**Submission**

This is a submission to have the following text deleted from Chapter 17 Section 17.4.9 Family Flat, Draft Kildare County Development Plan 2023-2029.

*Accommodation must be subsidiary to the main dwelling in scale and only in exceptional cases will more than one bedroom be permitted where a need has been demonstrated.*

And replaced with:

Accommodation shall be subsidiary to the main dwelling in scale and its floor area shall not exceed 70sq metres. The maximum site coverage shall not exceed 50% and due regard shall be given to the Plot Ratio Standards set out in Table 01- Plot Ratio Standards.

**Kildare County Development Plan 2017-2023**

**Chapter 17. Development Management Standards**

**17.4.9 Family Flat**

*This is a temporary arrangement to accommodate an immediate family member or a carer within an*

*existing dwelling unit in a semi-independent capacity. Applications for a family flat shall have regard to the following requirements:*

* *Applicants shall submit documentary evidence at application stage to demonstrate the need for a*

*family flat;*

* *The proposed unit should be linked directly to the main dwelling by a connecting door;*
* ***Accommodation must be subsidiary to the main dwelling in scale and only in exceptional cases will more than one bedroom be permitted****; and*
* *Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house.*

*It is normal procedure to include conditions in any grant of permission that the family flat cannot be sold, conveyed or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.*

**Draft Kildare County Development Plan 2023-2029**

**Chapter 15. Development Management Standards**

**15.4.14 Family Flat**

*Family flats (often known as granny flats) refer to a temporary subdivision or extension of an existing dwelling unit. They are a way of providing additional accommodation with a level of semi-independence for an immediate family member (dependent on the main occupants of the dwelling).
Applications for a family flat shall have regard to the following requirements:*

* *The applicant shall be required to demonstrate that there is a genuine need for the family flat.*
* *An occupancy condition may be applied.*
* *The proposed unit should be linked directly to the main dwelling by a connecting door.*
* ***Accommodation must be subsidiary to the main dwelling in scale and only in exceptional cases will more than one bedroom be permitted where a need has been demonstrated.***
* *The design standards for house extensions shall be applied to the family flat.*
* *Any external doors permitted (to provide access to private / shared open space or for escape from fire) shall be limited to the side or rear of the house.*
* *Where required, it will be necessary to demonstrate that the existing on-site wastewater treatment system serving the main dwelling can facilitate the additional loading from the family flat. Where this cannot be demonstrated, it will be necessary for the on-site wastewater treatment system to be upgraded as part of the development proposal.*

*It is normal procedure to include conditions in any grant of permission that the family flat cannot be sold, conveyed or leased separately from the main residence, and that when the need for the family flat no longer exists the dwelling must be returned to a single dwelling unit.*

 **Ground for Submission.**

The use of the words ‘in *exceptional circumstance’* can be applied differently, by different Planners when considering applications for family flat type developments. What one Planner may consider to be ‘*exceptional circumstances*’ another Planner may not so consider, arising from the fact that the Development Plan does not set out what constitutes ‘exceptional circumstances. This can lead to a lack of a uniform approach within the planning authority.

The profile and make-up of families today differs greatly from the past when a bedroom in a converted garage for the ‘granny’ was the norm. Applicants may wish to accommodate elderly persons with medical needs requiring two bedrooms or the son/daughter with children and as a single parent seeking to return home. The list can go on and it is impossible for Applicants and Planners to decide what social need is less or greater than another under the heading ‘exceptional circumstances. ‘Exceptional circumstances’ is therefore overly restrictive without proper definition and should be deleted.

The key considerations should be:

* Subsidiary to the main dwelling and reflect its design, character, and finishes.
* Site coverage and plot ratio
* Protection of existing residential amenities and character of the area.

The perfect tools to help control of bulk and mass of buildings is plot ratio and site coverage and therefore should be utilised in respect to family flat type developments. An application for a family flat on a site within an urban setting as opposed to an application of a site within a rural setting differ greatly in context and therefore should have different requirements/standards applied. Also, floor areas of dwelling within the county differ greatly from a rural gate lodge to a mansion on a large agricultural estate. Paragraph 15.2.1 of the Draft Development Plan sets out requirements as regards Site Coverage and Paragraph 15.2.2 sets out the requirements for Plot Ratio. These requirements should be specifically applied to family flat type developments in the interest of fairness.

Limiting the accommodation to one bedroom except in undefined ‘*exceptional circumstances’* is prohibitive with regard to the adaption and reuse of the existing housing stock contrary to Project Ireland and Rebuilding Ireland.

**James McInerney**

**Planning Consultant.**