

CLASSES OF USE & EXEMPTED CHANGES OF USE

This Infosheet has been prepared by the Planning Team at Savills to outline the Classes of Use in the Republic of Ireland. In addition, it confirms where structures can change between different classes of use without requiring planning permission. This is termed ‘exempted development’.

Exempted Changes of Use

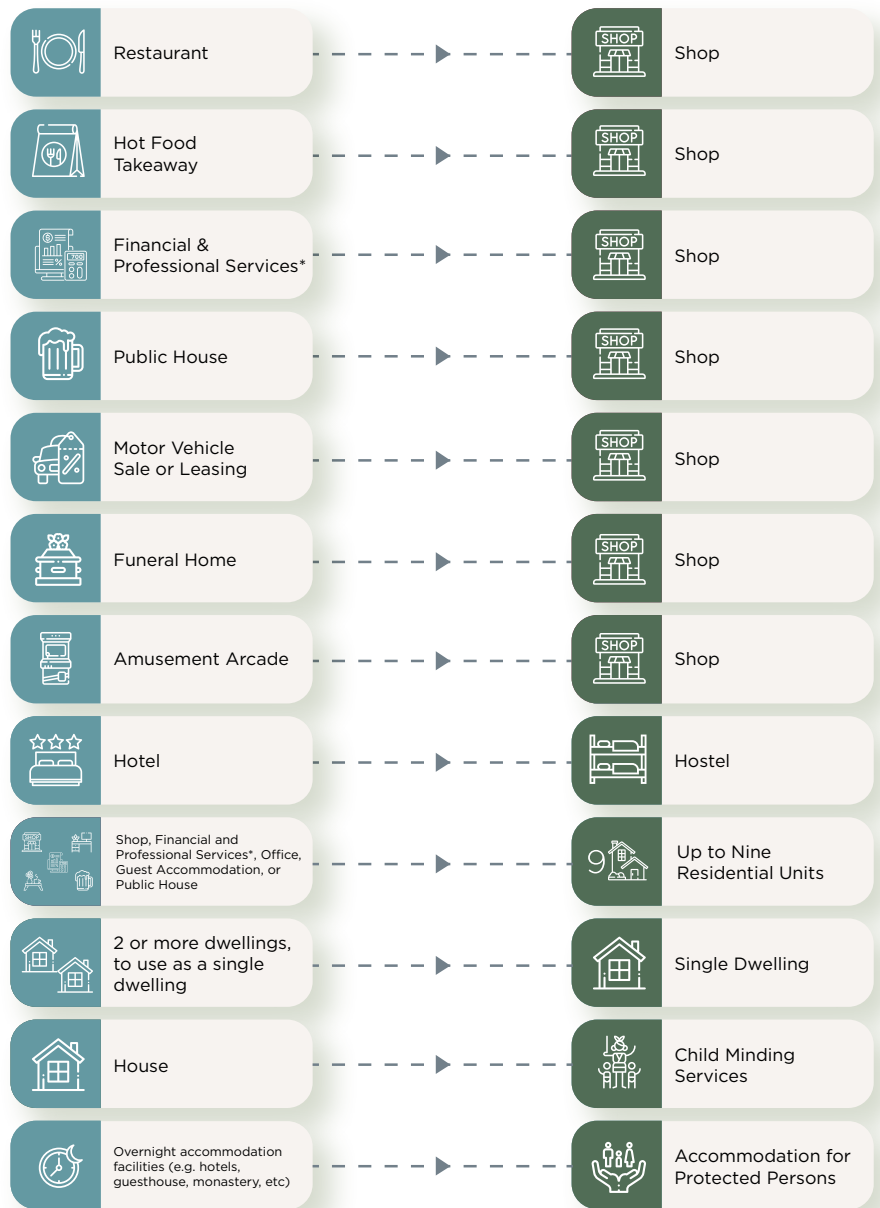
The following changes of use of a structure do not normally require the grant of planning permission.

Certain conditions and exclusions apply to these exemptions. For example, the change of use would not be ‘exempted development’ if it would:

- involve the carrying out of any works other than works which are exempted development,
- contravene a condition attached to a permission under the Act,
- be inconsistent with any use specified or included in such a permission, or
- be a development where the existing use is an unauthorised use, save where such change of use consists of the resumption of a use which is not unauthorised and which has not been abandoned.

The ability to convert a range of commercial premises to up to nine residential units is the subject of several limitations and requirements including:

- Premises must be vacant for at least two years
- Residential conversions must meet space standards
- No conversion of shops on protected streets (e.g. Primary Shopping Areas)
- No conversion of protected structures, or buildings in areas of Special Planning Control, Special Amenity, or within certain distance of potential Major Accident sites
- Works should be principally internal and at least 50% of external fabric must be retained



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Classes of Use

The Planning and Development Regulations 2001 (as amended) lists 12 Classes of Use 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 4	Use as a light industrial building.
CLASS 5	Use as a wholesale warehouse or as a repository.
CLASS 6	Use as a residential club, a guest house or a hostel (other than a hostel where care is provided).
CLASS 7	Use a. for public worship or religious instruction, b. for the social or recreational activities of a religious body, c. as a monastery or convent.
CLASS 8	Use a. as a health centre or clinic or for the provision of any medical or health services (but not the use of the house of a consultant or practitioner, or any building attached to the house or within the curtilage thereof, for that purpose), b. as a crèche, c. as a day nursery, d. as a day centre.
CLASS 9	Use a. for the provision of residential accommodation and care to people in need of care (but not the use of a house for that purpose), b. as a hospital or nursing home, c. as a residential school, residential college or residential training centre.

CLASS 10	Use as a. an art gallery (but not for the sale or hire of works of art), b. a museum, c. a public library or public reading room, d. a public hall, e. an exhibition hall, f. a social centre, community centre or non-residential club, but not as a dance hall or concert hall.
CLASS 11	Use as a. a theatre, b. a cinema, c. a concert hall, d. a bingo hall, e. a skating rink or gymnasium or for other indoor sports or recreation not involving the use of motor vehicles or firearms.
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

The Planning and Development Regulations also state that a range of use lands do not fall within any of the above classes. These land uses are:

- as an amusement arcade, 3,500 square metres in the greater Dublin Area and 3,000 square metres in the remainder of the State,
- as a motor service station,
- for the sale or leasing, or display for sale or leasing, of motor vehicles,
- for a taxi or hackney business or for the hire of motor vehicles,
- as a scrap yard, or a yard for the breaking of motor vehicles,
- for the storage or distribution of minerals,
- as a supermarket, the total net retail sales space of which exceeds 100 square metres.
- as a retail warehouse, the total gross retail sales space of which exceeds 6,000 square metres (including any ancillary garden centre), or
- as a shop, associated with a petrol station, the total net retail sales space of which exceeds 100 square metres.