

How to get planning permission

ARCHITECT'S CLINIC

DIARMUID CRONIN

Q WE are planning a biggish extension and understand that anything over 40 sq m requires planning. Could you take us through the planning process? How long will it take and what happens if someone challenges it?

A THANK you for your query. Firstly, you are correct that extensions over 40 sq m (approximately 400 sq ft) require planning permission under current planning and development regulations.

It's worth noting that extensions up to 40 sq m can cover a surprisingly large amount of domestic projects which are exempt from planning. (This is within certain criteria, including the location of the extension and minimum distances to boundaries as well as other factors.) This should be advised further by an expert.

DESIGN AND ENGAGING AN ARCHITECT

Your process should begin with engaging a qualified professional for your project. A registered **RIA** architect is the most appropriate professional for such a task, as she or he is best qualified in the necessary skills to maximise the potential of your home and to achieve an exciting design, while meeting the needs of your brief.

This step is critical, not only in terms of design, but also in guiding you correctly through the planning system and the many other statutory requirements involved.

Achieving planning permission is sometimes perceived as the focal point in a project, and means that design can often be overlooked or rushed in an effort to 'get planning'.

But the importance of design cannot be over-emphasised - your extension is likely to be space that you (or someone else) will live in for many years to come and should therefore be given due care and attention!

PLANNING PROCESS

The following will require consideration by your architect when making a planning application:

- **Local Authority Development Plans and zoning** - these documents generally set out what is allowable for the area within which the site is located and provide development guidelines

such as setback requirements, access, distance to adjoining properties and more.

- **Existing planning history** - previous planning decisions which may impact on what would be permitted; e.g. was permission previously refused for a specific reason?

- **Title/consents/wayleaves/rights of way** - legal issues with the area of a proposed extension.

Does the proposed extension encroach on an area outside of your ownership? Is there a right of way that should be known about?

- **Boundaries/adjoining properties** - ensuring certainty on boundaries to the property. Is a particular boundary wall a party wall or is it fully contained within your site? How should these be dealt with?

- **Levels and site features** - accurate site levels for a proposed extension. Does the proposed floor level suit these?

- **Services and drainage** - existing drainage and services in the vicinity of an extension. Are there overhead phone lines which will clash with the extension? Is there an ESB supply to the existing house which will require relocation as a result of the build?

- **Built heritage/protected structures/archaeology** - is the existing house a protected structure or listed within the Local Authority Development Plan? Is the site located within an area of archaeological interest?

- **Suitability of the existing treatment system** (rural applications) - is the existing system recently installed? Will it pass current standards or need replacement to comply with current requirements? This may well be a prerequisite to planning permission being granted in rural locations

The array of items required with your application will be listed with the planning authority and include: application form, fee, public notices, (newspaper and site notice), six copies of drawings and any other necessary documents specific to the project.

PLANNING PERIOD

The application period is normally three months, made up of a minimum of eight weeks (from validated application receipt) to issue of a decision and then a further four weeks (called the appeal

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period) for issue of a final grant.

A final grant is issued if no appeal has been made to An Bord Pleanála and where the authority has not already issued a decision to refuse.

It is not unusual for planning authorities to request additional information during the course of the application. This resets the clock where a decision is then due four weeks from receipt of the additional information.

CHALLENGES

A third party can challenge a decision of the planning authority by appeal to An Bord Pleanála.

The appeal must be received within the appeal period and there are certain criteria for this, including that they must have submitted an observation in the initial five-week application period. (There are exceptions to this such as for statutory bodies or where a right of leave to appeal is granted by An Bord Pleanála in particular circumstances.)

The grounds of the appeal must also relate to planning issues only.

On what basis can a challenge be made? Issues may range from overlooking or overshadowing to loss of a view, access, impact on an adjoining property or concerns over noise and dust. They will normally be considered within the context of the development guidelines laid out in the relevant Development Plan or Local Area Plan within which the site is located.

COSTS

Fees for architects are typically based on a percentage of estimated building costs or an agreed lump sum. This is dependent on size and complexity of the project. For example, an extension to a protected structure involves much more work and detail and should be carried out by an architect with expertise in this area (such as an **RTAI** Grade I, II or III conservation architect).

Other application-related costs to expect are newspaper adverts, Ordnance Survey maps and the local authority application fee, which together normally cost in the region of €150-200.

All being well, you should receive your permission and move on to the next step of your project. The very best of luck!

If you are considering changes to your home, work with a registered architect. You can find a registered architect on raia.ie, the registration body for architects in Ireland.

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A large extension under construction, above, to side and rear of existing house which required planning permission; below, consider the quality of design, and make sure it exploits the site

