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CIF Submission to the Review of Exempted Development Regulations

26/08/25



INTRODUCTION

The Construction Industry Federation (CIF) welcomes the opportunity to provide input into the Review of Exempted Development Regulations Consultation. Overall, we view the proposed planning exemptions as a positive and necessary step to support the delivery of housing and critical infrastructure, while ensuring that the planning system balances practicality, efficiency, and inclusivity, and that emergency response measures to all types of weather events and disasters are not encumbered or halted by planning laws (particularly AA/EIA).

This submission focuses on proposed exemptions in relation to domestic development, health and education, and infrastructure (utilities, EV charging, and water infrastructure), all of which are essential to Ireland's housing and sustainability objectives.

DOMESTIC EXEMPTIONS

The IHBA strongly supports extending the proposed domestic exemptions to include new builds as well as existing dwellings. This would free up valuable planning authority resources and allow minor modifications to consented developments without requiring unnecessary applications.

- Examples of such changes include the addition or removal of sunrooms, dormer windows, rooflights, PV panels, or minor reconfigurations of unit mix (number of 2, 3 and 4 bed units).
- As a safeguard, permissions could specify overall scheme parameters (e.g. percentages of unit types) within which such flexibility is permitted.
- These changes are rarely controversial, seldom appealed, yet currently consume significant developer and planning authority time.

We also support a relaxation of exemptions relating to commercial property, particularly for changes of use between commercial classes and subdivision or amalgamation of units, which would improve responsiveness in town centres and reduce vacancy.

HEALTH AND EDUCATION EXEMPTIONS

The IHBA supports the proposed exemptions to facilitate minor and retrofitting works in schools and hospitals. However, we believe this could go further. Specifically, we suggest that permanent extensions to hospitals and schools — for the purpose of creating additional beds and classrooms — should also be considered exempted development. These works represent a consistent use with the established use of such facilities and would provide a direct response to ongoing pressures on capacity, while ensuring that essential public services can expand in a timely and efficient manner.

EV CHARGING INFRASTRUCTURE

The CIF supports the objective of increasing EV charging capacity nationwide. However, we must emphasise that exemptions be implemented in a way that avoids unintended consequences such as overcrowding of footpaths, excessive on-street furniture, and increased infrastructure costs.

- Domestic and On-Street Charging: In many residential streets without off-street parking, charging infrastructure risks obstructing already narrow footpaths. Exemptions must be carefully designed

to prevent obstruction of the public and ensure accessibility for people with mobility impairments, parents with buggies, and older residents.

- Apartment and Multi-Unit Developments: Exemptions should encourage the provision of EV charging within private managed spaces and car parks, rather than dispersed on-street units. This approach supports accessibility and avoids duplication of small-scale infrastructure.
- Larger Charging Hubs: Exemptions allowing for canopied charging stations at service stations, car parks, and other large sites are strongly supported. These hubs provide economies of scale, reduce reliance on numerous small roadside units, and improve user convenience.
- Electricity Network Capacity: Exemptions must be matched with proactive, anticipatory investment by ESB Networks to ensure sufficient network capacity is available for charging infrastructure in new developments. Without this, roll-out will face delays and increased costs for developers and homeowners. Care must also be taken in the design of policies on private wires and TIC (Taking in Charge) areas to avoid inconsistent local authority practices, duplication of infrastructure, excessive ducting, and higher delivery costs.

Overall, exemptions should prioritise consolidated, well-planned charging solutions that support electrification targets while ensuring safe and accessible public spaces.

WATER INFRASTRUCTURE

The CIF has consistently highlighted that water and wastewater infrastructure is a critical enabler of housing delivery. Prolonged underinvestment has created a bottleneck that is constraining new housing supply and threatening economic growth.

We strongly support the expansion of exemptions for works by Uisce Éireann, including:

- Maintenance, upgrading, and renewal of existing assets, such as water mains, sewers, service connections, and pumping stations.
- Emergency works to protect public health or prevent critical system failure.
- Upgrading within existing sites (treatment plants, pumping stations) where scale is limited and environmental impacts are minimal.

Water and electricity infrastructure must be planned and delivered in tandem. Housing cannot proceed without timely delivery of both. Planning exemptions that accelerate the upgrading of water systems should therefore be mirrored by exemptions for electricity reinforcement works, ensuring joined-up delivery of critical services.

However, while we support the principle of increasing utility connections, ensuring durability of infrastructure already on the ground and increasing the capacity of that infrastructure where possible, we would ask that consideration is given to expanding the scope of the exemptions where it relates to new, larger substations, treatment works and pumping stations. Specifically, the provision of new water mains, sewers, and related connections could be subject only to a road opening licence, without further planning requirements.

CONCLUSION

The CIF supports the principle of revising and updating exempted development regulations from planning permission to enable the delivery of critical infrastructure. On domestic exemptions, flexibility for new builds and minor modifications would reduce planning bottlenecks. On health and education, we support proposed measures but also recommend that permanent extensions for schools and hospitals to add beds and classrooms be considered exempted development. On EV charging, these exemptions should support widespread capacity while avoiding cluttered and inaccessible streetscapes, and must be backed by anticipatory investment in electricity networks. On water infrastructure, we ask for expanding the scope of the exemptions for Uisce Éireann works, including maintenance and upgrading of existing assets, installation of new equipment within existing sites, and emergency works, so that these critical interventions can proceed without delay and without creating additional planning bottlenecks.

To reiterate, the exemptions for utilities should include underground works as well as overground infrastructure, include new infrastructure as well as renewal/upgrading of existing assets and should extend to private developers as well as UÉ and other utilities.

In revising these exemptions, care must be taken to ensure that any regulatory changes do not inadvertently increase delivery costs for housing. At a time of significant affordability pressures, exemptions should reduce delays and costs, not add to them.

Finally, we urge the Department to ensure that the revised planning exemptions framework delivers certainty, efficiency, and alignment with Ireland's infrastructure and climate goals, and reiterate our position that water and electricity are among the single biggest enablers of housing delivery.