Rialtas na hÉireann
Government of Ireland

Auxiliary Dwellings

Information Note on the Application of Building Regulations and Building Control Regulations

2026

Prepared by the Department of Housing, Local Government and Heritage

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1.0 Introduction

The Planning and Development (Exempted Development (Act of 2000)) (No. 3) Regulations 2026, (S.I. No.340 of 2026), provide an exemption from planning permission for a detached auxiliary dwelling to the rear of a principal dwelling house subject to certain conditions. Hereafter, such development is referred to as an auxiliary dwelling.

Irrespective of the exemption from planning permission, an auxiliary dwelling must comply with Building Regulations and Building Control Regulations.

The Building Regulations set minimum performance requirements for buildings, including dwellings, to ensure the safety, health and welfare of people. The Building Regulations apply to the design and construction of an auxiliary dwelling in the same manner as they apply to new dwellings.

Building Control Regulations set out administrative and control procedures, including statutory certification, to ensure compliance with Building Regulations. For the design and construction of an auxiliary dwelling a competent construction professional and competent builder will be required. Responsibility for compliance with these Regulations rests with the owners, designers and builders.

This document provides general information on how an auxiliary dwelling can comply with the requirements of the Building Regulations (Section 2) and Building Control Regulations (Section 3).

Other statutory processes and obligations may apply when designing, constructing and using an auxiliary dwelling, this document provides a non-exhaustive list of these additional considerations (Section 4).

Before deciding to progress with an auxiliary dwelling within the curtilage of an existing dwelling, consideration should be given to all relevant legal obligations to assess the feasibility of achieving compliance especially in relation to the conditions set out in Planning and Development (Exempted Development (Act of 2000)) (No. 3) Regulations 2026, (S.I. No.340 of 2026).

In addition, professional advice should be sought at the outset of the project to ensure the auxiliary dwelling will be in compliance with Building Regulations and Building Control Regulations.

Nothing provided in this document is intended to, nor does it, interfere with, waive, or override any legal obligation, requirement or guidance provided under the Building Control Acts or any other legislation. Nor does this document purport to refer to all applicable legal requirements or obligations when constructing an auxiliary dwelling.

2.0 Compliance with Building Regulations

This section is intended to draw attention to the relevant requirements of the Building Regulations.

The minimum performance requirements that an auxiliary dwelling must achieve are set out in the following 12 Parts of the Building Regulations:

- Part A – Structure
- Part B – Fire Safety
- Part C – Site Preparation and Resistance to Moisture
- Part D – Materials and Workmanship
- Part F – Ventilation
- Part G – Hygiene
- Part H – Drainage and Wastewater Disposal
- Part J – Heat Producing Appliances
- Part K – Stairways, Ladders, Ramps and Guards
- Part L – Conservation of Fuel and Energy – Dwellings
- Part M – Access and Use.

The relevant Technical Guidance Documents, on how to comply with Parts A - M inclusive, can be viewed on the Department's website:
Technical Guidance Documents, or by scanning the QR code above.

The following paragraphs provide some additional (non-exhaustive) information on key aspects of the Building Regulations for auxiliary dwellings. An indicative floor plan (Figure 1) and site plan (Figure 2), indicating some Building Regulation compliance considerations, are provided at the end of this section.

Materials and Workmanship (Part D)

An auxiliary dwelling can be provided by means of on-site construction, using standardised construction methods, such as blockwork, or timber frame, etc.

Alternatively, Modern Methods of Construction (MMC), e.g. prefabricated panels (such as walls or roof panels) or modular buildings may be used for auxiliary dwellings.

Modern Methods of Construction should be certified by NSAI Agrément. An introductory guide to MMC is available at the following link:

Modern Methods of Construction Introductory Guide

or by scanning the accompanying QR code.

Irrespective of the method used, an auxiliary dwelling must comply with Irish Building Regulations. For new dwellings, including new auxiliary dwellings, all key elements must have a service life in the order of 60 years.

Part D of the Building Regulations requires that all works should be carried out with proper materials (materials which are fit for the use for which they are intended, and for the conditions in which they are to be used) and in a workmanlike manner.

A list of Agrément certified MMC systems can be found by selecting “Building Systems” at the link below:

https://www.nsai.ie/certification/agrement-certification/search-agrements-certificates/

For further guidance see Technical Guidance Document D 2013.

Fire Safety (Part B)

Part B of the Building Regulations sets out mandatory fire safety requirements for buildings and the associated Technical Guidance Document B 2017 – Fire Safety – Volume 2 (TGD B 2017) shows how to comply with Part B, for dwelling houses.

This document outlines some provisions of TGD B 2017 related to fire safety for an auxiliary dwelling. On completion, the works must comply with Part B of the Second Schedule to the Building Regulations.

Access to / escape from an auxiliary dwelling in case of fire

Any auxiliary dwelling should be provided with an external access route independent of the main dwelling, usually via a side pathway or mews lane. This route is important to facilitate means of escape in case of fire from both the principal and auxiliary dwelling in case of fire, and means of access to each dwelling, for firefighting. Fire brigade appliances should be able to get within 45 m of the principal entrance to the auxiliary dwelling.

Means of escape within an auxiliary dwelling

An auxiliary dwelling may have one or more rooms, one of which contains a kitchen. Any kitchen cooking appliance should be located remote from the door to the dwelling and in a way that minimises the impact on an escape route from the room or dwelling, in the event of the outbreak of fire.

Any habitable room, such as a bedroom, should not be an inner room, (i.e. an occupant should not have to pass through another room when escaping) unless the inner room is provided with a window or door direct to the outside for escape or rescue purposes.

Placement of an auxiliary dwelling

The placement or location of the auxiliary dwelling could have a significant impact on the design requirements of the fabric of the building. The closer the accommodation is to a property boundary, the higher the fire safety requirements for the building's walls, particularly where another building could be built on the other side of the boundary.

These higher requirements are there to protect the occupants from a fire, in another building which may be close by, whether at the time of construction or in the future.

There are significant differences where any wall of the auxiliary dwelling is located less than 1.0 m from the site boundary, or on a site boundary.

It is a condition of the Planning and Development (Exempted Development (Act of 2000)) (No. 3) Regulations 2026, (S.I. No.340 of 2026) that an auxiliary dwelling is located not less than 0.6m from any wall or party boundary.

Auxiliary dwellings built within 1.0m of the site boundary

If any external wall of the auxiliary dwelling is located less than 1.0m from the boundary, such an external wall should be fire resisting from both sides, i.e. from inside to out and from outside to in, achieving 30 minutes fire resistance, in accordance with I.S. EN 13501-2.

For such an auxiliary dwelling built less than 1.0m from the boundary the outermost face of the external walls should be constructed of materials with a reaction to fire classification of Class B or better.

The total area of openings (windows and doors) permitted in a wall facing a boundary will be dependent on the distance to the boundary – see Table 1.

Auxiliary dwellings built more than 1.0m of the site boundary

If any external wall of the auxiliary dwelling is located more than 1.0m from the boundary, then such an external wall should be fire resisting from the inside only, achieving 30 minutes fire resistance.

For such an auxiliary dwelling built more than 1.0m from the boundary the outermost face of the external walls should be constructed of materials with a reaction to fire classification of Class C or better.

The total area of openings (windows and doors) permitted in a wall facing a boundary will be dependent on the distance to the boundary – see Table 1.

Auxiliary dwelling built close to the principal house

The distance to the main house can also have an impact on the fire safety of such an auxiliary dwelling. A fire in one building should not pose a risk to the other, on the same site.

The total area of openings (windows and doors) permitted in a wall facing the existing dwelling will be dependent on the distance to the dwelling – see Table 1.

Window and door openings

These provisions apply for auxiliary dwelling walls facing a boundary or facing a principal dwelling. As distance increases, the amount of window and door open area (termed 'unprotected area') may also increase, as set out in Table 1 below. Table 1 assumes that any wall associated with such a window or door has a fire resistance of at least 30 minutes.

Table 1 – Boundary Distances

Distance [1][2][4]	**Unprotected area (m^2) - windows / doors** [3]**, walls that do not have a fire resistance**	**Conditions**
Less than 1m	1m^2 per window opening	Should be separated from other windows by 4m of 30-minute fire resisting construction
Equal to or greater than 1m, less than 2m	5.6 m^2 total unprotected area	None
Equal to or greater than 2m, less than 3m	12 m^2 total unprotected area	None
Equal to or greater than 3m, less than 4m	18 m^2 total unprotected area	None

1. Measured from the garden auxiliary dwelling to a site boundary.
2. For separation between an auxiliary dwelling and the nearest external wall of the main building, and vice-versa, distances should be doubled.
3. Including window / door frames.
4. For any distances greater than those set out, or for any site-specific complications, the designer should refer to TGD B 2017, Section 4.5.

Roof

Roofs can present a risk to fire spread, particularly where a building is located in a built-up area. As with external walls, the closer the roof is to a boundary, the higher the requirement. Having a roof build-up which adequately resists a spread of fire over its surface, and penetration of fire into its structure, can protect occupants, if a nearby building is on fire.

Any roof located within 6 metres of a boundary should achieve a B_{ROOF} (t4) (European) or AA (National) classification.

For further guidance see Appendix A, Subsection A6, and Table A4 of Technical Guidance Document B, 2017.

Fire Alarm Systems

A fire detection and alarm system in accordance with I.S. 3218 should be provided in the new auxiliary dwelling.

The alarm system within the auxiliary dwelling should consist of interconnected detectors / sounders located throughout the dwelling. This may be satisfied either by hard-wired interconnected smoke / heat alarms with battery backup or radio interconnected alarms with 10-year sealed battery.

Smoke or heat alarms, as appropriate, should be provided within an auxiliary dwelling in:

i. any circulation areas, at all levels, that form part of an escape route,

ii. all high fire risk areas/rooms e.g. kitchen, living rooms, garages, utility rooms and

iii. all bedrooms.

Particular care should be taken in the design and installation of a fire alarm system, especially in the selection of detectors to reduce false alarms.

For further guidance see Technical Guidance Document B 2017.

Access and Use (Part M)

As the building is a new auxiliary dwelling, the access route to the dwelling should be accessible. The auxiliary dwelling itself should be visitable.

The access route to the auxiliary dwelling, from the entrance at the boundary of the dwelling plot, or the point at which a person visiting the dwelling would normally alight from a vehicle within the dwelling plot, should maintain a clear width of at least 0.9 m, and should have a clear head height of 2.1 m.

The access route itself may be level (a gradient of < 1:50), gently sloped (a gradient of between 1:50 and 1:20), ramped (a gradient of between 1:20 and 1:12), or stepped, depending on site conditions.

An accessible entrance should be provided. A level landing of 1.2 m x 1.2 m, outside the main entrance to the auxiliary dwelling should be provided, while the entrance door should have an effective clear width of 0.8m, and should have a level threshold.

The interior of the auxiliary dwelling should be designed to facilitate circulation of visitors within the storey. A visitable WC, per Section 3.4 of TGD M should be provided. This WC may be provided as an en-suite to a bedroom or may be accessed from the main circulation area.

For further guidance see Section 3 of Technical Guidance Document M, 2022.

Hygiene (Part G)

As the auxiliary dwelling is a new dwelling, the dwelling should be provided with the appropriate hygiene facilities.

The auxiliary dwelling should be provided with a bathroom containing either a fixed bath or a shower bath, and a washbasin; a kitchen containing a sink of adequate size and a draining board; and suitable installation for the provision of hot and cold water to the bath or shower, washbasin and sink.

A sanitary convenience, designed to facilitate the efficient use of water for flushing, and to allow for effective cleaning should be provided, which should be in the visitable WC.

In addition, a cold-water storage cistern with an actual capacity of not less than 212 litres should be provided.

For further guidance see Technical Guidance Document G, 2011.

Drainage and Wastewater Disposal (Part H)

The drainage of wastewater from the hygiene facilities, and of surface water from the roof of the auxiliary dwelling must conform to Part H (Drainage and Wastewater Disposal).

An auxiliary dwelling should not be built on or close to an existing septic tank or percolation area or access points to drainage infrastructure.

The impact of the placement of the auxiliary dwelling, and the capacity of the existing drainage infrastructure, before any new auxiliary dwelling is built, or any new connection is made, to ensure that the existing infrastructure can handle the additional wastewater flows should be considered.

For further guidance see Technical Guidance Document H, 2016.

Note: It is a condition of the Planning and Development (Exempted Development (Act of 2000)) (No. 3) Regulations 2026, (S.I. No.340 of 2026) that there shall be no separate connection to utilities, including water or wastewater utilities for an auxiliary dwelling.

Existing Oil or LPG Storage Tanks (Part J)

Many older houses will have fuel storage tanks located in the garden, for oil or gas boilers. Where an auxiliary dwelling is proposed, the construction of such a dwelling near an existing oil or gas storage tank, which is still in active use, can present a risk. The following paragraphs outline the separation distances that should be provided between an existing storage tank and a new auxiliary dwelling.

For further guidance see Technical Guidance Document J, 2014.

Oil Tanks

Where it is proposed to locate an auxiliary dwelling on a site, and there is no existing oil tank within 1.8m of the new auxiliary dwelling, no additional provisions apply. However, any external wall or eaves of the building located less 1.8 m from such a tank should have 30 min fire resistance from the outside. The auxiliary dwelling should not have any window or door openings within 1.8 m of an oil storage tank.

LPG Tanks

Where it is proposed to locate an auxiliary dwelling on a site, and there is no existing LPG tank within 3m of the new auxiliary dwelling, no additional provisions apply. However, where the auxiliary dwelling is placed within 3m of an existing LPG tank, additional measures apply, as set out in Table 2, below apply.

Table 2 – Minimum distances to LPG storage tanks

Nominal capacity of tank		Above ground	
(A) Water capacity (Litres)	(B) LPG Capacity (Tonnes)	From the new auxiliary dwelling	
		(C) Without fire wall	(D) With fire wall
150 - 500	0.05 - 0.25	2.5	0.3 (1)
501 - 2,500	Up to 1.1	3	1.5 (2)

1. For vessels up to 500 litres capacity, the fire wall needs to be no higher than the top of the vessel and may form part of the site boundary.

2. The fire wall for a tank up to 2,500 litres water capacity may form part of a building wall in accordance with Diagram 21. Where part of the building is used as a firewall, the wall, including any overhang, against which the LPG is stored should be 60 minutes fire-resisting construction and imperforate.

LPG Cylinders

Cylinders should be sited and installed at or above ground level, never below the ground or in sunken areas or adjacent to open drains or basements or near basement access areas where gas might collect. The part of the structure upon which, or against which the cylinders are located should have a minimum of 2-hour non-combustible fire resistance.

Other Parts of the Building Regulations

Part A (Structure) –
Refer to Technical Guidance Document A, 2012 on how to comply with Part A.

Part C (Site Preparation and Resistance to Moisture) –
Refer to Technical Guidance Document C, 2024 on how to comply with Part C.

Part F (Ventilation) –
Refer to Technical Guidance Document F, 2019 on how to comply with Part F.

Part K (Stairways, Ladders, Ramps and Guards) –
Refer to Technical Guidance Document K, 2014 on how to comply with Part K.

Part L (Conservation of Fuel and Energy) –
Refer to Technical Guidance Document L, 2022 on how to comply with Part L

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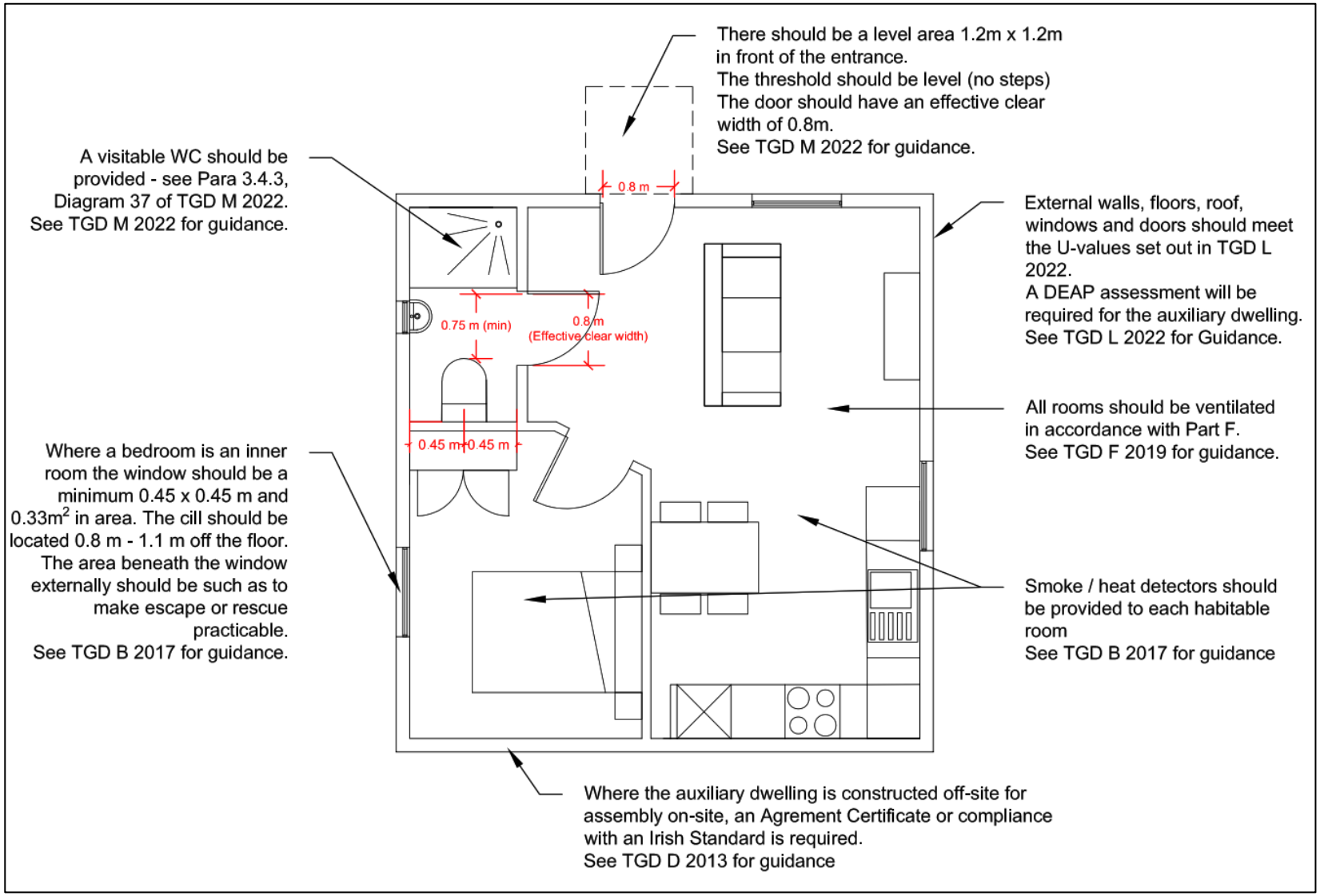

Figure 1 - Indicative diagram showing some internal features relevant to Building Regulation compliance

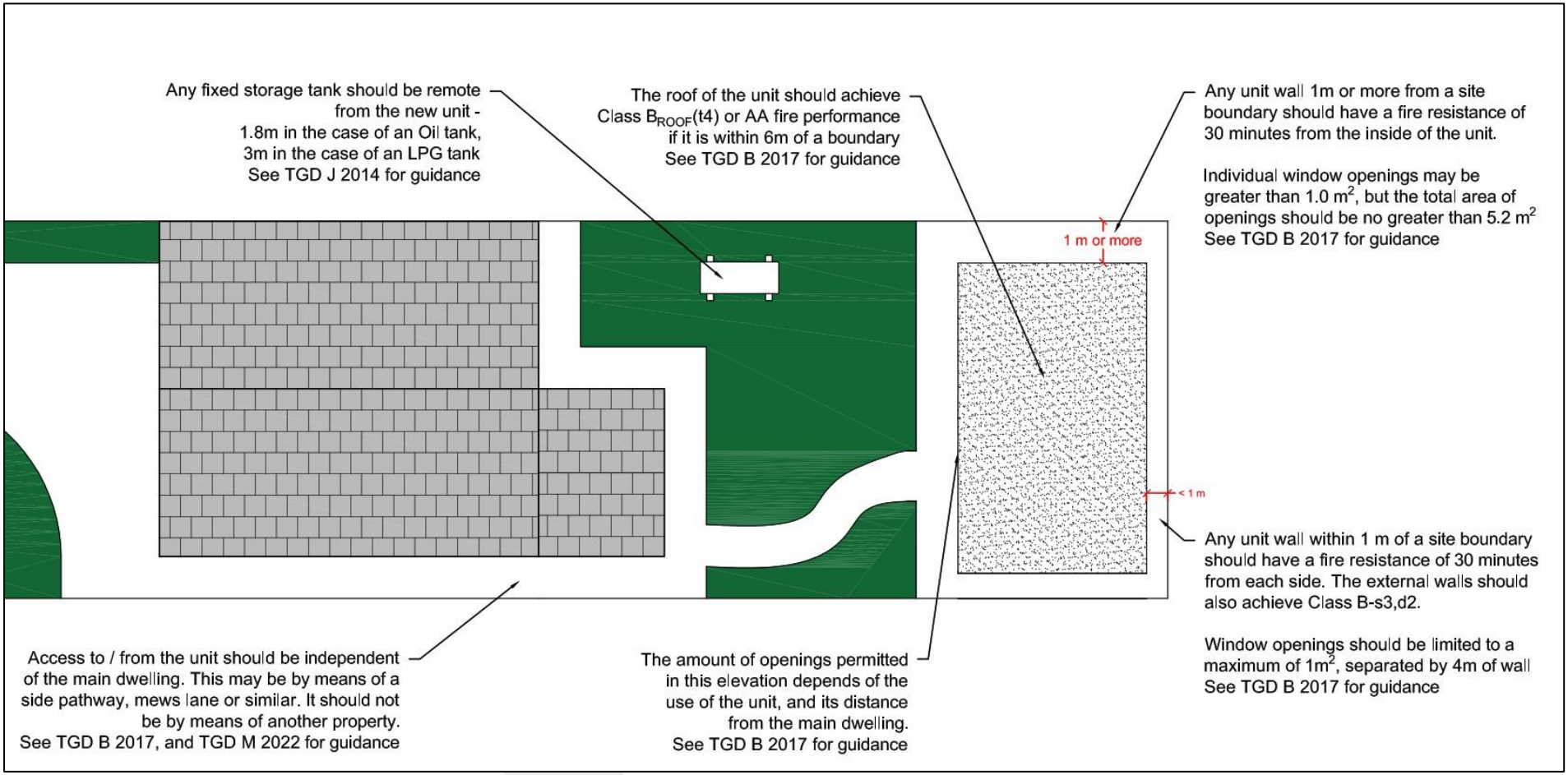

Figure 2 - Indicative diagram showing some external features relevant to Building Regulation compliance

3.0 Compliance with Building Control Regulations

Introduction

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 regulations require owners, builders, and registered construction professionals to notify their local Building Control Authority of the intention to carry out works, and to demonstrate through building control processes that the works or building concerned have been designed and constructed in compliance with Building Regulations.

Commencement of construction works

In advance of the construction of an auxiliary dwelling, the local Building Control Authority must be notified of the construction works. Given the nature of the works, a ‘Commencement Notice with Additional Documentation’ is required.

The submission of the notice will include, as part of its associated documentation:

- the nomination and undertaking of a competent builder, to carry out the works in accordance with building regulations, and
- the nomination and undertaking of an assigned certifier – a competent professional to inspect and certify the works in compliance with Building Regulations.

This documentation required to be submitted as part of the notice is:

- Commencement Notice
- a Certificate of Compliance (Design),
- a Notice of Assignment of Person to Inspect and Certify Works (Assigned Certifier),
- a Certificate of Compliance (Undertaking by Assigned Certifier),
- a Notice of Assignment of Builder,
- a Certificate of Compliance (Undertaking by Builder),
- general arrangement drawings including plans, sections elevations,
- a schedule of such plans, calculations, specifications and particulars as are currently designed or as are to be prepared at a later date, and
- the preliminary Inspection Plan prepared by the Assigned Certifier.

In addition to the above documents, which may be lodged electronically via the Building Control Management System (BCMS), an online assessment via the BCMS must also be completed. The BCMS can be accessed via the following link: www.localgov.ie/en/BCMS.

The Commencement Notice and additional documentation must be submitted to the local building control authority not less than 14 days and not more than 28 days before the commencement of works. Once validated by the building control authority, works must commence on site between day 14 and day 28 of the submission of the notice.

If the works do not start within 28 days of the date of lodgement of the Notice, you must submit a new Notice prior to the commencement of any works taking place.

Further information is available at the following link:

Building Control, or by scanning this QR code:

Completion of construction works

On completion of the works, a Certificate of Compliance on Completion (CCC) must be signed by the builder and assigned certifier and must be submitted to the local Building Control Authority, either via the BCMS or in hard copy.

The CCC must be registered by the local Building Control Authority before the auxiliary dwelling can be occupied.

4.0 Other Considerations

Planning Permission

The Planning and Development (Exempted Development (Act of 2000)) (No. 3) Regulations 2026, (S.I. No.340 of 2026), provide an exemption from planning permission for a detached auxiliary dwelling to the rear of a principal dwelling house subject to certain conditions.

These Regulations include a requirement to notify the planning authority at least 14 days before the development takes place.

Note: This is separate to the Commencement Notice process referred in Section 3.

Health and Safety

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.

Further information is available in the HSA's guide to homeowners, available at the following link: Guide for Homeowners - Getting Construction Work Done Safely.

Electrical Installations

It is a legal requirement that all electrical work is carried out by a registered Electrician, as improperly designed / installed fittings and inadequate wiring can constitute a serious fire hazard (See https://www.cru.ie/professional/safety).

Particular care is required with the design and installation of electrical installations (recessed lights, sockets, switches, etc.) so as to comply with Part M of the Building Regulations, and to not compromise any fire resistance required.

Gas Installations

The Commission for Regulation of Utilities (CRU) regulates all domestic gas installers. They do so through the Registered Gas Installer (RGI) scheme.

By law, all domestic gas workers must list themselves with the RGI scheme. The Gas Safety Supervisory Body, appointed by the CRU, maintains the RGI scheme. The RGI scheme makes sure that all RGIs operate to national safety standards.

Minimum Standards in Rented Accommodation

In the case of rented properties, it is important to note that all dwellings that are let or available for let, including auxiliary dwellings, are subject to the provisions of the Housing (Standards for Rented Houses) Regulations 2019 and may be inspected by Local Authorities.

The Regulations specify requirements in relation to a range of matters, such as structural repair, sanitary facilities, heating, natural light, fire safety, ventilation, kitchen requirements and the safety of gas, oil and electrical installations.

If a property has been found to be non-compliant with the Regulations, it is a matter for the local authority to determine what action is necessary and appropriate. They can issue an Improvement Letter or serve an Improvement Notice. Where a landlord fails to comply with an Improvement Notice, the local authority may serve a Prohibition Notice, which directs that a dwelling cannot be re-let until all contraventions are remedied.

Full details and guidelines for Inspectors are available on the Department's website at the following link: Minimum standards in rented accommodation

Building Energy Rating (BER)

In accordance with S.I. No. 243/2012 - European Union (Energy Performance of Buildings) Regulations 2012, a BER certificate is not required for a standalone building with a total useful floor area of less than $50m^2$.

The Department of
Housing, Local Government and Heritage

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