

## Chapter 14 Development Standards

### 14.0 Aim

To promote, guide and enforce high standards of development quality throughout Tullamore town and environs having regard to quality of life, the environment, community, the economy and surrounding County Offaly.

### 14.1 Context

The purpose of this section is to encourage the creation of living and working environments of the highest quality by ensuring standards of design and layout, protecting amenities and conserving and building upon positive elements in the built and natural environment of Tullamore town and environs. It is intended that reference to these development standards will provide guidance and assistance to those who seek permission for development. These standards support and inform the implementation of planning policies and objectives.

### 14.2 Strategy

#### 14.2.1 Residential Development – Multiple Housing Schemes

Housing developments are new communities or extensions to existing communities and the Planning Authorities consider that all such developments should strive for excellence. In particular, the form, scale and design of developments should respect and enhance their context.

A high standard of architectural design and layout are the main criteria for achieving a high quality living environment and all housing developments will be assessed against policies, objectives and standards of this Development Plan. The Planning Authority will also have regard to “Sustainable Residential Development in Urban Areas Guidelines 2008” and accompanying document “Urban Design Manual – Best Practice Guide 2008”, published by the Department of Environment, Heritage and Local Government (DoEHLG) particularly in relation to density. In so doing, particular attention will be given to good design, ensuring that higher densities are not achieved to the detriment of residential amenity or general urban and environmental quality.

##### 14.2.1.1 Layout

In the design of new residential areas, the Councils will encourage high standards of design which respect the existing scale and character of the surrounding area, have regard to the masterplans, be informed by the DoEHLG guidance in place and other best practice in urban design, and with the incorporation of such features as:

- Avoidance of unnecessary through-traffic movements, if such movements are liable to result in traffic hazards or significant disamenity.
- Provide satisfactory vehicular, cycle and pedestrian access to the site.
- The development of a coordinated and unified open space system providing for both play facilities and pedestrian access.
- Adequate provision for access to service requirements such as shopping, schools, community facilities.
- Imaginative use of materials and elevational treatment to produce a distinctive sense of place and identity.

##### 14.2.1.2 Density

Both Planning Authorities promote a qualitative, as opposed to a quantitative approach, to developments of this nature and therefore no specific density standards are specified in this Plan. The densities will be determined by design and other development standards that are required to be achieved, prevailing adjacent densities and the standards and safeguards in the DoEHLG Guidelines for Planning Authorities on Residential Density “Sustainable Residential Development in Urban Areas Guidelines 2008” and accompanying document “Urban Design Manual – Best Practice Guide 2008” and the need to ensure an appropriate mix of dwellings. The Planning Authorities will have regard to these guidelines and any subsequent reviews when determining appropriate density.

#### 14.2.1.3 Overshadowing

The Councils will require daylight and shadow projection diagrams to be submitted in all proposals where buildings of a significant height are involved or where new buildings are located very close to adjoining buildings. This will provide an element of control in situations where overlooking occurs.

#### 14.2.1.4 Dwelling Design

The value of an appropriate housing layout will not be realised without corresponding high standards in house design. The Planning Authorities welcome contemporary designs and innovation in this area. Context remains very important principally in outlying mature residential areas of the town and environs. Materials and finishes will also be required to be of a high standard and to take account of their context. Where necessary, colour schemes will be required to be prepared by a suitably qualified person.

#### 14.2.1.5 Open Space

In designing public open space areas, the designer should have regard to the "*Sustainable Residential Development in Urban Areas Guidelines 2008*" and accompanying document "*Urban Design Manual – Best Practice Guide 2008*" by the DoEHLG. This includes information on how public open spaces should be designed, namely;

- **Public open space** should be provided in a comprehensive and linked way and designed as an integral part of the development.
- Wherever possible, the majority of open space should be **multi-functional**. Areas providing for informal amenity and children's play can often successfully be combined.
- Public open space should be **well designed** from a visual perspective as well as functionally accessible to the maximum number of dwellings within the residential area.
- **Attractive natural features** e.g. trees and hedgerows should be retained, protected and incorporated into public open space areas.
- Public open space areas should be provided with a maximum amount of **surveillance** from dwellings within the estate.
- Open space should be **suitably proportioned** and narrow tracts, which are difficult to manage, are not acceptable.
- The use of hard landscaping elements such as paving or cobbled areas should provide an increasingly important role in the **design and presentation** of open space concepts, while having regard to surface water runoff. Proposals should include landscaping plans.
- The provision of open spaces to serve new residential developments should be on a **hierarchical basis** varying in size from large town parks to small children's play areas and passive recreation spaces close to people's homes.
- Generally, houses shall not be permitted **to back onto** public open spaces.
- The Planning Authorities will require a standard of **80m<sup>2</sup>** of public open space per dwelling and developers will be required to reserve a minimum of **15%** of the total subject site area as recreational public open space.

In calculating the area of public open space, the area of roads, grass margins, roundabouts, footpaths, and land associated with other infrastructure or land which, by their nature or topography, are not capable of being used for amenity purposes, shall not be taken into account when the provision of public open space is being assessed.

In certain circumstances, infill housing schemes in the central areas of Tullamore town may not be required to comply with the provision for public open space. The suitability of each such scheme in this respect will be considered on its individual design merits, its location and its context.

#### 14.2.1.6 Open Space (Low Density Housing)

A relaxation of the standard may be considered where the overall density of a proposal is less than 8 dwellings per hectare as the provision of space within the dwelling curtilages over and above the minimum required may be taken into

account. The Planning Authorities will also have regard to any current recreation and play strategies adopted by either Council.

#### 14.2.1.7 Private Open Space (Residential Development)

All houses (terraced, semi-detached, detached) shall have an area of private open space behind the building line of at least 60-75 m<sup>2</sup> for 3-5 bedroom houses. In the case of 1 and 2 bedroom houses, a slightly reduced standard may be acceptable, however this should not be less than 48 m<sup>2</sup> per dwelling.

In the case of apartment and duplex style schemes, private open space is to be provided in the form of landscaped areas, courtyards, terraces/patios and balconies. Roof gardens could also be considered. The recommended minimum standards for private open space in this situation will depend on the location of such. For instance, one-bedroom apartments close to the town centre and within neighbourhood centres will require 20m<sup>2</sup> and two or three bedroom apartments will require 25-30m<sup>2</sup>.

Normally, a minimum of 20m<sup>2</sup> of private open space or garden area for each bed space in flats/apartments shall be provided, and such space should be available to all occupants. Provision should also be made for other facilities including screened refuse bin storage facilities, car parking and visitors parking.

A permanent barrier of 1.8 metres high should be provided at the rear boundary of each back garden.

#### 14.2.1.8 Privacy and Residential Amenity

New dwellings, which closely overlook the rear curtilage of existing dwellings, will not normally be permitted. Houses located in a piecemeal fashion to the rear of existing houses and with inadequate independent road frontage are considered to represent sub-standard development and will not normally be allowed. It will be the Councils' policy to encourage development of backlands only where appropriate and where proper standards are achieved.

#### 14.2.1.9 Space around Buildings

Generally a minimum distance of 2.5m for single storey, and 3m for two-storey buildings will be required to be maintained between the side walls of adjacent dwellings or dwelling blocks each having a minimum of 1 metre (from the dwelling to the boundary). This standard may be relaxed where the dwelling incorporates a single storey structure to the side.

A rear garden area with a minimum depth of 11 metres will be required, except in the case of infill developments in Tullamore town and neighbourhood centres where shorter garden lengths may be permitted if in keeping with the context. In the event of high quality design being achieved, these standards may be relaxed.

Overlooking and overshadowing of adjacent residences should be avoided/minimised in order to preserve residential amenity. In general there should be a distance of 22 metres between opposing first floor windows.

#### 14.2.1.10 Boundary Fences/Walls

The Planning Authorities generally encourage an open plan layout in housing developments. However, any concrete block walls permitted shall be plastered, suitably painted and capped.

#### 14.2.1.11 Side Windows

Generally windows in the gable/side walls of dwellings will not be permitted where the windows would closely overlook the curtilage of an adjoining dwelling. In the case of single storey dwelling, side windows which are more than 6 metres from a properly screened common boundary may be permitted.

#### 14.2.1.12 Permeability/Access

Pedestrian and cycle links between housing areas, connecting to open space areas and facilitating access to community/employment/commercial/retail facilities will be required where appropriate. These routes should be

adequately lit and designed in a manner to prevent motorised access unless a route is specifically classified as a shared surface.

#### 14.2.1.13 Phasing of Residential Developments

A phasing programme is required for large/medium sized housing detailing proposals for completing roads, open space, public lighting etc. in line with house completions.

#### 14.2.1.14 Masterplans

Where large-scale developments are proposed, the developer should submit a Masterplan of the site in conjunction with surrounding lands. This provides the knowledge and assistance in that the layout of the site can develop in an integrated coherent fashion with adjacent lands (refer to Chapter 5).

#### 14.2.1.15 Naming of Residential Developments

The naming of multiple residential developments should reflect the local and historical context of its siting as far as possible such as local names which reflect the landscape, its features, culture or history of the area. Consideration should be given to the use of the Irish Language where such use will reflect the topics mentioned above. Prior to the commencement of development, proposals for an estate/street name shall be submitted for the written agreement of the Planning Authorities.

#### 14.2.1.16 Trees/Hedgerows and Landscaping

The Planning Authorities will encourage the protection of all mature trees and hedgerows, which occur on development sites and roads.

All trees, hedgerow and landscape features to be retained shall be identified and appropriately protected with suitably secure fencing prior to commencement of development, details of which shall be agreed with the Planning Authorities. Please see Table 14.1 for a full list of native trees, plants and shrubs.

#### 14.2.1.17 Bin storage

Adequate provision needs to be made for the storage and collection of waste materials. Each house shall have adequate storage for three no. wheeled bins, screened where necessary.

#### 14.2.1.18 Recycling

Provision shall be made for 'bring centres' in large-scale developments, except in exceptional circumstances and shall be provided for in accordance with the requirements of the Local Authorities' Environment Service Section. The design of all dwellings shall take account of the Environment Section requirement for segregated collections of dry recyclable goods and organic waste.

#### 14.2.1.19 Other

Applicants for multiple housing developments should also have regard to the sections in this chapter on roads, carparking, archaeology and biodiversity.

#### 14.2.1.20 Taking in Charge of Estates/Management Companies

The current document by Offaly County Council on the "Taking in Charge Policy for Private Housing Development", outlines both Councils' policy in relation to the 'Taking in Charge' of such development.

It states that certain housing development e.g. apartment complexes, will have a condition in the planning permission that a properly constituted management company be established for the purposes of maintaining the public lighting, roads, parking areas, services and open spaces and which shall be conveyed to the management company. Furthermore, any security/bond lodged with the Planning Authorities for such a development will not be released until the satisfactory completion of the works and the subject roads, footpaths, services etc are conveyed to the management company.

For all other private housing development, a number of elements of a development i.e. public lighting, roads, footpaths, watermains, surface water sewers, foul sewers, open spaces, will be considered by the Councils for taking in charge, subject to conditions and requirements, which are listed in the above document.

#### 14.2.1.21 Apartments

Planning applications for apartments shall be assessed against the *'Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities'*, 2007 by DoEHLG. These set out standards in terms of minimum floor area and wall-to-wall dimensions for apartments, and individual rooms and storage areas within apartments. The Guidelines state that a significant proportion of the apartments within a scheme should *exceed* these standards. The Guidelines also include standards in relation to communal and private open space, design, storage areas and communal facilities.

### Design Note A: Design in Urban Areas including Tullamore Town and Neighbourhood Centres

#### Building Line

Where an established building line exists, this shall generally be maintained.

#### Height and Mass

Building height and mass shall be related to that of adjoining structures in the street. Where variations in eaves levels occur, the new structure will be expected to follow this pattern. Terracing of structures where appropriate will be required. New built form shall be used to define and endorse urban space of individual identity.

#### Roofs

Roofs shall be generally pitched shape and in keeping with that of adjoining properties in the street. Roof covering shall normally be of blue/black slate. Where backland or other developments adjacent to the Town Centre take place, consideration can be given to the use of tiles.

#### Windows

A predominately vertical emphasis should be a feature of all windows and door openings, especially those affecting the street elevation. In the case of windows, a minimum height to width ratio of 1.5:1 should be achieved. Traditional sash or top hung casement windows should be used in the case of domestic windows, where this is the predominant window type in the street. Shop windows of large dimensions should be sub-divided into segments by the use of mullions and transom rails. The use of timber for window frames will be promoted as the most sustainable option.

#### Finishes

Generally, simple external finishes such as smooth plaster should be used. Finishes such as brick work or cut stone will not normally be permitted where they would be out of character with predominant external finishes for the type of building concerned in the street/vicinity.

#### Extensions/Alterations

The size, form and external finishes of extensions should harmonise with those of the existing structure. The Councils will promote the concept that important exterior architectural features such as render, quoins, architraves, window cills, chimneys, slate roofs etc. are retained. Where new build proposed is an extension, the design should incorporate natural local materials where possible.

### 14.2.2 Single Houses in rural areas within the environs and on approach roads

#### 14.2.2.1 Siting and Design

The Planning Authorities will require that all planning applications for single houses in rural areas within the environs and on approach roads demonstrate a high standard of siting and design. To assist applicants in this regard, Offaly County Council has published design guidelines for the County that are available from the Council. It is considered that these

design guidelines will also be of use in certain rural sites within the environs and they include advice on a number of issues including:

- Rural Local Housing Need.
- Site location and site layout.
- Scale, phasing and form.
- Design.
- Material finishes and colour.
- Roadside Boundary Treatment.
- Landscaping.
- Sustainability and Energy Efficiency.
- Accessibility, lifetime adaptability and exteriors.

The Councils consider that houses located to the rear of existing dwellings on approach roads or elsewhere in rural areas within the environs and having inadequate independent road frontage represent a sub-standard form of development which will not normally be allowed. Houses on sites that are set back from the road will only be permitted where they do not compromise the privacy and amenities of other houses.

#### 14.2.2.2 Site Size

In order to accommodate a wastewater treatment system and associated percolation area, a minimum site area of 0.2ha (0.5 acres) is required. In the case of sites served by a bored well, the minimum site size is 0.75 acres. However, the Council's guidelines on siting and design of houses in the countryside also show that larger houses may need large sites on siting grounds.

#### 14.2.2.3 Road Frontage

While generally a road frontage of 30 metres is required, Offaly County Council's design guidelines for houses in the countryside advocate setting the building back from the road. This standard may be relaxed where it can be demonstrated that a proposal is in keeping with the spirit of these guidelines and it will not give rise to an existing or future loss of residential or visual amenity. In tandem with this, applicants should also have regard to the considerations in this chapter on roads, wastewater treatment, archaeology and biodiversity.

#### 14.2.2.4 Roadside Boundaries

The Councils will normally require that hedgerows and other distinctive boundary treatments such as stone walls be retained as far as possible in rural areas. However, front boundary fencing will be required to be set back where:

- It is necessary to ensure safe entry and exit from a site and/or it is necessary to facilitate road realignment anticipated to take place within a reasonable period of time. Where appropriate, the provision of a similar type boundary, such as a masonry wall or hedgerow to replace that, which has been removed, will be required. It is accepted that where traffic considerations allow, the existing roadside boundary should be retained, in the interests of amenity and of minimising the overall impact of a development particularly in sensitive landscapes.

Planning applications shall be accompanied by details of the proposed entrance including details of gates, piers, wing walls etc. as well as of front boundary treatment.

#### 14.2.2.5 Building Lines

It is the policy of the Councils that developments, where permitted in undesignated **rural areas** along National, Regional and County roads, conform to the minimum setbacks listed in the table below. Other building lines may be specified in recognition of local conditions. In situations where there is an established building line, new houses will be expected to conform to that line, where appropriate.

Route Type	Minimum Distance between Building Line and Road
National (Primary and Secondary)	35 metres from centre of road
Regional	30 metres from centre of road
County	25 metres from centre of road

### 14.2.3 Extensions

On sites not served by public wastewater infrastructure, where an extension increases the potential occupancy of a house, the adequacy of the wastewater treatment and disposal facilities should be demonstrated by the applicant. It may be necessary with significant extensions to relocate an existing septic tank or proprietary system and percolation area to comply with public health requirements.

### 14.2.4 Infill

These guidelines relate to the provision of residential developments within existing residential or mixed use developments. These are encouraged by the Planning Authorities, particularly where they eliminate a derelict structure or vacant site. The following guidelines should be applied to infill sites in street locations:

- Site density, coverage and open space requirements will be considered on a site-specific basis to permit a development to integrate with the existing adjoining development. The development management standards set out for new residential developments may be relaxed in the case of infill developments.
- Design, height, scale, materials and finishes utilised should be compatible with existing adjacent properties.
- The height of the building should be broadly similar to adjoining properties, particularly in relation to eaves and ridge roof levels.
- Boundary treatment should ensure an effective screen between proposed and existing development.
- Private open space should provide space for bin and fuel storage areas.
- Car parking provision in accordance with standards outlined in this chapter. In cases where this is not possible, a contribution to the Local Authorities towards the provision or improvement of alternative car parking in the area.

#### 14.2.4.1 Open Space in Infill Housing Schemes

In certain circumstances, infill housing schemes in Tullamore town and neighbourhood centres may not be required to comply with the provision requirements for public open space. The suitability of each such scheme in this respect will be considered on its individual design merits. The developer will be liable to pay a charge in lieu of the provision of public open space in such a manner as the Planning Authorities may direct, and before work on sites commences. The provision of the beneficial open space will then become the responsibility of the Planning Authorities and will be managed in relation to the needs of the community as a whole.

### 14.2.5 Employment Uses

#### 14.2.5.1 Industrial/Commercial

Industrial and commercial development will be required to satisfy minimum requirements for design, layout, access, landscaping, tree planting, boundary treatment, water supply, surface water disposal, waste water disposal, solid waste, screened storage areas, fire safety, odour control, emissions control, lighting, parking, manoeuvring space, loading and unloading space, energy efficiency and biodiversity.

Care should be taken in the laying out of parking areas to avoid conflict between the movements of customer's vehicles, goods vehicles and pedestrians. The Planning Authorities will assess applications for industrial/commercial development against the following criteria:

Zoning	Access
Site Coverage	Parking
Design	Storage
Height	Fuel and Waste Storage
Use	Boundary Treatment and Landscaping
Neighbouring Uses	Lighting and Noise
Hours of Operation	Associated Advertising
Services	

#### 14.2.5.2 Small Scale Businesses in Residential Areas

The scale and nature of operations will be taken into account. Uses such as the repair of vehicles will not normally be permitted in a residential area. The level of customers/callers will be taken into account. The Planning Authorities shall consider such small scale businesses where:

- The use of the house for business purposes is secondary to its use as a dwelling and the floor area of the business should reflect this.
- Adequate parking requirements are satisfied.
- No loss of residential amenity to adjoining residences in terms of general disturbance, noise, traffic generation etc.

Permission will be subject to normal environmental and planning criteria. Any subsequent change or proposed expansion of the business will need to be re-considered by the Planning Authorities to assess whether the premises are still acceptable.

#### 14.2.5.3 Retail

In assessing planning applications for retail development, the Planning Authorities will have regard to the 'Retail Planning Guidelines for Planning Authorities' by the DoEHLG, 2005, in addition to the Retail Strategy for County Offaly.

The Guidelines refer to different types of retailing, namely; regional shopping centres, district centres, large foodstores, discount food stores, retail parks and retail warehouses, factory outlet centres, retail warehouse clubs, shops in small towns and rural areas, village shops, local shops, and petrol filling stations.

Retail Impact Statements (R.I.S.) will be required where the Planning Authorities consider the effect on the existing retail centre is likely to be significant. However, the preferred location of new retail development is within Tullamore town centre and/or the neighbourhood centres in order to help sustain their vitality and viability.

#### 14.2.5.4 Petrol Filling Stations

Notwithstanding any traffic considerations, petrol filling and service stations will not be permitted in locations where they would have a serious impact on an area including the vitality of the town, road safety and the amenity of the area and/or adjoining properties. The Councils will have regard to the existing level of service in the area concerned, in assessing applications for petrol filling stations. In order to minimise excessive traffic generation, the associated retail area dedicated to sales should not be greater than 100m<sup>2</sup> in floor area.

#### 14.2.5.5 Takeaway Premises

Proposals for takeaway premises will generally be permitted in appropriate locations except where:

- The development would be likely to prove detrimental to the amenities of the occupiers of nearby residential properties, to the visual amenity and to parking, traffic and litter problems which could not reasonably be controlled by uses of planning conditions, or
- the applicant has failed to demonstrate that a satisfactory ventilation flue could be provided that would not cause problems of noise and fumes for the occupiers of nearby properties and it would not be detrimental to visual amenity, or
- a further change of use would seriously affect the retail vitality and viability of the defined retail centre due to existing concentration of takeaway premises in an area.

### 14.2.6 Advertising, Signage and Shopfronts

A licence is required from the Planning Authorities where the sign is on or alongside a public road, while planning permission is required where the sign is on or alongside a private road/structure.

Advertising signs will normally be permitted in commercial, business and industrial areas, provided the following criteria are met with:

- They are in character and harmony with their surroundings and if applicable buildings on which they are displayed – in terms of size, scale, materials, finishes, and colour.
- The amenities of the area will not be impaired.
- Traffic signs will not be obscured.
- The safety and free flow of vehicular and pedestrian traffic is not interfered with.
- They do not project above the skyline.
- They do not interfere with windows or other features of the building façade.
- They do not detract from the special interest or visual amenity of Protected Structures (refer to Chapter 12).
- They would not lead to a cluttered appearance.
- They do not seriously injure the amenity of the approach roads to the town.

In terms of sign types, the Councils will assess their suitability against the following criteria:

- Traditional hanging handpainted signs are encouraged rather than internally lit plastic box signs.
- New shopfronts of a contemporary and high standard (sympathetic) design will be generally permitted where proposals harmonise within its setting and the surrounding built environment.
- Large advertising hoardings (bill boards) are prohibited on all approach roads and will only be considered as temporary structures in towns and villages where they screen derelict sites.
- Advance Signs at the entrance to industrial estates etc are more acceptable than a proliferation of separate standalone signs at each premises.

Only modern/contemporary shopfronts of a sympathetic well-designed intervention will be permitted. Modern 'multiple' designs which employ a 'corporate image' will not necessarily be encouraged to use their standardised shopfront design, corporate colours and materials.

Security screens can seriously detract from the appearance of main streets. The Councils will only permit the provision of roll down external type security screens in exceptional circumstances, otherwise, it is the policy of the Councils to ensure the removal of unauthorised security screens in Tullamore. Security shutters should be open grille type (not perforated or solid). The most preferable type of security shutters are panel timber shutters used in conjunction with toughened glass. Where possible they should be located behind the window display.

### 14.2.7 Shopfronts

Traditional shop front designs and name plates over shop windows should be preserved. The Councils will generally require that new shop front designs be in keeping with the existing character, especially in the town centre. Large areas of glass shall be subdivided by vertical glazing bars and shop windows shall generally have a minimum stall riser height of 0.7 metres above ground level. The Councils will actively discourage the removal of features, or alterations to existing shop fronts, where they are considered to be of historical or architectural interest.

Traditional shop front designs and nameplates over shop windows should be preserved. Proposals for new shopfronts should complement the building and be in character with the location.

A sympathetic well-designed modern intervention will usually be preferable to an ill-proportioned imitation of a traditional shopfront.

### 14.2.8 Agricultural Development

Agricultural buildings and associated works in the environs, while accepting the need to be functional, are required to be sympathetic to their surroundings in terms of scale, materials, finishes, and siting.

Agricultural developments should be designed in accordance with the standards of the Department of Agriculture and Food. In assessing planning applications for agricultural development, the Councils will have regard to the European Communities (Good Agricultural Practice for Protection of Waters) Regulations, 2006.

It is essential that applications for agricultural developments make provision for the satisfactory collection, storage, distribution and disposal of waste generated by the proposed development.

### 14.2.9 Extractive Industries

New extractive industries will not generally be permitted close to the built up areas of the town and environs. Should there be such a proposal within the environs the Planning Authorities will have regard to the DoEHLG's publication *'Quarries and Ancillary Activities, Guidelines for Planning Authorities'*, 2004 when assessing quarry related proposals.

Particular constraint will be exercised in areas of archaeological importance, recorded monuments, areas of ecological importance and other environmentally sensitive designated areas. All developments should have regard to and comply with the Environmental Protection Agency's (EPA) publication *'Environmental Management in the Extractive Industry (non-scheduled minerals)'*, 2006.

An Integrated Pollution Control (IPPC) License from the EPA is required for metal mining, for quarries associated with cement, lime and ceramic manufacture, and for the extraction of other minerals covered by the Minerals Development Acts which exceed threshold levels as set out in the Protection of the Environment Act, 2003. Such a licence covers noise, emissions to air and water, and waste management

### 14.2.10 School and Childcare Facilities

Childcare is taken to mean full day-care and sessional facilities and services for pre-school children and school-going children out of school hours. It includes services involving care, education and socialisation opportunities for children. These services can include pre-schools, Naionraí (Irish language playgroups), day-care services, crèches, playgroups, and after-school groups (refer to Chapter 11).

When assessing planning applications for childcare facilities, the Planning Authorities will have regard to the 'Childcare Facilities Guidelines for Planning Authorities', 2001. The appropriate locations for childcare facilities include:

- New communities/larger new housing developments.
- In the vicinity of concentrations of work places, such as industrial estates, business parks and any other locations where there are significant numbers working.
- In the vicinity of schools.
- Neighbourhood, district and town centres.
- Adjacent to public transport corridors, park-and-ride facilities, pedestrian routes and dedicated cycle ways.

The information that should be submitted with planning applications for childcare facilities (as a minimum) is as follows:

- Nature of the facility e.g. full day care, sessional, drop in, after school care.
- Number and age range of children being catered for and number of staff.
- Parking provision for both customers and staff.
- Proposed hours of operation.
- Open space provision in the form of play areas and measures for its management.

When assessing planning applications for school facilities, the Planning Authorities will have regard to the "The Provision of Schools and the Planning System – A Code of practice for Planning Authorities", 2008 issued by the Department of Education and Skills and the Department of Environment, Heritage and Local Government.

#### 14.2.11 Access for People with Disabilities

The Councils will require that all new developments be designed in a manner, which facilitates access by people with disabilities. Part M of the Building Regulations sets out the needs of people with disabilities which affects how public buildings should be designed e.g. in relation to access, parking, sanitary facilities and internal circulation. Further detailed information regarding this, can be found in 'Building for Everyone' by the National Disability Authority, 2002.

#### 14.2.12 Development in Areas of Archaeological Potential

The planning authorities will refer planning applications within Zones of Archaeological Potential and in sites on or abutting Monuments identified by the Sites and Monuments Record to the National Monuments Service of the DoEHLG for their recommendation. Their recommendations may include seeking the applicant/developer to:

- Employ a licensed archaeologist at the applicant's expense to carry out trial excavations in advance of development, or alternatively compile an Archaeological Impact Assessment – either prior to commencement of development or during the course of the planning application.
- Retain a licensed archaeologist on site to monitor all site works and, in certain circumstances, the preservation of archaeological elements found.
- Inform the Planning Authorities and the DoEHLG of any archaeological material found so as to facilitate its recording. Developers should familiarise themselves with 'Archaeology and Development: Guidelines for Good Practice for Developers' prepared for the Heritage Council by the ICOMOS Irish Committee Consortium, 2000.

In relation to development proposals, the Planning Authorities will adopt a policy of archaeological monitoring which will be required for developments where the scale and nature of such developments may, in the opinion of the Planning Authorities, have a negative impact on previously unknown archaeological features/artefacts.

#### 14.2.13 Protected Structures

Where an application relates to a development which would consist of, or comprise the carrying out of works to a protected structure or proposed protected structure, the Planning Authorities will have regard to the *'Architectural Heritage Protection Guidelines for Planning Authorities'* by the DoEHLG, 2004 and the following should accompany the planning application:

- Drawings of elevations of the main features of any buildings within the curtilage of the Protected Structure, which would be materially affected by the proposed development.
- Photographs, plans and other particulars as are necessary, to show how the development would affect the character of the structure.
- Brief written statement describing and justifying the proposed works and the philosophy that informs their methodology.
- Photographs sufficient to describe (i) the overall appearance of the exterior of the protected structure, including all exposed sides, its setting and its relationship with surrounding structures (ii) any interior spaces or features that it is proposed to change (iii) details of the exterior and interior sufficient to describe its character and materials of construction.
- A Conservation Impact Statement from an experienced person of relevant competence and, which should include a condition report on the protected structure.

The Councils will not normally permit development, which would adversely affect the setting of a Protected Structure.

### 14.2.14 Biodiversity / Riparian (River) Buffer Zones

It is important to identify and integrate into any design, habitats and features of the site where present. This includes existing mature trees, hedgerows, watercourses, and random rubble stonewalls and any other habitats. It is vital to protect biodiversity and enhance it through for example, buffer zones around wetlands, rivers, ponds etc, wildlife corridors allowing interconnectivity, adequate fencing around trees (see section on tree and hedgerow protection) and the use of native plant species (refer to Table 14.1).

Where developments are proposed adjacent to waterways and, notwithstanding the consideration of setback distances to mitigate against flooding, the Planning Authorities will generally seek a setback distance of between 30 metres to 50 metres from the waterway's edge. The Planning Authorities may reduce or increase this setback depending on the size of the site and the nature of the development proposed (refer to Chapter 10 and Chapter 13).

Where the Planning Authorities deem it necessary, it shall be a requirement to carry out an ecological assessment of a site where the Authorities believe there is significant evidence of biodiversity within the site boundaries. This assessment may also be requested where developments pertain to existing structures or buildings. Certain construction/restoration/demolition work shall have regard to nesting periods of the year of any species inhabiting the site/building e.g. badgers, roof nesting birds, bats, barn owls, amphibians.

Regard will be had to the Biodiversity Action Strategy for Offaly, and any subsequent Offaly Biodiversity Action Plans.

### 14.2.15 Infrastructure

#### 14.2.15.1 Car Parking Standards

All new developments will normally be required to provide adequate off-street car parking facilities in accordance with the provisions of Table 14.2 and the required ancillary manoeuvring/circulation space. Provision of car parking spaces to meet the needs of persons with disabilities should be made also. Landscaping shall be provided within surface car parking areas for amenity purposes and to facilitate drainage. Spaces for coaches, cycle parking and staff parking shall be provided where necessary.

Bicycle parking stands should be provided in secure and safe locations, which are overlooked and provide easy access to entrances and exits.

In terms of industrial or commercial developments, loading or unloading facilities shall be provided. Spaces shall be clearly delineated and provided with adequate lighting (refer to Table 14.2).

In the event of a shortfall of car parking, the Planning Authority will require a contribution in lieu of car parking for the particular application site. A reduction in the car-parking standards outlined in Table 14.2 including a dispensation from payment of contribution in lieu of shortfall may be deemed acceptable by the Planning Authority when an application for development can demonstrate a reasonable reduction in the number of car parking space being provided on grounds including:

- Adequate car parking within the control of the applicant exists in close proximity to the site of the application.
- Complementary uses are proposed on the site, taking into consideration daytime and night time uses.
- Level of car parking being provided on site is in accordance with a specifically designed Transport Mobility Plan\* for a particular development.
- No significant increase in demand or pressure on existing on-street or public car parking.

For the avoidance of doubt, it should be noted that every development should demonstrate full compliance with car parking requirements for the residential content of any scheme. No provision for car parking at all for residential development will incur the application of a financial contribution in lieu of the shortfall of car parking spaces required.

\*A transport mobility plan will be required for all planning applications for large employment based developments, where the Planning Authority consider that a significant level of peak and/or off peak travel will be generated. Transport mobility plans can be applied for developments such as offices, retail developments (large scale and brownfield site re-developments) and places of education. The transport mobility plan should aim to design a strategy to address the mobility requirements of the development in order to shift the emphasis from car borne usage to increased use of other sustainable transportation modes. Specific actions to be undertaken to minimise the impact of traffic including the provision of car parking from a particular development by addressing issues such as:

- Provision of a definitive amount of car parking for the development, on thoroughly justified grounds.
- Optimising links with public transport systems.
- Provision of adequate facilities for cyclists and pedestrians.
- Provision of facilities for people with impaired mobility
- Encouragement of other modes of transport other than use of private car.

#### 14.2.15.2 Size of Car Parking Spaces

In all parking areas, car parking bays shall be at least 4.8m x 2.5m with circulation lanes at least 6m wide. Where a development requires a large parking area, it shall be landscaped and planted to the Councils' specification.

Table 14.2 Car Parking Standards

DEVELOPMENT TYPE	CAR PARKING STANDARD OUTSIDE THE TOWN CENTRE	CAR PARKING STANDARD INSIDE THE TOWN CENTRE
Dwelling house and apartments	2 spaces per unit	1 space per unit
Shops	1 space per 23 sq. m. gross floor area	1 space per 33 sq.m. gross floor area.
Offices / financial / professional services	1 space per 23 sq. m. gross floor area	1 space per 33 sq.m. gross floor area.
Industry	1 space per 50 sq. m. gross floor area	Same.
Retail warehousing	1 space per 25 sq. m. gross floor area	Same.
Warehousing	1 space per 100 sq. m. gross floor area	Same.
Theatres/ cinemas/ stadia/ churches/ public halls	1 space per 5 seats	Same.
Sports halls / leisure Centres	1 space per 25 sq. m. gross floor area	Same.
Childcare facilities	1 space per employee and 1 space per 4 children	1 space per employee
Nursing Home	1 space per employee and 1 space per 4 residents	1 space per employee and 1 space per 8 residents.
Ballroom, Disco	1 space per 10 sq. m. gross floor space	1 space per 20 sq.m. gross floor space
Lounge / function room / bar	1 space per 10 sq. m. gross floor space	1 space per 20 sq.m. gross floor space.
Restaurant	1 space per 10 sq. m. gross floor space	1 space per 20 sq.m. gross floor space.
Hotel and guesthouses	1 space per bed	Same.
Hospital	1.5 spaces per bed	Same.
Clinics/ surgeries/ health care	1 space per staff and 3 spaces per consulting room	1 space per staff and 1 space per consulting room.
Playing pitches	25 spaces per pitch	12 space per pitch
School	1 space per teaching staff and 1 space per classroom	Same.
Libraries/ galleries/ museums	1 space per 30 sq. m. gross floor area	1 space per 60 sq. m. gross floor area.
Funeral home	1 space per 5 sq. m.	1 space per 10 sq.m.

#### 14.2.16 Flooding

The Councils are committed to avert insofar as possible, the threat of flooding in new development, to minimise the impact of structures and earthworks on floodplains and river flow, and to reduce, insofar as possible, the rate and quantity of surface water run-off from all new developments, refer to Chapter 10: Infrastructure and Environment, Section 10.2.2: Flooding.

Sustainable design measures are desirable in most areas and necessary in floodplain areas where the conveyancing capacity of watercourses is marginal and in areas liable to flooding. Examples of sustainable design measures are:

- Permeable or semi-permeable hard surface areas e.g. for car parks.
- On-site storm water ponds to store and /or attenuate additional runoff from developments.
- Soak-aways or French drains to increase infiltration and minimise additional run-off.

#### 14.2.17 Water and Wastewater Disposal

In order to avoid pollution of surface water and ground water, it is important to ensure that the site is suitable for the safe disposal of waste water.

Where there is public wastewater infrastructure, proposed developments shall be required to connect to it and in appropriate cases, developers may be required to extend the wastewater infrastructure to the site. In areas of the environs where no wastewater infrastructure exists, waste water treatment systems and associated percolation areas will be permitted, subject to the capacity of the ground to accept treated effluent.

The Councils will normally require that each dwelling in rural areas be served by an individual proprietary effluent treatment system, to be located within the site curtilage and by either, a piped water supply or bored well. A septic tank, when combined with an approved appropriate secondary treatment system, will also be permitted. In the case of supply by means of a well, the source shall be located on lands in the control of the developer. In areas where there is a piped water supply and a connection is available, individual bored wells will not be permitted.

In the case of single rural houses, the Planning Authorities require that a site suitability assessment, including assessment of groundwater vulnerability, percolation and water table tests are carried out by the Environment Section of the Councils and the results submitted with any planning application.

Further information on treatment systems, testing, separation distances from dwellings/boundaries of watercourses can be obtained from the Environmental Protection Agency (EPA) Manual - Treatment Systems for Single Houses, 2000 or any updated version. In the event of other standards being adopted nationally, these too will be applied.

The standard for the use of communal proprietary waste water treatment systems where permitted can be obtained in the EPA Manual: Treatment Systems for Small Communities, Businesses, Leisure Centres and Hotels.

Landuses shall not give rise to the pollution of ground or surface waters during the construction or operation of developments. This shall be achieved through the adherence to best practice in the design, installation and management of systems for the interception, collection and appropriate disposal of treatment of all surface waters and effluents.

#### 14.2.18 Water Supply

The provision of a safe and reliable water supply is a requirement of development. Where a site is served by mains water, a connection must be made and a bored well is not permitted. If the water is supplied by a group water scheme, any planning application must be accompanied by a letter of consent for connection from the secretary of the Scheme in certain circumstances, the developer may be required to extend the main to the site. Where a bored well is necessary, details of separation distances from treatment systems can be obtained from the EPA Manual referred to above.

#### 14.2.19 Waste

If the proposed development involves the disposal/reuse/recycle of construction or demolition waste, then a Waste Management Plan, with proposals for dealing with construction/demolition waste on and off site, should be submitted to the Planning Authority with the planning application.

Regard should be had to Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition projects by the Department of the Environment, Heritage and Local Government. There is a need to acquire a waste permit under the Waste Management Act 1996-2005 if waste material is removed off-site.

### 14.2.20 Road Layout, Design and Traffic Management

Road widths, speed management and traffic calming will generally be required to comply with the current edition "Traffic Management Guidelines" published by the DoEHLG, Dublin Transportation Office and the Department of Transport unless specified otherwise in these development control guidelines. The design of accesses to developments will be required to comply with NRA TD 41/95 contained within the NRA Design Manual for Roads and Bridges.

Road construction and other services will generally be required to comply with the current edition of the "Recommendations for Site Development Works in Housing Areas" published by the DoEHLG (November 1998) and any subsequent amendments. The Planning Authorities may require road safety audits, transport impact assessments or traffic and transport assessments where necessary.

In the case of development proposals in the environs and along approach roads where there are no footpaths or lighting, the Planning Authorities will require suitable proposals to connect to the existing network in order to ensure that pedestrian safety is not compromised.

### 14.2.21 Access for Drainage Maintenance on River Channels

In line with Section 10, subsection 6 of the first schedule of the Planning and Development Acts, 2000-2009 the Councils will seek to preserve a strip 10m wide along the banks of large drainage channels (greater than 5m wide) and a 5m strip elsewhere. This policy will not prevent the development of riverside walks and other amenities that do not compromise future access for drainage purpose.

### 14.2.22 Lighting

The following are the Councils' requirements in terms of lighting:

- All external lighting on shopfronts shall be cowled and directed away from the public roadway.
- Signage with internal illumination will not be generally permitted.
- Flood lighting of structures will be discouraged.
- Within multiple housing schemes, lighting should be in accordance with the E.S.B.'s publication 'Public Lighting in Residential Estates'.
- Along public roads, lighting shall be provided in accordance with guidelines contained in 'Recommendations for Site Development Works in Housing Areas' by DoEHLG, 1998.

### 14.2.23 Cables and Servicing

The Planning Authorities will require that telephone, electricity, communal television cables, broadband, individual cable and wire connections be located underground. In areas where communal television services do not exist at present, but where the provision of such service is anticipated within a reasonable time, the Planning Authorities will require that ducting is provided in order to permit the future provision of the service, without disturbance to roads, footpaths or to other underground services.

### 14.2.24 Energy Efficiency

There are various new technologies, which provide for more efficient heating, lighting and air conditioning of houses, which cut carbon emissions and save on energy costs. These include wood pellet burners, geothermal heat pumps, solar thermal panels, renewable electricity e.g. wind turbines. Further information on these and other systems is available on the Sustainable Energy of Ireland website: [www.sei.ie](http://www.sei.ie). Under the Planning and Development Regulations 2007 – Micro Renewable Energy Technologies, some of these systems are exempt from requiring planning permission subject to compliance with certain conditions. Offaly Local Authorities are generally in favour of the use of renewable energy systems (refer to Chapter 10).

In terms of house design, the following measures are important and should be considered:

- A house with a southerly orientation maximises solar energy during the winter months and decreases overheating during the summer months as the angle of the sun changes throughout the year.
- Double, triple or coated glazing will limit heat loss and improve insulation in a building.

- Wall and Roof insulation is a cost-effective way of saving energy by reducing heat loss in roof spaces and out through the walls.

#### 14.2.25 Telecommunications Masts

The Planning Authorities in assessing planning applications for telecommunication apparatus shall have regard to the DoEHLG's publication 'Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities', 1996 or any future guidelines. Planning permission shall normally be for a temporary period of not more than 5 years. Telecommunications cables and wire connections shall be located underground. Particular constraint will be exercised in areas of archaeological importance, recorded monuments, areas of ecological importance and other environmentally sensitive designated areas. Masts should be designed and located so as to cause minimum impact on the landscape, and where possible should be located within forest plantations. Operators should seek to co-locate their services by sharing a single mast, or if necessary, locating additional masts in cluster form.

#### 14.2.26 Wind Energy Development

All planning applications for urban wind energy turbines shall be assessed against the DoEHLG's publication '*Wind Energy Development Guidelines*', 2006 and Offaly County Council's Wind Strategy and any future ministerial guidance.

#### 14.2.27 Environmental Impact Assessments

Certain developments may be required to have an EIA undertaken depending on the nature and extent of the proposed development. The relevant thresholds for the requirement of submission of an Environmental Impact Statement (EIS) are set out in Schedule 5 of the Planning and Development Regulations 2001 as amended.

An EIS may be required for development proposals below this statutory threshold at the discretion of the Council. If the proposed development is sub-threshold and the Planning Authorities consider that the proposal is likely to have significant effects on the environment, then an EIS must be submitted to the Planning Authorities. The Planning Authorities will have regard to Schedule 7 of the Planning Regulations in deciding whether a proposed development is likely to have significant effects on the environment, and also the supporting guidelines '*Environmental Impact Assessment (EIA) Guidance for Consent Authorities regarding sub-threshold development*', by DoEHLG, 2003. Prospective developers are advised to have regard to the '*Guidelines on the information to be contained in Environmental Impact Statements*', by the EPA, 2002 which supports Schedule 6 of the Planning Regulations.

#### 14.2.28 Development Contributions and Bonds

Section 48 of the Planning and Development Acts 2000-2009 requires Planning Authorities to make a Development Contribution Scheme. A condition is attached to most permissions requiring the payment of a contribution towards the cost of public infrastructure and facilities e.g. water, sewerage, roads, open space, and community services etc., which benefits the town and environs. The contribution rates, which are subject to annual adjustment using the Wholesale Price Indices – Building and Construction Capital Goods published by the Central Statistics Offices, are set out in the Development Contribution Schemes adopted by Offaly County Council and Tullamore Town Council and can be viewed on the Councils' respective websites.

The Planning Authorities may, in addition to the terms of the General Development Contribution Scheme, require the payment of a special contribution in respect of a particular development where specific exceptional costs not covered by a scheme are incurred in respect of public infrastructure and facilities which benefit the proposed development. In such cases, the condition will specify the particular works carried out or proposed to be carried out by the Councils.

To ensure the satisfactory completion and maintenance of larger scale development undertaken by private developers, the Planning Authorities will impose as a condition of permission that a cash deposit or security bond is lodged with the Planning Authorities, prior to commencement of development.



Table 14.1

Common name	Latin name	Height (max)	Suitable for Public Open Spaces	Suitable for streets and confined spaces	Suitable for tubs, containers, raised beds etc.	Guide to planting: see key below
Alder	<i>Alnus glutinosa</i>	22m	Yes	No	Yes	ADPS
Alder buckthorn	<i>Frangula alnus</i>	6m	Yes	No	Yes	D Restricted distribution. Not commonly available.
Arbutus (strawberry tree)	<i>Arbutus unedo</i>	8m	Yes	No	Yes	Not frost hardy
Ash	<i>Fraxinus excelsior</i>	28m	Yes	No	No	ADIPS
Aspen	<i>Populus tremula</i>	24m	Yes	No	No	DPSV Not close to buildings or any services
Bramble	<i>Rubus fruticosus</i>	2m	No	No	No	C/H note: tends to be invasive
Broom	<i>Cytisus scoparius</i>	2m	Yes	No	Yes	*
Burnet rose	<i>Rosa pimpinellifolia</i>	2m	Yes	No	Yes, but vigorous	C/H Restricted distribution. Not commonly available.
Common (or European) gorse	<i>Ulex europeus</i>	2.5m	Yes	No	In a rural setting	HV
Crab apple	<i>Malus sylvestris</i>	6m	Yes	No	No	AHIP
Dog rose	<i>Rosa canina</i>	2m	Yes	No	Yes. Vigorous	C/H
Downy birch	<i>Betula pubescens</i>	18m	Yes	Yes	Yes	ADIP
Elder	<i>Sambucus nigra</i>	6m	In hedge	No	No	V
Gelder rose	<i>Viburnum opulus</i>	4.5m	Yes	No	No	DH
Hawthorn	<i>Crataegus monogyna</i>	9m	Yes	Yes	Yes	AHIPS
Hazel	<i>Corylus avellana</i>	6m	Yes	No	No	AHS
Holly	<i>Ilex aquifolium</i>	15m	Yes	Yes	Yes	AHPS
Honeysuckle	<i>Lonicera periclymenum</i>	climber	Yes	On walls	No	C
Ivy	<i>Hedera helix</i>	climber	Yes	Yes	Yes	C
Juniper	<i>Juniperus communis</i>	6m	Yes	No	No	S
Pedunculate oak	<i>Quercus robur</i>	30m	Yes	No	No	AI only suitable for large spaces
Privet	<i>Ligustrum vulgare</i>	3m	Yes	Yes	Yes	No
Rowan or mountain ash	<i>Sorbus aucuparia</i>	9m	Yes	Yes	Yes	ADHIP
Scots pine	<i>Pinus sylvestris</i>	24m	Yes	No	No	AI
Sessile oak	<i>Quercus petraea</i>	30m	Yes	No	No	AI only suitable for large spaces
Silver birch	<i>Betula pendula</i>	18m	Yes	Yes	Yes	ADIP
Sloe, blackthorn	<i>Prunus spinosa</i>	3m	Yes	No	No	AHPV
Spindle	<i>Euonymus europaeus</i>	7.5m	Yes	No	No	H
Western (or mountain) gorse	<i>Ulex gallii</i>	1.5m	Yes	No	Yes	* Restricted distribution. Not commonly available.
Whitebeam spp.	<i>Sorbus aria</i>	12m	Yes	Yes	Yes	IPS
Wild cherry	<i>Prunus avium</i>	15m	Yes	Yes	Yes	AHI
Willow spp.	<i>Salix spp.</i>	6m	Some	No	No	V Not suitable near buildings or services
Wych elm	<i>Ulmus glabra</i>	30m	Yes		No	PS
Yew	<i>Taxus baccata</i>	14m	Yes	No	Yes	AIPS

Key

H – Suitable for hedging	I – Suitable as an individual tree	P – Tolerates smoke or pollution,
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S – Tolerates shade	V – Invasive,	* – Tolerates dry conditions
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A – Grows in a wide variety of soils	C – Climber	D – Tolerates or prefers damp conditions
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SOURCE: Heritage Council (2004) *Conserving and Enhancing Wildlife in Towns and Villages - a guide for local community groups*

