



Rialtas na hÉireann  
Government of Ireland

# Extensions and Alteration Dwellings Building Control Legislation Overview

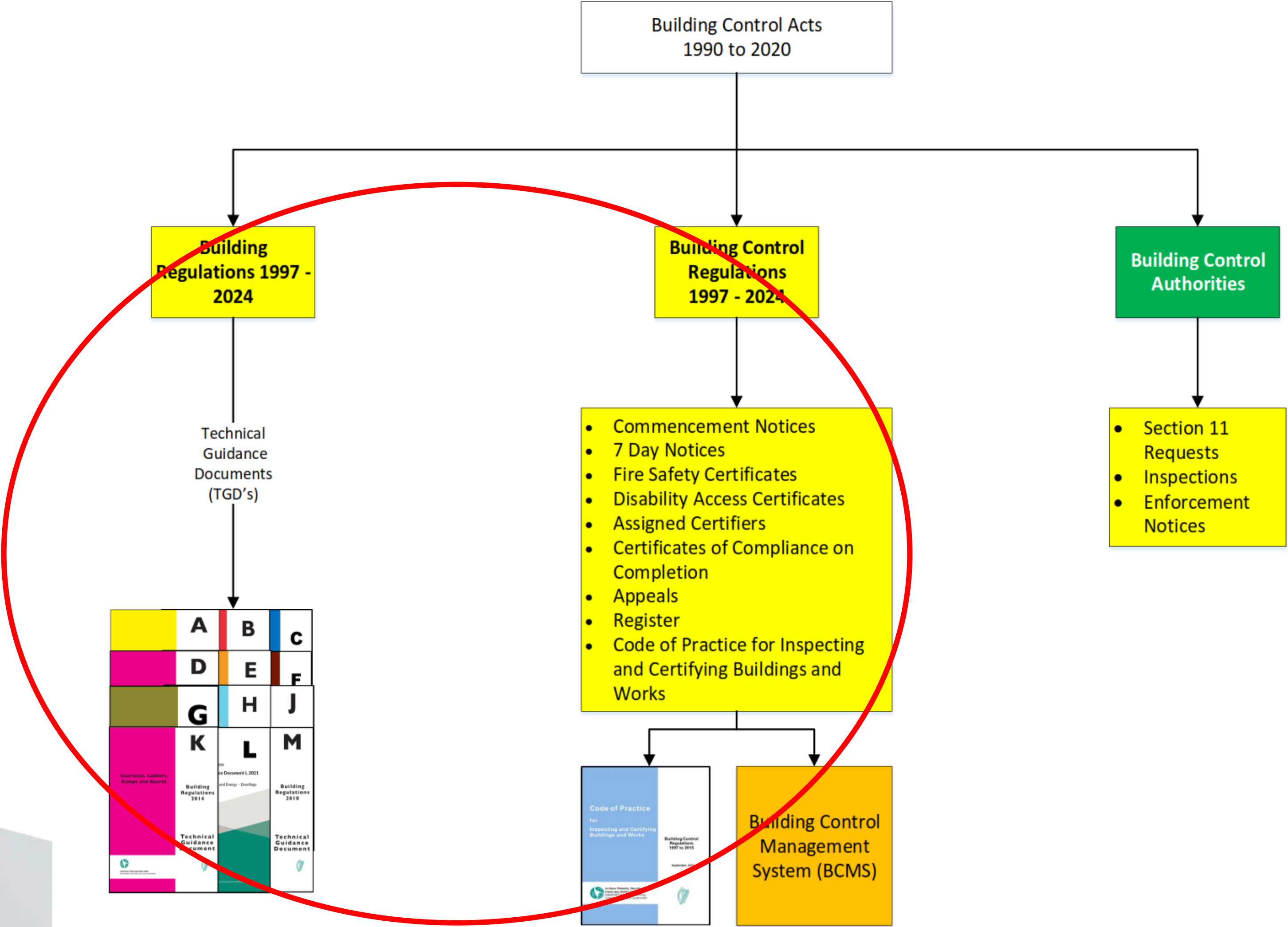
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NBCMSO CPD Seminar  
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# Overview



- Dwelling houses (Existing buildings)
- Building Control System in Ireland
- Building Regulations
- Building Control Regulations

# Building Control System in Ireland



# Building Regulations – Articles of Application



- Article 8 – Exemptions
- Article 9 – Design and Construction of Works
- Article 11 – Extensions and Alterations
- Article 12 - Services, fittings and equipment.
- Article 13 – Changes in Use



# Building Regulations – Articles of Application



- Article 8 – Exemptions (Third Schedule)
- CLASS: 3
  - *A single storey extension to an existing dwelling which is ancillary to the dwelling and consists of a conservatory, porch, carport or covered area*
- Conditions and Limitations:
  - *floor area  $\leq 23 \text{ m}^2$  (porch,  $2 \text{ m}^2$ )*
  - *height  $\leq 3$  meters, (pitched roof,  $\leq 4$  meters)*

# Building Regulations – Articles of Application



- Article 9 – Design and Construction of Works
  1. Works or building to be designed and constructed in accordance with requirements of Second Schedule, and
  2. to avoid the breaching of any other requirement of that Schedule
  3. No New or Greater Contravention

# Building Regulations – Some definitions

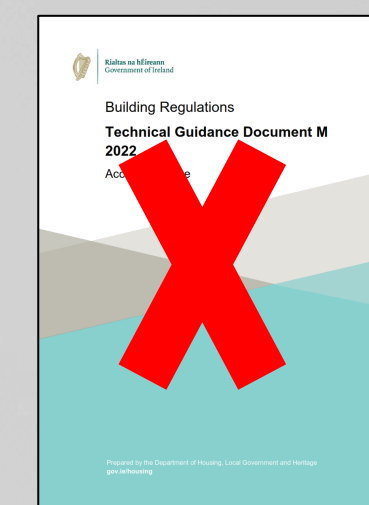


- **dwelling:** “a house or flat forming a separate unit of residential accommodation;”
- **Works:** “any act or operation in connection with the construction, extension, alteration, repair or renewal of a building.”
- **repair or renewal:** “works of maintenance or restoration of a routine nature relating to —
  - (a) the keeping of a building in good condition or working order, or
  - (b) the return of the fabric of a building to its original condition;”

# Building Regulations – Articles of Application



- Article 11 – Extensions and alterations (Dwellings)
- Applies to all works in connection with the MA or extension of a building, and
- every part of the building affected by works, only to the extent of prohibiting works that would cause a new or greater contravention
- **Extension** – all relevant parts



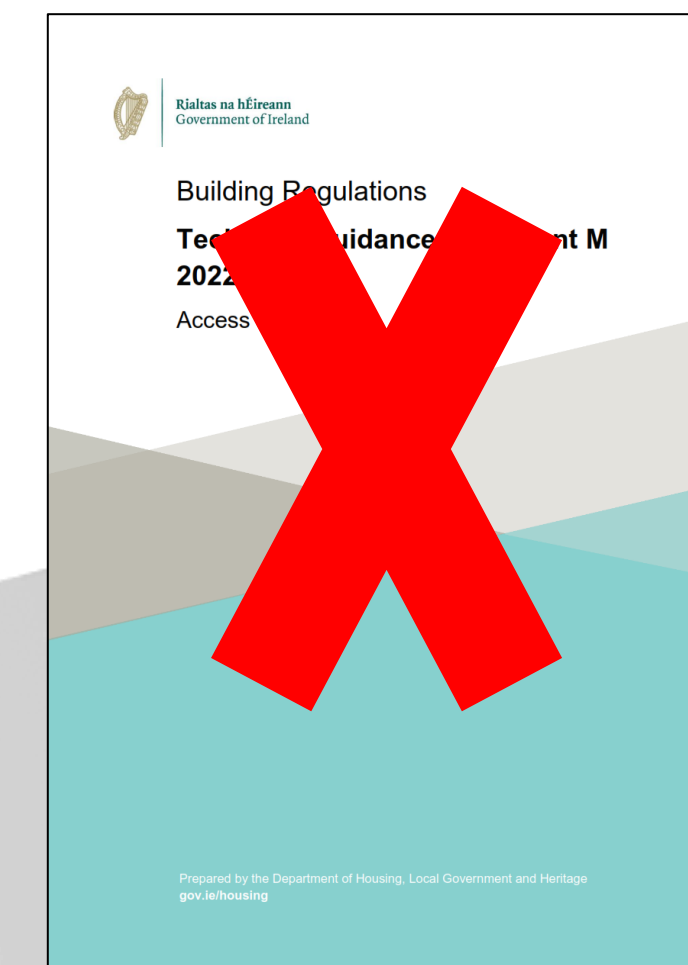
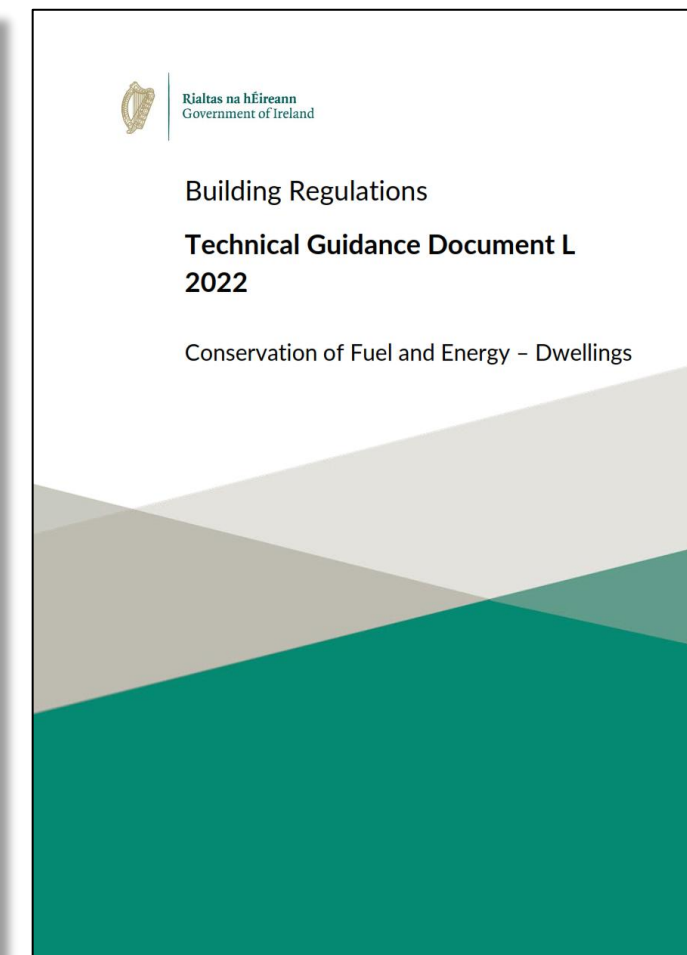
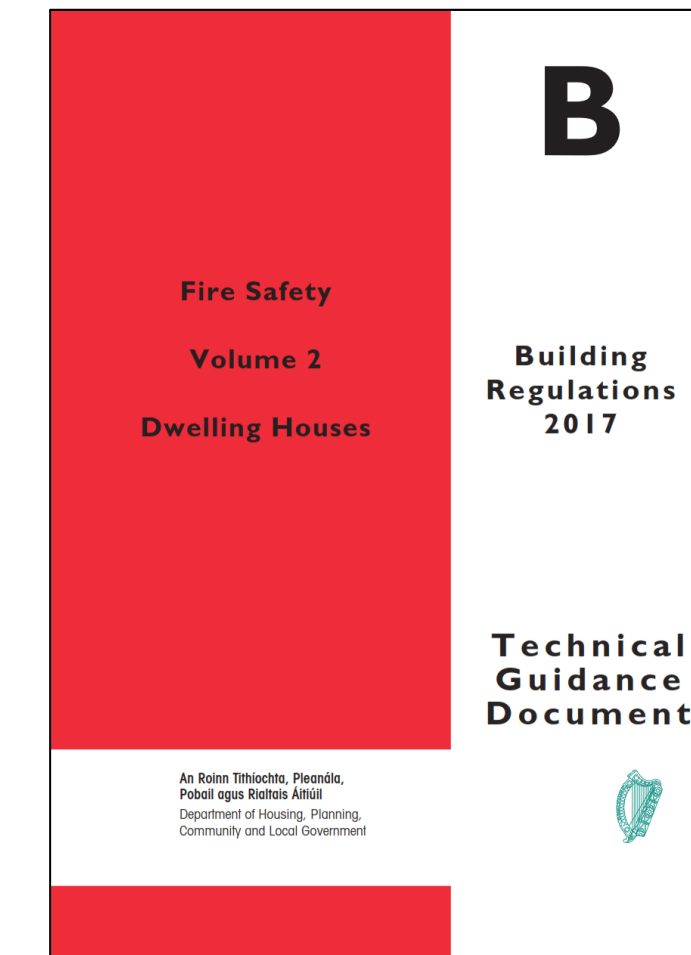
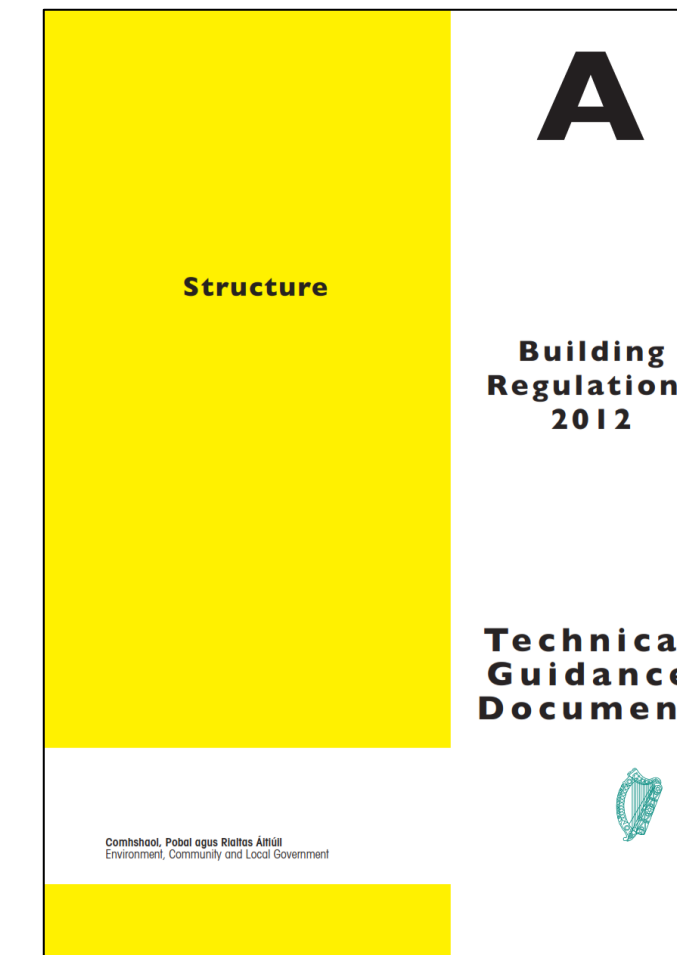
*“Part M does not apply to works in connection with extensions to and material alterations of existing dwellings, provided that such works do not create a new dwelling”*

# Building Regulations – Articles of Application



- **Alteration**

1. *work or part of the work would be the subject of a requirement of Part A, B or M (Structure, Fire Safety, Access and Use)*
2. *Repair or renewal likely to affect the structural integrity of the building*
3. *Part L – External windows, doors and rooflights*
4. *Part L – Major Renovation (dwellings and buildings other than dwellings) (excluding protected structures)*



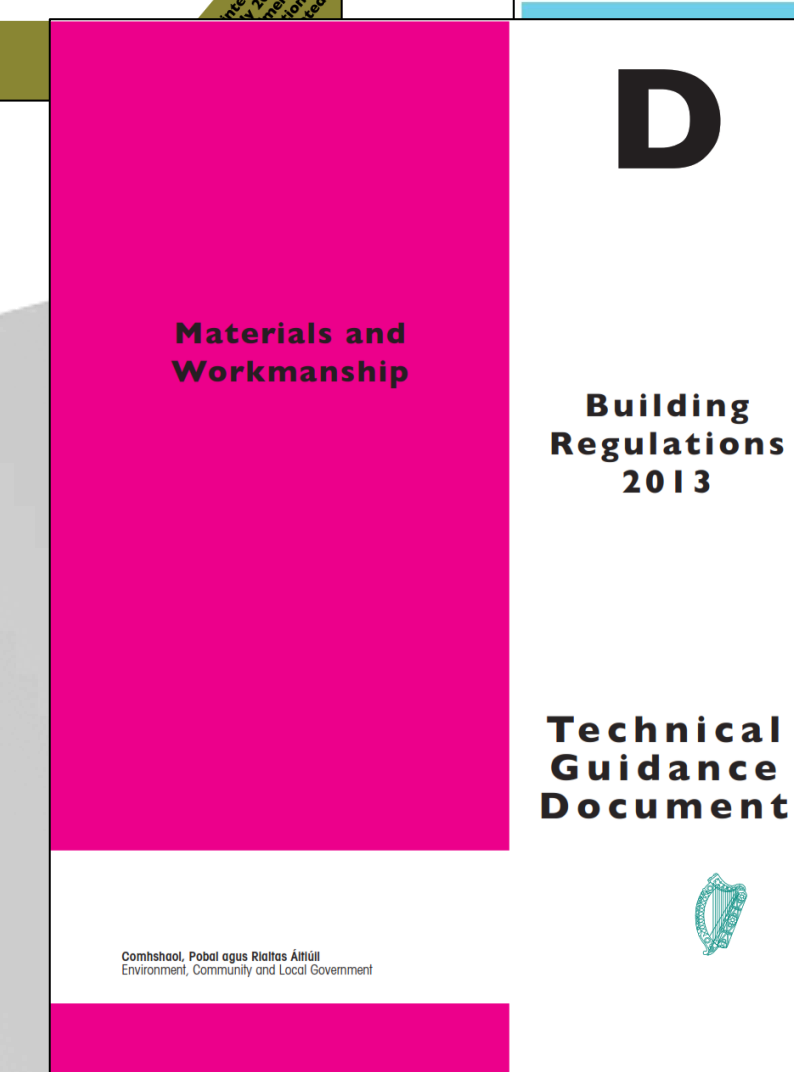
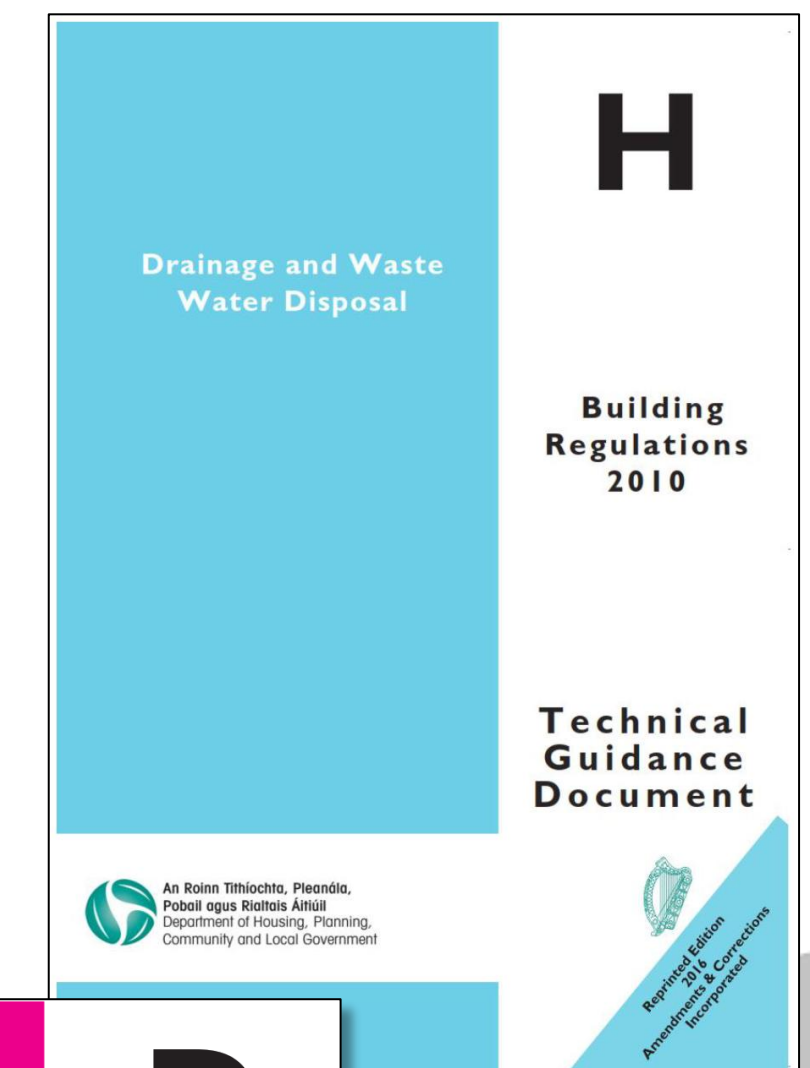
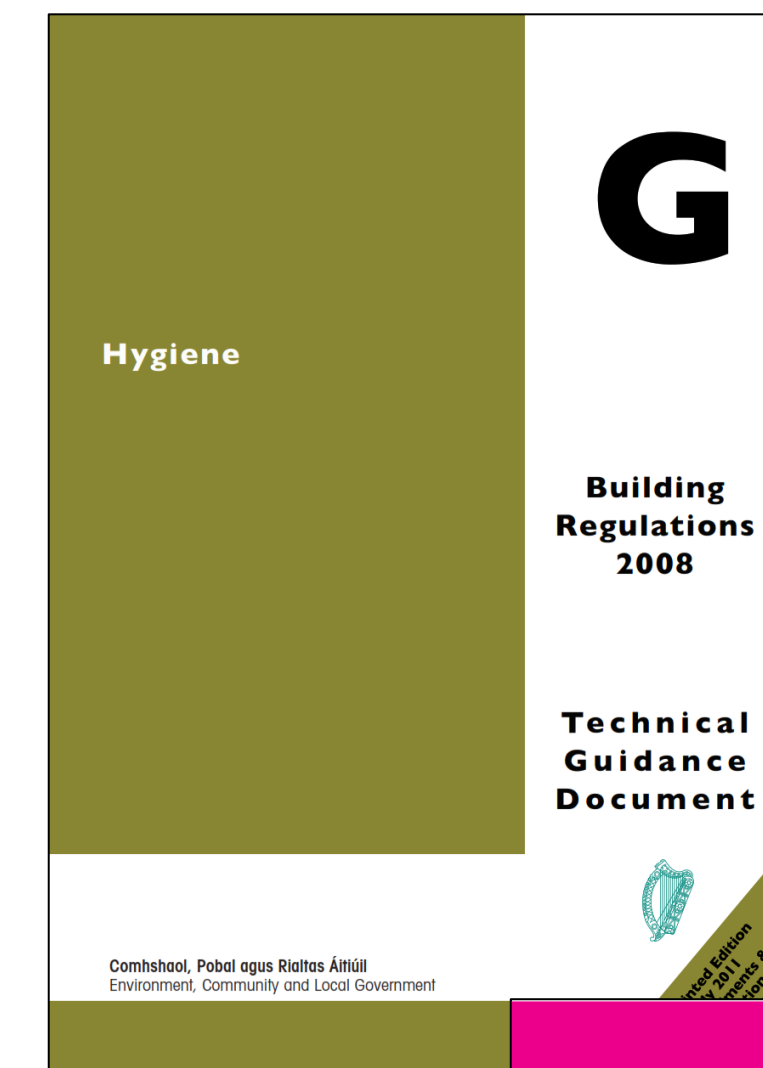
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# Building Regulations – Articles of Application



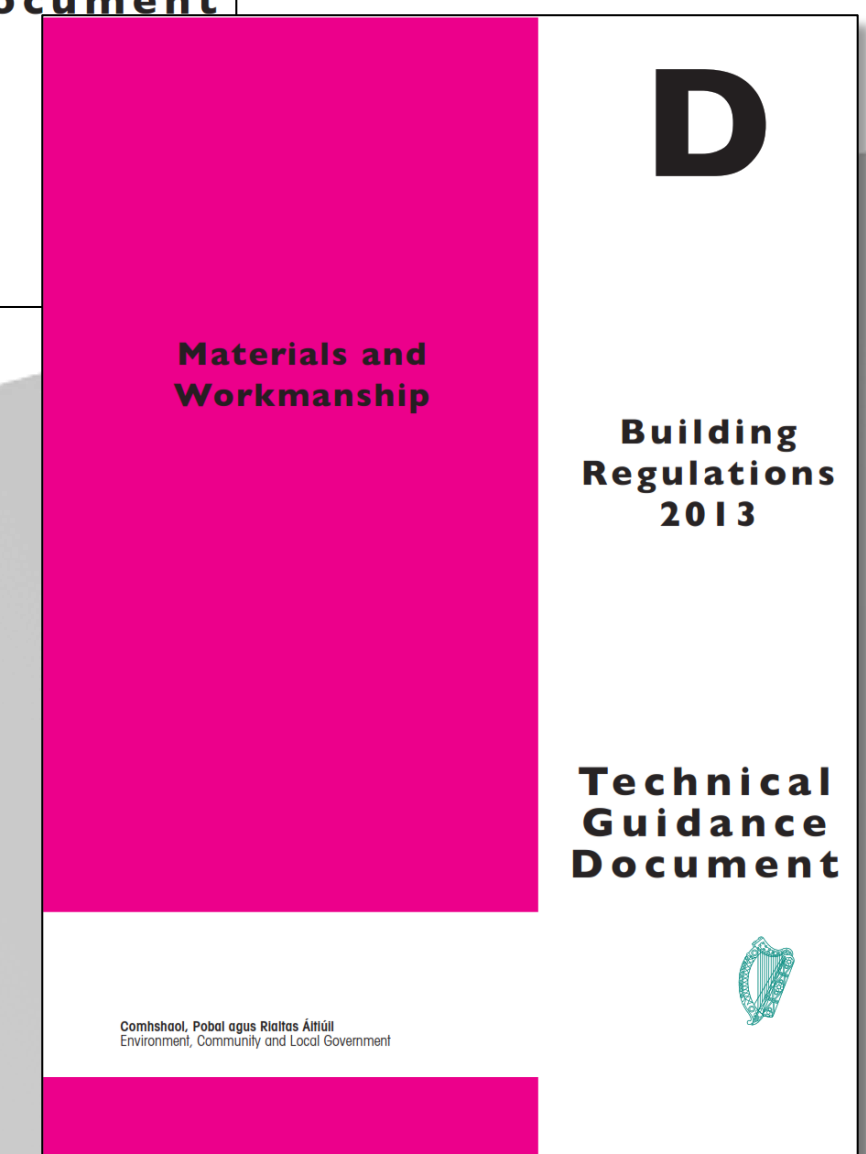
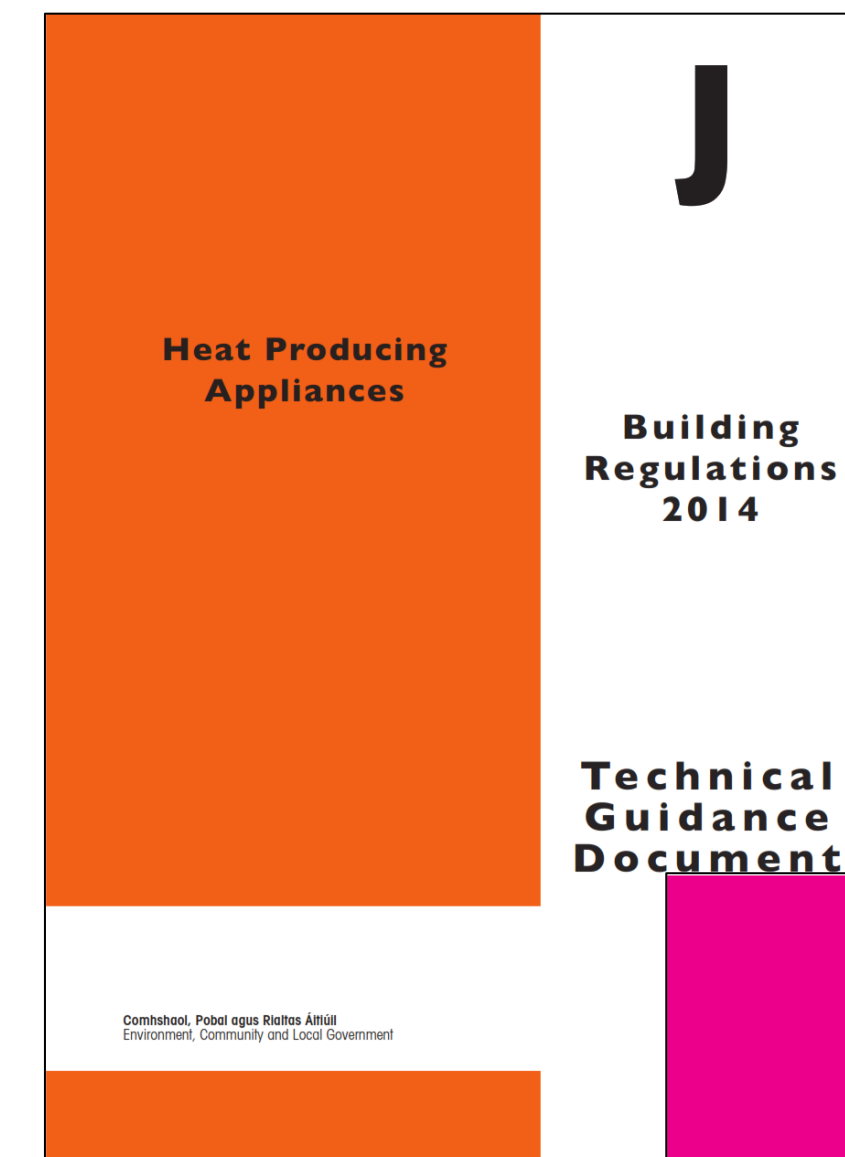
- Article 12 – Services, Fittings and Equipment
- Applies to new work or replacement in respect of:
  - *Part G - Bathroom, Kitchen*
  - *Part G – Sanitary conveniences*
  - *Part H – Drainage for foul wastewater and surface water*
  - *Part H – Wastewater treatment systems*



# Building Regulations – Articles of Application



- Article 12 – Services, Fittings and Equipment
- Applies to new work or replacement in respect of:
  - *Part J – Air Supply for combustion appliances*
  - *Part J – Discharge of products of combustion*
  - *Part J – Warning of release of Carbon Monoxide.*
  - *Part J – Protection of building*
  - *Part J – Provision of information*
  - *Part J – Fuel storage systems*



# Building Regulations – Articles of Application



- Article 13 – Change of Use – When it applies (dwellings)
- 13(2) a change of use, deemed by Section 3(3) of the Act to be a material change of use, takes place
- 3(3) BCA
  - *“(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,”*



# Building Regulations – Articles of Application



- Article 13 – Change of Use – What applies
  - *Part A1 and A2, (Loading, Ground movement)*
  - *Part B [B6 – B11], (Fire Safety)*
  - *Part C4 (Resistance to weather and ground moisture)*
  - *Part E (Sound)*
  - *Part F (Ventilation)*
  - *Part G (Hygiene)*
  - *Part H (Drainage and Wastewater disposal)*
  - *Part J (Heat producing appliances)*
  - *Part L (Conservation of Fuel and Energy)*

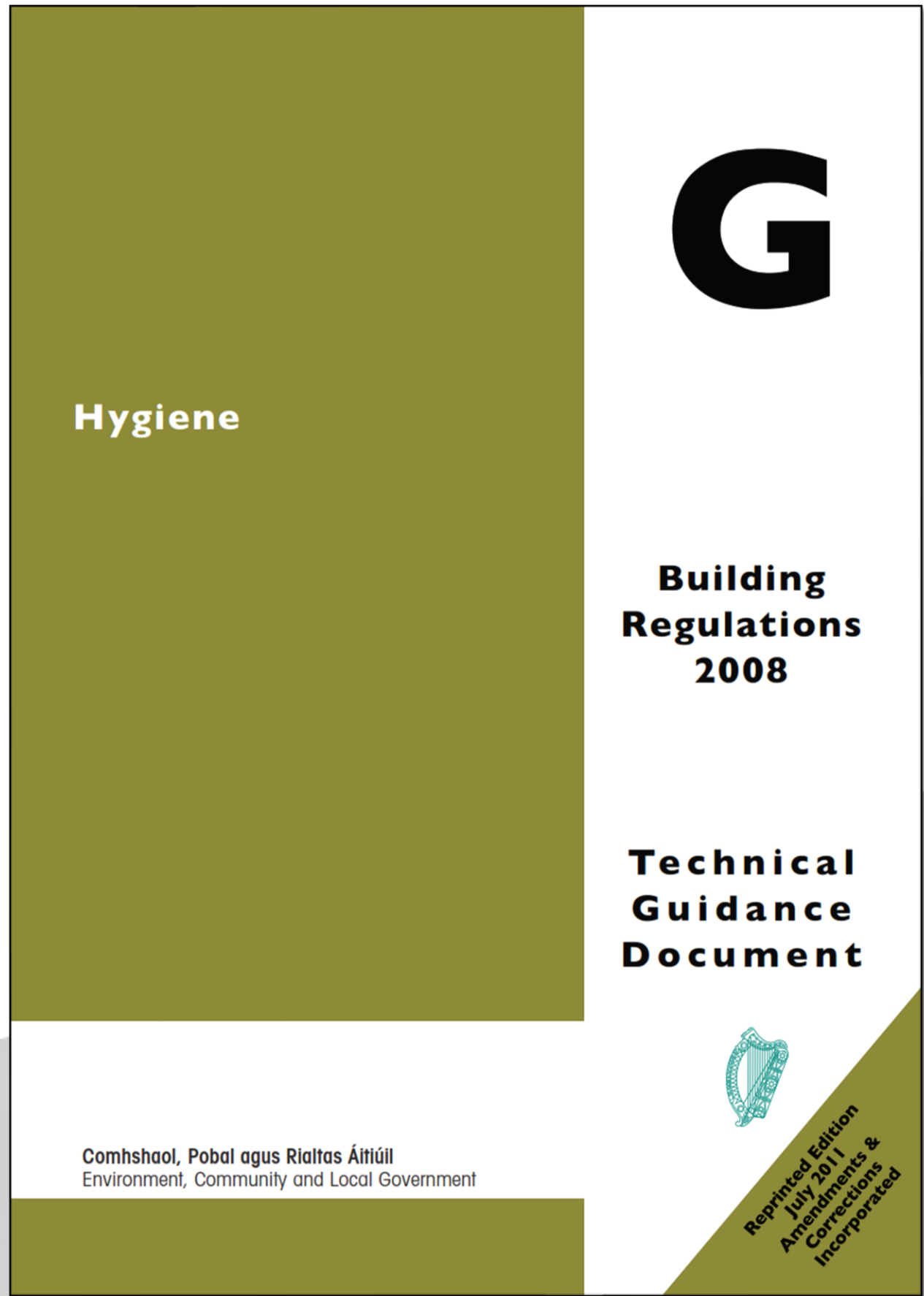
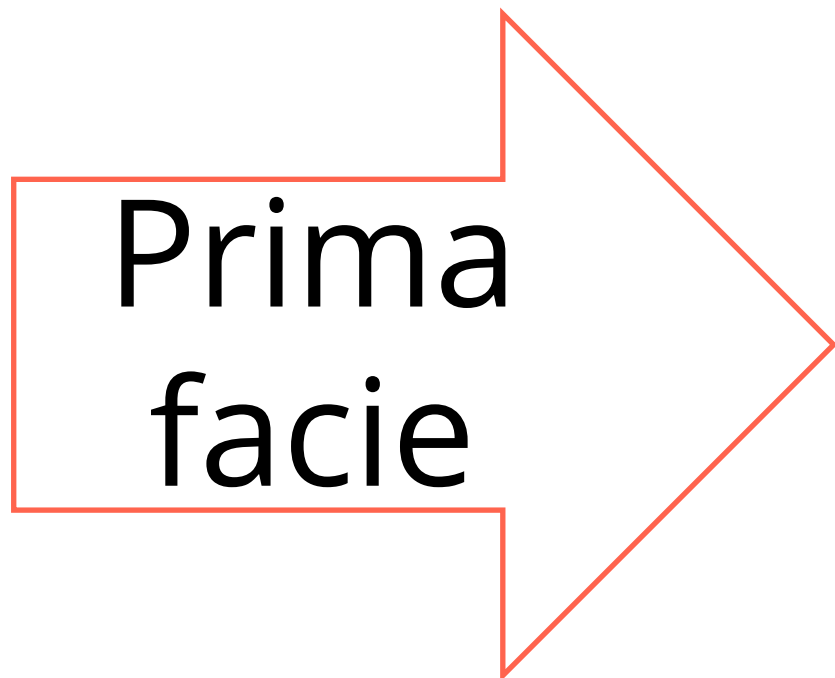


# Building Regulations – Compliance



- How to comply with the Functional Requirements

Bathrooms and kitchens.	G1	A dwelling shall be provided with -  (a) a bathroom containing either a fixed bath or a shower bath, and a washbasin, and (b) a kitchen containing a sink of adequate size and a draining board, and (c) a suitable installation for the provision of hot and cold water to the bath or shower bath, washbasin and sink.
Sanitary conveniences and washing facilities.	G2	(1) Adequate sanitary conveniences shall be provided in a building in rooms provided for that purpose, or in bathrooms, and every room or bathroom which contains a sanitary convenience shall be adequately separated from any place where food is prepared or cooked.  (2) Adequate washbasins shall be provided in - (a) rooms containing sanitary conveniences; or (b) rooms or spaces adjacent to rooms containing sanitary conveniences.  (3) There shall be a suitable installation for the provision of hot and cold water to washbasins provided in accordance with subparagraph (2).  (4) Sanitary conveniences shall be of such design as to facilitate efficient use of water for flushing.  (5) Sanitary conveniences and washbasins shall be of such design and be so installed as to allow for effective cleaning.
Definition for this Part.	G3	In this Part, "sanitary convenience" means a water closet or a urinal.



# Technical Guidance Documents – Existing Buildings



- In the case of material alterations or changes of use of existing buildings, the adoption without modification of [a TGD] 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, alternative approaches based on the principles contained in [a TGD] may be more relevant and should be considered.

# Technical Guidance Documents – Existing Buildings



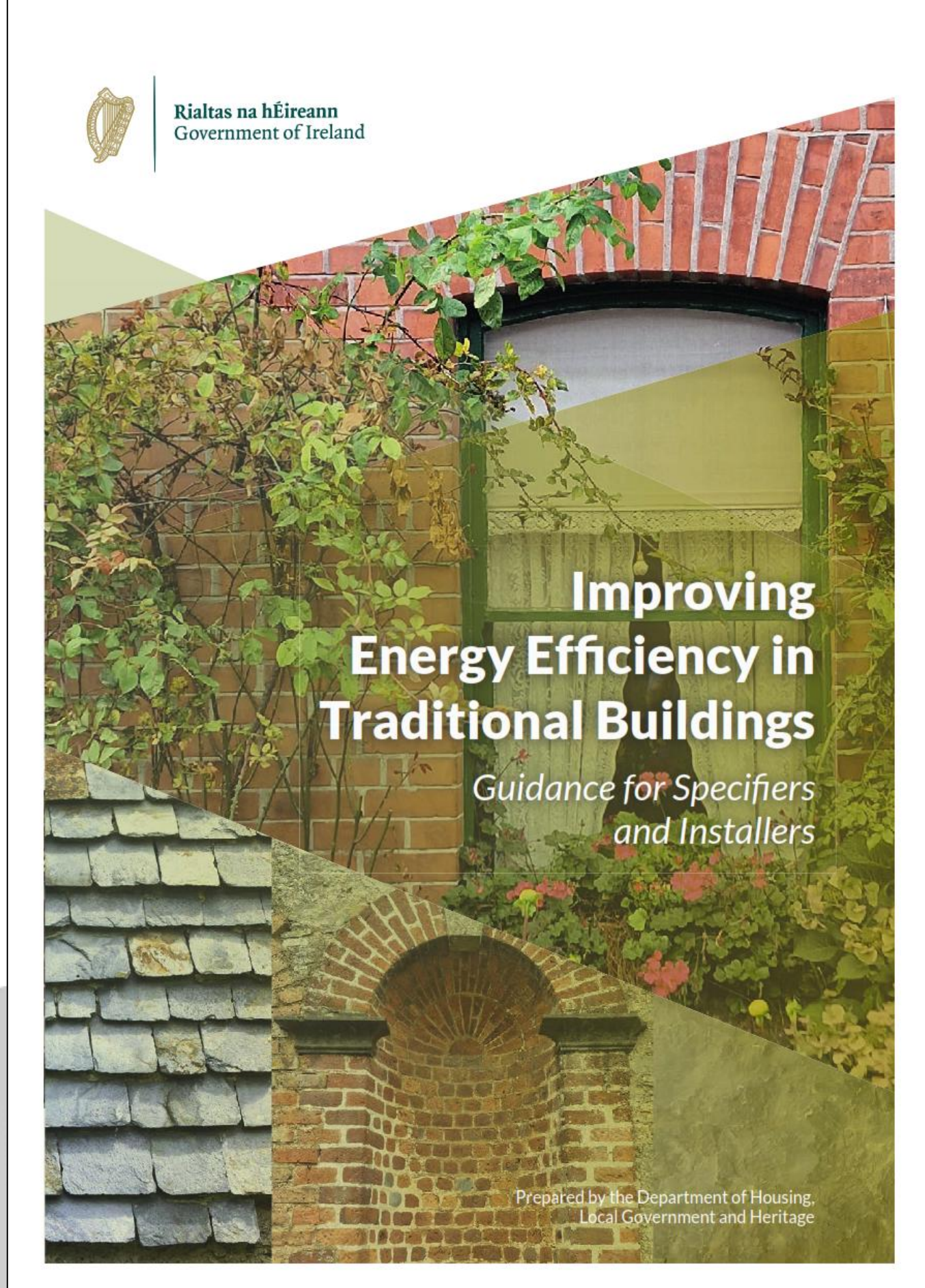
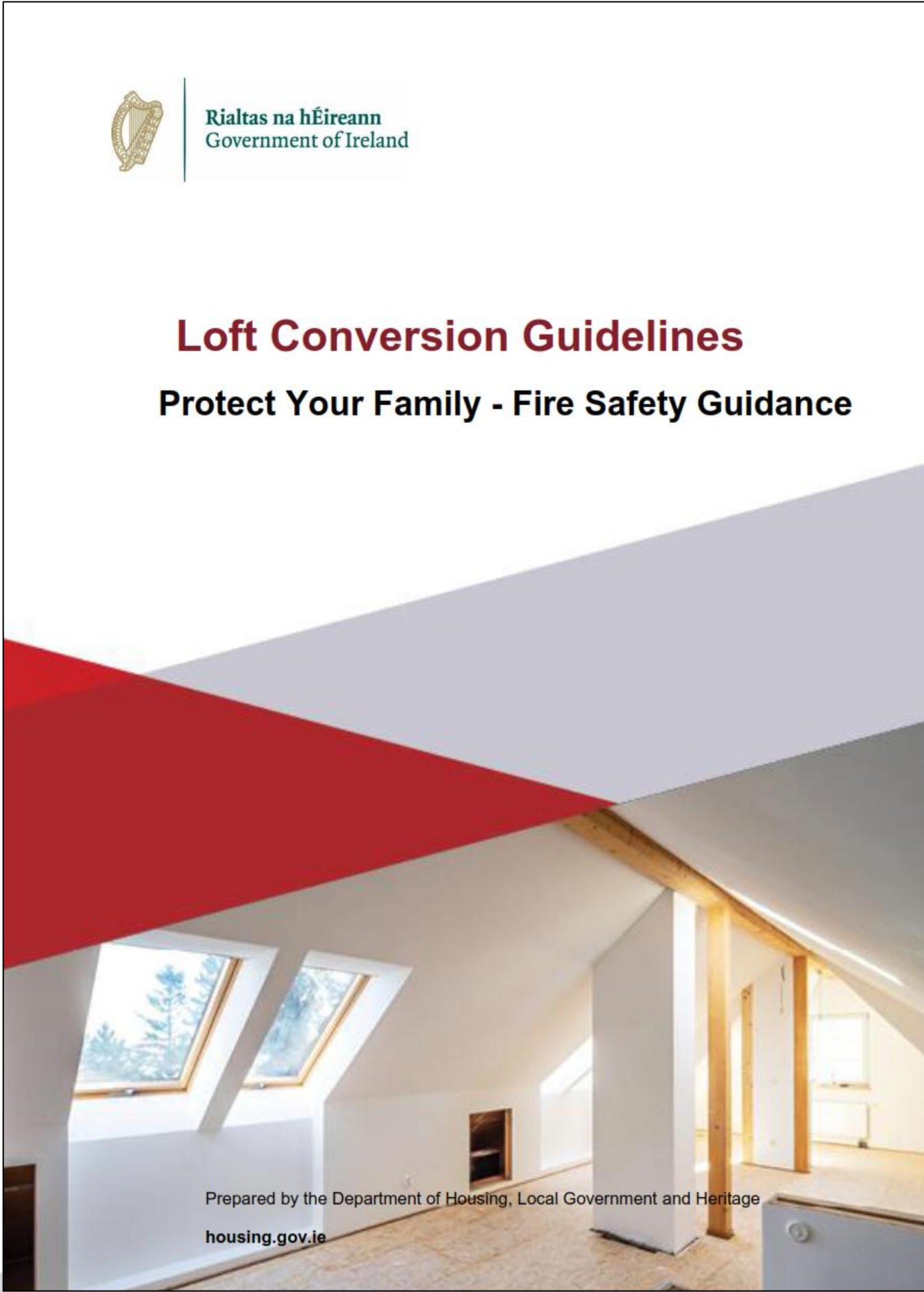
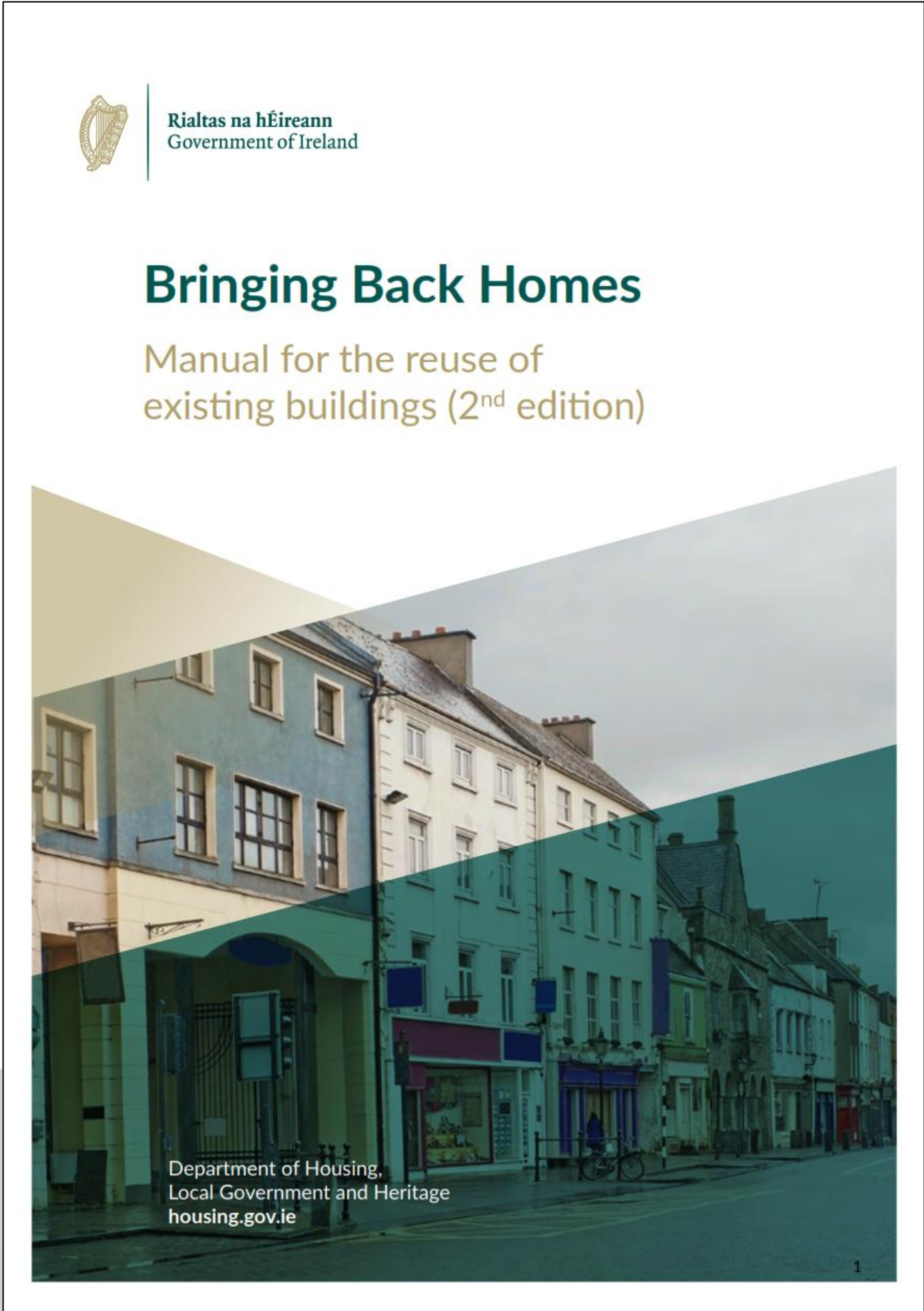
- TGD A 2012: Appraisal of existing buildings, Recovering of existing roof structures
- TGD B, 2017: Existing Buildings - Means of escape, linings, external fire spread, access for fire services
- TGD E, 2014: Protected Structures / Existing buildings
- TGD G: Existing Buildings - Replacement of pan and cistern
- TGD H: Repairs and alterations of drains and sewers
- TGD J: Repair or reuse of existing flues or chimneys
- TGD L: Section 2 - Existing Buildings

# Works to existing buildings – Building Control Notification



Description of Works	Notice Type
Conversion of a non-dwelling into a single dwelling (Material Change of use) where planning permission is required	Commencement Notice without additional documentation
Material alteration, e.g. Refurbishment, inclusion of an ancillary shop as part of the existing dwelling, provision of new services,	A Commencement Notice is not required (because neither Planning permission nor a Fire Safety Certificate is required).
Extension of < 40 sq.m, where planning permission is required	Commencement Notice without additional documentation
Extension to an existing dwelling of > 40 sq.m	Commencement Notice with additional documentation <u>or</u> Commencement Notice with Declaration of Intention to Opt Out of Statutory certification
Loft Conversion	A Commencement Notice is not required (because neither Planning permission nor a Fire Safety Certificate is required).

# Other Documents



# In Closing



- Application of Building Regulations Existing Buildings
- Building Control Regulations and Existing Buildings
- Guidance and Useful Documents

# Thank you!



# Questions?