 Existing Buildings of TGD B (2024).

8. For existing buildings, the applicable Requirements of Part L are covered by Section 2 of TGD L.

### Provision of Services, Fittings and Equipment

With regard to building services, Article 12 of S.I. No. 497 of 1997 of the Building Regulations applies to all works in connection with the provision (by way of new work or by way of replacement) in relation to a building of services, fittings and equipment where Parts G (Hygiene), H (Drainage and Waste Water Disposal) or J (Heat Producing Appliances) of the Second Schedule to the Building Regulations impose a requirement.

### Material Change of Use

Where a material change of use to a building takes place, Article 13(1) of the Building Regulations 1997 (as amended) provides that the following requirements of:

- Parts A1 and A2 (Structure),
- Part B (Fire Safety)<sup>7</sup>,
- Part C4 (Site Preparation and Resistance to Moisture),
- Part E (Sound),
- Part F (Ventilation),

- Part G (Hygiene),
- Part H (Drainage and Waste Water Disposal),
- Part J (Heat Producing Appliances), and
- Part L (Conservation of Fuel and Energy)<sup>8\*</sup>

apply to the building undergoing the change of use.

In addition, Part M (Access and Use) also applies to the building, where a material change of use to a day centre, a hotel, hostel or guest building, a care facility building, a place of assembly, a shop (which is not ancillary to the primary use of the building), a shopping centre takes place.

### Major Renovations

'Major Renovation' means the renovation of a building where more than 25% of the surface of the building envelope undergoes renovation.

The 'surface area of the building thermal envelope' means the entire surface area of a building through which it can lose heat to the external environment or the ground, including all heat loss areas of walls, windows, floors and roof.

### Major Renovations to Dwellings

With regard to major renovations where works commence to dwellings the European Union (Energy Performance of Buildings) Regulations 2019 require that the minimum energy performance requirement of the building or the renovated part thereof should be upgraded in order to meet the cost optimal level of energy performance in so far as this is technically, functionally and economically feasible. Guidance with the energy performance requirements is provided in Sub-Section 2.3 of TGD L – Conservation of Fuel and Energy – Dwellings and compliance examples are provided in

Appendix F of TGD L Conservation of Fuel and Energy – Dwellings (<https://www.gov.ie/en/publication/d82ea-technical-guidance-document-l-conservation-of-fuel-and-energy-dwellings/>). The ventilation requirement in major renovation is provided in paragraphs 1.2.2.13 and 1.2.3.15 of TGD F Ventilation (<https://www.gov.ie/en/publication/62f06-technical-guidance-document-f-ventilation/>).

With regard to a multi-unit building containing one, or more than one, dwelling undergoing major renovation, it shall have installed ducting infrastructure (consisting of conduits for electrical cables) for each car parking space, to enable the subsequent installation of recharging points for electric vehicles. Guidance on Electric Vehicle Recharging Infrastructure in existing dwellings is provided under Paragraph 2.3.9 of TGD L 2022 Conservation of Fuel and Energy for Dwellings (<https://www.gov.ie/en/publication/d82ea-technical-guidance-document-l-conservation-of-fuel-and-energy-dwellings/>).

### Major Renovations to Buildings other than Dwellings

With regard to major renovations where works commence to buildings other than dwellings, Part L of the Second Schedule to the Building Regulations (S.I. No. 538 of 2017) requires that the minimum energy performance requirement of the building or the renovated part thereof is upgraded in order to meet the cost optimal level of energy performance insofar as this is technically, functionally and economically feasible. Guidance on the energy performance requirements is provided under Sub-Section 2.3 of Technical Guidance Document (TGD) L 2022 Conservation of Fuel and Energy for Buildings other than Dwellings (<https://www.gov.ie/en/publication/80125-technical-guidance-document-l-conservation-of-fuel-and-energy-buildings-other-than-dwellings/>)



Guidance on Electric Vehicle Recharging Infrastructure for existing buildings other than dwellings is provided under Paragraph 2.3.6 of TGD L 2022 Conservation of Fuel and Energy for Buildings other than Dwellings (<https://www.gov.ie/en/publication/80125-technical-guidance-document-l-conservation-of-fuel-and-energy-buildings-other-than-dwellings/>).

### Major Renovation Works

‘Major renovation works’ means building or civil engineering works at the end user’s location encompassing structural modifications of the entire in-building physical infrastructure or a significant part thereof, and requiring a building permit.

The European Union (In-Building Physical Infrastructure for High-Speed Electronic Communications) Regulations 2023 (S.I. No. 520 of 2023) require that for a building on which major renovation works are to be carried out to existing broadband infrastructure, works shall be carried out in such a way so as to ensure that a building is equipped with a high-speed-ready in-building physical infrastructure up to a network termination point, and in addition for a multi-dwelling building, be equipped with an access point.

Guidance on In-Building Physical Infrastructure is provided in the European Union (In-Building Physical Infrastructure for High-Speed Electronic Communications) Regulations 2023 Technical Guidance (<https://www.gov.ie/pdf/?file=https://assets.gov.ie/275961/9b4eacae-9d2c-4d68-9839-8eaf0454964d.pdf#page=null>).

### Application of Part M (Access and Use) for Material Changes of Use to a dwelling(s)

#### Application of Part M

In the context of a material change of use, Part M only applies to certain types of buildings as referred to in 13(1)(a) of S.I. No. 497 of 1997 (as amended).

These are:

- (i) a day centre,
- (ii) a hotel, hostel or guest building,
- (iv) a care facility building,
- (vi) a place of assembly,
- (vii) a shop (which is not ancillary to the primary use of the building),
- (viii) a shopping centre.

Part M does not apply where there is a change of use to an industrial building or an office (which is not ancillary to the primary use of the building). Nor does Part M apply to a change of use deemed by Section 3(3) of the Building Control Act (No. 3 of 1990), because these provisions are not referred to in Article 13(1)(a).

However, if some works in connection with the change of use are carried out and those works on their own would be subject to the requirements of Parts A, B or M, then the works constitute a Material Alteration. As such, it is only those works that must comply with Part M and every part of a building affected by the works but only to the extent that the works would cause a new or greater contravention of the Regulations.

In the case of a Material Change of Use to a dwelling(s), Part M does not impose a requirement to upgrade the approach route to the building, or provide a passenger lift for vertical circulation in the building. However, if it is decided to alter the approach route

or install a new passenger lift, the works themselves must comply with Part M.

### Material Change of Use

In S.I. No. 497 of 1997 (as amended), material change of use is defined in Article 13(2) and includes “a change of use, deemed by section 3(3) of the Act”, included below for clarity:

Section 3(3) of the Building Control Act states:-

*(3) In addition to the provisions of any regulations made for the purposes of subsection (1) (d), there shall be deemed to be a material change in the purposes for which a building is used if, on or after the operative day –*

- a) a building, being a building, which was not originally constructed for occupation as a dwelling, or which, though so constructed, has been appropriated to other purposes, becomes used as a dwelling,*
- b) a building, being a building, which was originally constructed for occupation as a dwelling by one family only, becomes occupied by two or more families, or*
- c) where building regulations contain special provisions in relation to buildings used for any particular purpose, a building to which the regulations apply, and which was not being used for that purpose, becomes so used*

With reference to Article 13(2)(b) - “a material change of use as regards a building shall be deemed to take place if -

- (b) a building which was not being used as—
  - (i) a day centre, becomes so used, or
  - (ii) a hotel, hostel or guest building, becomes so used, or
  - (iii) an industrial building – normal hazard, becomes so used, or
  - (iv) a care facility building, becomes so used, or
  - (v) an office (which is not ancillary to the primary use of the building), becomes so used, or
  - (vi) a place of assembly, becomes so used, or
  - (vii) a shop (which is not ancillary to the primary use of the building), becomes so used, or
  - (viii) a shopping centre, becomes so used, or
  - (ix) an industrial building – high hazard, becomes so used, or
  - (x) a storage building – high hazard, becomes so used, or
  - (xi) a storage building – normal hazard, becomes so used.”





Article 13 of S.I. No. 497 of 1997 (as amended) also sets out the specific requirements (of the Second Schedule) which apply in the case of a material change of use. These obligations are likely to require works to be carried out. The relevant text in Article 13 of S.I. No. 497 of 1997 (as amended) is:-

- (a) *the requirements of the following Parts of the Second Schedule, namely:*
  - (i) *Parts A1 and A2*
    - Part B*
    - Part C4*
    - Part E*
    - Part F*
    - Part G*
    - Part H*
    - Part J*
    - Part L*
  - (ii) *in Part M –*
    - (I) *M1, M2, M3 and M5, and*
    - (II) *M4, having regard to the building size and use, where a material change of use as described in sub-article 2(b)(i), (ii), (iv), (vi), (vii), or (viii) takes place, shall apply to the building, and*
- (b) *such works, if any, as are necessary the building complies with these requirements, shall be carried out in accordance with article 11.*

**Part M – The Requirements**

The requirements of Part M (M1 - M5) aim to ensure that regardless of age, size or disability:

- (a) new buildings other than dwellings are accessible and usable;
- (b) extensions to existing buildings other than dwellings are where practicable, accessible and useable;
- (c) material alterations to existing buildings other than dwellings increase the accessibility and usability of existing buildings where practicable;
- (d) **certain changes of use** to existing buildings other than dwellings increase the accessibility and usability of existing buildings where practicable; and
- (e) new dwellings are visitable.

Where works are carried out in accordance with the Technical Guidance Document M 2022 this will, *prima facie*, indicate compliance with Part M.

Where alternative approaches are adopted, reference should be made to the publication [Information Note on Alternative Approaches to Demonstrate Compliance with the Building Regulation](#) (2024) which is available on the website of the Department of Housing, Local Government and Heritage.

# Appendix 3

## Minimum Standards in Rented Accommodation

**All landlords have a legal duty to ensure that their rented properties comply with certain minimum physical standards. These minimum standards are set out in the Housing (Standards for Rented Houses) Regulations 2019.**

**What are the Minimum Standards?**

For each house let or available for letting, the landlord must ensure that the rental property is in a proper state of structural repair. This means that the landlord must maintain the property in a sound state, inside and out. Roofs, slates, windows, floors, ceilings, walls, stairs, doors, skirting boards, fascias, gutters, down pipes, fittings, gardens and common areas must be maintained in good condition and repair, as must all tiles on floors, ceilings and wall.

The landlord must ensure that all gas, oil and electricity installations are maintained in good repair and safe working order and that every room has adequate ventilation and both natural and artificial lighting.

Suitable safety restrictors must be fitted to any window through which a person could fall.

Landlords must provide:

- a water closet with a dedicated wash hand basin with hot and cold water,
- a separate room, for the exclusive use of each rented unit, with a toilet, a washbasin and a fixed bath or shower with hot and cold water,
- a fixed heating appliance in each room, which is capable of providing effective heating and which the tenant can control,

- where necessary, suitably located devices for the detection and alarm of carbon monoxide,
- facilities for cooking and for the hygienic storage of food including, a 4-ring hob with oven and grill, and a microwave oven,
- a suitable facility for the removal of fumes to the external air by means of a cooker hood or extractor fan,
- a fridge and freezer or fridge-freezer is supplied (a fridge with an icebox freezer compartment within will not suffice),
- a laundry washing machine or access to a communal laundry washing machine facility within the curtilage of the building,
- access to a clothes-dryer if the rented unit does not have a private garden or yard,
- access to vermin-proof and pest-proof refuse storage facilities,
- a potable cold water supply to the kitchen sink taken direct from the service pipe supplying water from the public main or other potable source to the building containing the house and a facility for piped supply of hot water, and an adequate draining area, and
- a reasonable amount of storage cabinets for food and separately for non-food items (e.g. cleaning products) for the number of people living in the house.

All of the above requirements must be in good working order and repair and be maintained by the landlord.

In respect of fire safety in residential units (i.e. houses, flats and apartments) the landlord must provide smoke alarms and a fire blanket. In multi-unit buildings, the landlord must also provide an emergency evacuation plan in each unit, a suitable common fire detection and alarm system, and emergency lighting in common areas. For full details of rented accommodation requirements, please refer to the Regulations.

**Alternative requirements for Local authority and Approved Housing Body (AHB) tenancies and private residential leases with a minimum of 10-years:**

Alternative kitchen requirements apply where a house is let or available to let:

- by a local authority,
- by an Approved Housing Body, or
- under a private residential tenancy agreement for a minimum lease period of 10 years.

**In such cases, the landlord is only required to provide:**

- facilities for the installation of cooking equipment,
- a sink with a piped supply of potable cold water taken directly from the service pipe supplying water from the public main or other source to the building containing the house, a facility for the piped supply of hot water, and an adequate draining area,
- suitable facilities for the effective and safe removal of fumes to the external air by means of a cooker hood or extractor fan, and

- a suitable and adequate number of kitchen presses for food-storage purposes.

The [Guide to Minimum Standards in Rented Accommodation](#) outlines the main features. While the [Guidelines for Housing Authorities - Minimum Standards in Rented Accommodation](#) (March 2024) provide information for Housing Authorities.

**What if a Property Does Not Meet the Minimum Standards?**

Local Authorities are responsible for enforcing these minimum standards. This includes inspection of properties.

Failure to comply with the minimum standards can result in penalties and prosecution. Local Authorities can issue Improvement Notices and Prohibition Notices to landlords who breach the minimum standards regulations.

An Improvement Notice sets out the works that the landlord must carry out to remedy a breach of the regulations.

There may also be a role for the Residential Tenancies Board (RTB), for example, where a landlord is not responding to a request to repair a heating appliance or where a tenant is using the property in such a way as to lead to deterioration in the condition of the property and breach of a standard.

# Appendix 4 Typical Licenses Required

**This appendix gives a brief overview of the additional licences that may be required. This is particularly important when the proposed works would be carried out on tight urban sites in town-centre locations.**

**Waste**

**Waste Prevention** and designing out waste can be a cost saving in the reuse of existing buildings, and it is recommended that the design team should explore reuse, recovery and recycling opportunities, in that order. Refer to [“Design Out Waste: A Design Team Guide to Waste Reduction in Construction and Demolition Projects”](#) fact sheet 4, “Reuse and Recycling Opportunities”.

**Waste Collection** on a commercial basis requires a waste-collection permit from the National Waste Collection Permit Office (NWCPO). Offaly County Council manages the National Waste Collection Permit Office [NWCPO](#) where all new and review Waste Collection Permit applications are processed and additions and amendments to existing Waste Collection Permits are made.

**Scaffolding- Licence to Place a Hoarding, Fence or Scaffold on a Public Road**

The erection and use of hoarding, fence or scaffolding adjacent to public streets/ places may require a builder/contractor to apply for a hoarding or scaffolding licence under the Planning and Development Act 2000 (Section 254) and the Planning and Development Regulations 2001 (Article 202) to erect, construct, place and maintain a hoarding, fence or scaffold at a location, subject to such conditions as shall be

specified by the Local Authority. Reference should be made to [“Code of Practice for Access and Working Scaffolds”](#), HSA.

An application for a hoarding or scaffolding license under the above-mentioned Act and Regulations must be accompanied, at minimum, by the following:

- A copy of the relevant insurance policy
- A site location map
- A pedestrian management plan
- A traffic management plan
- Details and drawing of the hoarding/fence/ scaffolding and its placement on-site
- A fee of €1,250, as set out in Schedule 12 Article 202, Planning and Development Regulations 2001 -2015

The erection of hoarding, fence or scaffolding in a streetscape may also involve getting permission/ a license to close streets or footpaths while the hoarding, fence or scaffolding is being erected, modified or dismantled. This is intended to prevent hazards for the public, who should be excluded from the area.

## Skips-Permit to Place on Public Road, Street or Footpath

Local Authorities in exercise of the powers conferred upon them by Section 72 of the [Roads Act, 1993 \(No. 14 of 1993\)](#) and having consulted with the Commissioner of An Garda Síochána, can make Bye-Laws in relation to the control and regulation of skips in their administrative areas.

These Bye-Laws may provide for prohibitions, restrictions and conditions relating to the siting of skips on public roads. Therefore, before placing a skip in a public place, please check with your Local Authority's roads department and complete the required permit application to place a skip on a public road or footpath.

An application for a permit to put a skip on a public road where parking restrictions apply must be accompanied, at minimum, by the following:

- Details of the skip's location (road / street name)
- Details of the location of the waste to be placed in the skip (house number / shop name)
- Proposed dates of permit
- Skip operator's name
- Skip operator's licence number.
- Details of the number of parking spaces required
- The applicable fee

In this context, the term 'skip' designates a container used for the storage or removal of builder's materials, rubble, waste, rubbish or other materials and which is designed to be transported by means of a mechanically propelled vehicle (as defined in the Act of 1961).

## Cranes, Hoists and Vehicles Permits on Public Roads

A consent/licence in accordance with, and subject to, the provisions of Section 71 of the [Roads Act 1993](#), is required when the positioning of a Mobile Crane/ Hoist/Vehicle on a public road or footpath to prevent/ mitigate obstruction to a lane of traffic or interference with pedestrian traffic flow. Reference should be made to: [Guide to the Safety, Health and Welfare at Work, \(General Application\) Regulations 2007, 2010 Update, Chapter 2 of Part 2: Use of Work Equipment.](#)

An application for permission to place a crane/hoist/ vehicle on a public road must be accompanied, at minimum, by the following:

- A work-method statement/ traffic management plan.
- A pedestrian management plan
- A copy of the relevant insurance policy endorsement.
- A dimensioned plan sketch (See Note 6)
- Pre-construction Photographs (See Condition 9)
- Application Fee/ Deposit/ Parking Charge if applicable

## Road Opening Licenses

No excavation may be made in a public road/ path without a Road Opening Licence. [The Road Traffic Act 1961](#)-Section 101D provides for permitting under licence the carrying out by third parties of 'road works' i.e. 'repairs, maintenance, alterations, improvements or installations or any other works to, above or under, a public road'. MapRoad Roadworks Licensing (MRL) is the national on-line system for managing road opening licensing. Applications for a Road Opening Licence can be made to the [Local Authorities Road Management Office](#) (RMO), which manages road licensing on behalf of the 31 Local Authorities. The general standards and guidelines for the opening, backfilling and reinstatement of openings in public roads are set out in the [Guidelines for Managing Openings in Public Roads April 2017](#).

DTTAS. Applicants are required to register with the RMO and to complete and submit the following;

- (1) Registration Form to register your Company/ Organisation as licence applicant on MapRoad Roadworks Licensing (MRL)
- (2) Insurance template from your insurance broker/ company, i.e. confirmation of insurance details for the purposes of road openings and associated works on Public Roads under Licence or consent from the road authority.

For queries, please email [contact@rmo.ie](mailto:contact@rmo.ie)

- To apply for a licence from Local Authorities or TII Telecoms applications on national roads, refer to the following weblink: <https://www.rmo.ie/road-licensing.html>

Road openings vary in size, complexity and location. These variations have different impacts on different roads and on the traffic that uses them. In order to manage the effect on the road asset and traffic, road authorities use a 'T' Model Licensing Process to manage the works in a proportionate manner, i.e. T1 to T5 p30 Guidelines for Managing Openings in Public Roads.

## Traffic Management Plans

When road openings are being carried out, it may be necessary for the licence holder to implement temporary traffic management plan(s) or measures to facilitate the road works. Such plans or measures must satisfy:

- The road authority/TII requirements in relation to the control of traffic in the vicinity of road works
- The standards set out in Chapter 8 including Chapter 8 drawings and addendum of the [Traffic Signs Manual 2010](#)
- Safety, Health and Welfare at Work legislation

A traffic management plan must include, at minimum, the following:

- Details of the proposed diversion route/s
- Provision for pedestrians and local access Information about the location and detail of signage Details regarding the delivery of materials (for development sites)
- Details of any skips that will be used (for development sites)
- Information on the scale of the works being carried out both for length-fixed works (works at a specific location) and for moving works (works which are carried out along a street or road)



It is noted that the road authority/Transport Infrastructure Ireland will not approve or verify whether submitted traffic management plans meet the standards of Chapter 8 of the Traffic Signs Manual or Safety, Health and Welfare at Work legislation.

### Temporary Road Closures

The statutory procedures related to road closures, including time frames, are set out under Section 75 of the [Roads Act 1993](#) and the Regulations published under Statutory Instrument [S. I. No. 119 of 1994](#). Typically, a road closure will require a minimum of six weeks' notice.

Typical applications for temporary road closures may be made in order to:

- Facilitate building works
- Store materials on the public road/footpath
- Erect a hoarding/scaffolding on public roads/ footpaths
- Carry out other construction related activity, such as the placing of mobile cranes/hoists on the public road/footpath

When dealing with an application or project, a road authority/Transport Infrastructure Ireland, should be satisfied that a closure is essential for the works, having regard to needs of other road users, and that alternative options — such as limiting working hours — have been considered. Road closures can have a serious effect on bus operations, one-way street systems, etc. The closure of the road to traffic in one direction only is a similar procedure and requires application to the road authority and public notice as described above

It is the responsibility of the licence holder to implement temporary traffic management plan(s) that satisfy:

- The road authority/TII requirements in relation to the control of traffic in the vicinity of road works
- The standards set out in Chapter 8 including Chapter 8 drawings and addendum of the Traffic Signs Manual 2010

The road authority/TII will not approve submitted traffic management plans or verify that they meet the standards of Chapter 8 of the Traffic Signs Manual or Safety, Health and Welfare at Work legislation.

An application for a temporary road closure must, at minimum, include:

- A completed application form
- A written traffic management Plan
- The appropriate fee
- A sketch of the site, showing the compound, location of material, plant, etc.
- Details of public liability and employer insurance

Where building work is taking place adjacent to heavily trafficked routes, builders/developers are required to ensure that all building activity (including storage of materials and machinery, location of cranes, siting of skips) is carried out in accordance with the statutory requirements. In order to minimise the extent and duration of temporary road closures, economic charges are imposed by the Local Authority for the use of all road space.

### Water and Waste Water Connections

Uisce Éireann is now responsible for water services and for the provision of water and wastewater service connections.

Buildings which are sub-divided will require separate water service connections for each unit and, in the case of the non-domestic units, the water service connection will have to be provided with a non-domestic meter. In addition, the water supply demand and wastewater discharge from the multiunit building will be increased over and above the requirements of the existing premises due to the subdivision of the premises.

In this context, a connection application will have to be made to Uisce Éireann for the provision of water and/ or wastewater connections and for the increased use of water and discharge of wastewater.

For water and wastewater connections, Uisce Éireann's website at <https://www.water.ie/connections/> should be used. Builders/ developers should use the Uisce Éireann's Step by Step process as guidance through the water and/or wastewater application process. This is a two stage process comprising a Pre-Connection Enquiry phase and a Connection Application Phase.

### Surface Water Connections

Consideration should be given to opportunities for the removal of surface water from combined sewers through Sustainable Urban Drainage Systems or Water Reuse opportunities. This will confer significant benefit both from a sustainability perspective and in providing capacity to offset increased demand arising from intensification of development which may otherwise pose a constraint on intensification plans.

For connection to the surface water network, contact the Local Authority drainage section and have available a copy of the detailed drawing of your proposed drainage for the site and a site location map for approval by the drainage inspector.

### National Radon Control Strategy

Radon is a radioactive gas that causes lung cancer. It is formed in the ground by the radioactive decay of uranium which is present in all rocks and soils. You cannot see it, smell it or taste it. It can only be measured with special detectors. Radon can cause lung cancer when exposed to high levels over a long period of time. Every year in Ireland, radon causes about 350 cases of lung cancer.

The National Radon Survey was carried out during the 1990s. This survey, which was based on measurements in over 11,000 homes, predicted that 7% of the national housing stock in existence at the time had radon concentrations above the National Reference Level of 200 becquerels per cubic metre (Bq/m<sup>3</sup>) for radon in homes.

### Further information

The [National Radon Control Strategy](#) was published February 2014 with the overarching objective of minimising “the exposure to radon gas for people in Ireland and to reduce to the greatest extent practicable the incidence of radon related lung cancers”.

The Environmental Protection Agency recommends that you get your home tested for radon. For further information please refer to the website of the Environmental Protection Agency at: <https://www.epa.ie/environment-and-you/radon>

Asbestos Removal

Asbestos is the common name given to a group of naturally occurring minerals with long fibre characteristics. Due to its unique fire resistant and insulation properties, the material was widely used as a construction product especially prior to the end of 1985. The Safety, Health and Welfare at Work (Asbestos) Regulations 2006-2010 apply to all work activities which expose persons to risks arising from the inhalation of dust from asbestos or asbestos containing materials. The regulations apply to all workplaces (including domestic construction work) where there is a risk of asbestos exposure during the course of work activities.

Further information

For further information please refer to the Health and Safety Authority website at: [https://www.hsa.ie/eng/your\\_industry/chemicals/legislation\\_enforcement/asbestos/](https://www.hsa.ie/eng/your_industry/chemicals/legislation_enforcement/asbestos/)

References

Legislation

Building Control (Amendment) Regulations 2014  
<https://www.irishstatutebook.ie/eli/2014/si/9/made/en/print>

Building Regulations 1997 (As amended)  
<https://www.irishstatutebook.ie/eli/1997/si/497/made/en/print>

Energy Performance of Building Directive (Directive 2010/31/EU of 19 May 2010)  
[https://energy.ec.europa.eu/topics/energy-efficiency/energy-efficient-buildings/energy-performance-buildings-directive\\_en](https://energy.ec.europa.eu/topics/energy-efficiency/energy-efficient-buildings/energy-performance-buildings-directive_en)

European Union (In-Building Physical Infrastructure for High-Speed Electronic Communications) Regulations 2023  
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<http://www.irishstatutebook.ie/eli/1981/act/30/enacted/en/html>

Housing (Standards For Rented Houses) Regulations 2019  
<https://www.irishstatutebook.ie/eli/2019/si/137/made/en/print>

Housing (Standards for Rented Houses) Regulations 2017  
<http://www.housing.gov.ie/housing/private-rented-housing/minimum-standards/si-no-172017-housing-standards-rented-houses>

National Monuments Acts  
<https://www.archaeology.ie/publications-forms-legislation/legislation>

Planning and Development Act  
<https://www.gov.ie/en/publication/c0ac2-planning-legislation-primary-legislation/>

Planning and Development Regulations 2001  
<http://www.housing.gov.ie/planning/bord-pleanala/planning-legislation>

Planning and Development Act (Exempted Development) Regulations 2022  
<https://www.irishstatutebook.ie/eli/2022/si/75/made/en/print>

Planning and development (amendment) (no.2) regulations 2018  
<http://www.irishstatutebook.ie/eli/2018/si/30/made/en/pdf>

Road Traffic Act 1961  
<http://www.irishstatutebook.ie/eli/1961/act/24/enacted/en/html>

Road Act, 1993 (No. 14 of 1993)  
<http://www.irishstatutebook.ie/eli/1993/act/14/enacted/en/html>

Safety, Health and Welfare at Work legislation  
<http://www.hsa.ie/eng/>

The Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969  
<http://www.irishstatutebook.ie/eli/1969/prv/1/enacted/en/html>

Publications

Advice Series (DHLGH)  
<https://www.buildingsofireland.ie/resources/>

Architectural Heritage Protection Guidelines for Planning Authorities (2011)  
<https://www.gov.ie/en/publication/0937a-architectural-heritage-protection->

[guidelines-for-planning-authorities/](#)

Climate Action Plan 2024  
<https://www.gov.ie/en/publication/79659-climate-action-plan-2024/>

Code of Practice for Access and Working Scaffolds (Health and Safety Authority)  
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