

Draft Clare Draft Development Plan 2023-2029 Submission

From: Cllr Clare Colleran Molloy

Re: Ancillary (Accessory) Dwelling Units (“ADUs”)

I would like the following submission be considered under the Clare County Development Plan Review for 2023 – 2029 and would ask that written policy be developed (similar to other local authorities) with respect to ancillary dwelling units (**ADUs**) and their permissibility in County Clare.

1. CURRENT SITUATION

I understand that

- (i) there is an *unwritten* policy in our County wherein so called “granny flats” are permitted when justified
- (ii) this policy is entirely discretionary in its implementation
- (iii) these “ancillary dwellings” may be either attached or detached to the main dwelling
- (iv) such ancillary dwelling units remain within the existing house property Folio, and
- (v) there will be no more than one site entrance, and where applicable, no more than one waste water treatment system.

Moreover, I understand that where such ancillary dwelling units are permitted there is usually a planning condition attached requiring that the ancillary dwelling unit not be “let or sold”.

2. BACKGROUND TO SUBMISSION:

In County Clare, as in Ireland, we remain challenged with the need for new housing supply and alternative housing solutions.

This challenge is not exclusive to Ireland.

In the United States for instance, there is also a shortage of housing.

The cost of construction has risen sharply post-Covid19 Pandemic, and this is likely to be further exacerbated by the Russian invasion of Ukraine. Consequently, a substantial ramp-up of construction is not imminent in the short term.

These circumstances have led Planning Authorities to be creative in devising new planning policies to partially alleviate this housing need pressure and to aid in housing affordability and diverse availability. An example of one such policy being adopted by numerous counties in the United States is the permitting of what are termed **ADUs—Accessory Dwelling Units**.

The Benefits of ADUs are

- Increases the range of housing options available to help meet different income and generational housing needs
- Provides options for aging in place for the elderly, sick or those on fixed-incomes
- Generates income for the owner of the principle dwelling if the ADU is rented
- Allows for flexibility in infill development while retaining the scale and character of a neighbourhood
- Serves a range of different populations from students and young professionals to people with disabilities and senior citizens
- Promote economic stability for the property owner

3. SUBMISSION:

In the interests of clarity and transparency, and accepting that each application is unique and will be decided on a “case by case” basis, I ask that the following be considered in devising a written policy on ADUs to be contained in the Clare County Development Plan for 2023 – 2029:-

1. That ADUs be permitted and will be considered favourably in County Clare
2. That ADUs can be leased/let
3. That ADUs need not be conditioned on being occupied by the relatives, adopted persons or dependents of the principal dwelling property owner
4. That the acceptable setbacks, height, maximum square metres, and required % yard area allowable be stated
5. That the maximum allowable size of an ADU be determined based on the size of the principal structure and site and the presence of other structures on the property, e.g., an ADU will be subject to 70% principle dwelling size subject to maximum area whichever is less. **[Example from US Local Authority: Principal Dwelling Size: 1,026 sf ADU 70%: 718 sf. Lot Size: 13,068 sf 5% of Lot: 653 sf. Max ADU size: 653 sf]**
6. That a permanent foundation be required for the ADU (making Mobile Homes & RVs not permitted)
7. That the application process be simplified to speed up processing
8. That ADUs must meet all building, housing and fire codes.

March 28, 2022