

# 12

## Development Management



*Dublin Mountain Way*

## 12.1 Introduction

In order to ensure the proper planning and sustainable development of the County it is important that development conform to the specific requirements set out in this Chapter. This Section should be read in conjunction with Section 4.4 which sets out Policy Objectives relating to quality design and place making and other relevant individual topic Sections incorporated in this Development Plan (together with its Appendices and Supplementary Documents).

In all development proposals, particularly high density residential development, it is the aim of the Planning Authority to promote a high level of amenity and quality design, and to protect and complement existing amenities and character, in the interests of sustainable and orderly development. Unless otherwise stated, recommended residential and other development standards included in this Chapter are informed by a series of Section 28 Guideline documents. These guideline documents are detailed in Appendix 12.

In some Sections below differing standards are set out for new residential communities and the existing built up area. The new residential communities are as set out in Figure 2.9 Core Strategy Map, Chapter 2. Where a question arises as to whether a site falls within the built-up area or within a new residential community area as set out in the Core Strategy and Figure 2.9, the decision shall be solely at the discretion of the Planning Authority. In making that decision regard shall be had to any Local Area Plans for these areas.

### 12.1.1 Planning Process

Part 4 of the Planning and Development Regulations, 2001, as amended, sets out the statutory requirements with regard to submitting a planning application. Under the provisions of Article 22A, the Planning Authority may require an applicant to submit further information with any application to ensure that an informed decision can be made. To assist applicants in preparing a planning application, a 'Thresholds Information Document' is provided in Appendix 3. Some of the requirements are set out below. Applicants are advised to consult with Development Plan maps together with the policies and guidance provided herein, in order to ascertain if there may be additional reports / details required. A pre-planning consultation may help identify specific requirements for a site.

#### 12.1.1.1 Pre-Application Consultation

It is of benefit to applicants, and the Council, for consultation to be had regarding proposed development prior to their lodgement as planning applications.

Under the provisions of Section 247 of the Planning Act, 2000, as amended, a prospective applicant shall have consulted with the Planning Authority in respect of the development that comprises:

- Residential development of more than 10 housing units.
- Non-residential development of more than 1,000 square metres gross floor space.
- Other development as may be prescribed in legislation.

Details with regard to applying for a pre-application consultation can be found at <https://www.dlrcoco.ie/en/planning/>.

#### 12.1.1.2 Design Statements

A Design Statement which is an outline of the proposal's context and aims, and how it responds to Development Plan objectives and surroundings, should be submitted for all applications of 1000+sq.m. commercial development or applications of 30+ residential units (refer also to Policy Objective PHP44 and Section 12.3.1 below).

#### 12.1.1.3 Landscape Plans

Planning applications for 1000+sq.m. commercial development, 10+ residential units, or smaller developments (as deemed appropriate by the Planning Department), should submit a landscape design rationale prepared by a qualified Landscape Architect or other suitably competent landscape professional (as deemed appropriate by the Planning Authority).

### 12.1.2 Impacts on the Environment

#### 12.1.2.1 Environmental Impact Assessment

Environmental Impact Assessment (EIA) is a key instrument of EU environmental policy. The primary purpose of the EIA Directive (Directive 2011/92/EU as amended by 2014/52/EU) is to ensure that public and private projects, which are likely to have significant effects on the environment are granted permission only after an assessment of the likely significant environmental effects of those projects has been carried.

Environmental Impact Assessment is a process to be undertaken in respect of applications for specified classes of development listed in the Directive before a decision in respect of development consent is made. The process involves the preparation of an Environmental Impact Assessment Report (EIAR) by the applicant, consultations with the public, relevant prescribed bodies and any other affected Member States, and an examination and analysis of the EIAR and other relevant information leading to a reasoned conclusion by the competent authority,

on the likely significant effects of the proposed development on the environment.

The Local Authority, (or An Bord Pleanála) may require an EIAR to be prepared if a proposal is likely to have a significant effect on the environment, even if the development is below the threshold. The Planning and Development Regulations 2001, as amended, specify mandatory thresholds above which Environmental Impact Statements (EIAR) are required in relation to types and scale of development proposals). All Planning applications undergo EIAR screening or preliminary assessment.

#### 12.1.2.2 Appropriate Assessment

Under Article 6 of the Habitats Directive there is a requirement to establish whether, in relation to Plans and Projects, Appropriate Assessment (AA) is required. If, following screening, it is considered that AA is required, then the proponent of the Plan or Project must prepare a Natura Impact Statement. A Plan or Project will only be authorised after the competent authority has ascertained, based on scientific evidence, Screening for Appropriate Assessment, and a Stage 2 Appropriate Assessment where necessary, that:



Dandelion

- The Plan or Project will not give rise to significant adverse direct, indirect, or secondary effects on the integrity of any European site (either individually or in combination with other plans or projects); or
- The Plan or Project will have significant adverse effects on the integrity of any European (that does not host a priority natural habitat type and/or a priority species) but there are no alternative solutions and the Plan or Project must nevertheless be carried out for imperative reasons of overriding public interest – including those of a social or economic nature. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of European; or
- The Plan or Project will have a significant adverse effect on the integrity of any European site (that hosts a natural habitat type and/or a priority species) but there are no alternative solutions and the Plan or Project must nevertheless be carried out for imperative reasons for overriding public interest - restricted to reasons of human health or public safety, to beneficial consequences of primary importance for the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest. In this case, it will be a requirement to follow procedures set out in legislation and agree and undertake all compensatory measures necessary to ensure the protection of the overall coherence of European.

#### 12.1.2.3 Ecological Impact Assessment

An Ecological Impact Assessment may be required to be submitted with any proposed development should the Planning Authority consider that there is potential to impact upon an environmentally sensitive area such as a wildlife corridor, a site adjoining or adjacent to a proposed National Heritage Area, along the coastline or a river. The requirement for an ecological impact assessment will be determined on a case by case basis.

## 12.2 Climate Action

### 12.2.1 Built Environment

The Planning Authority will encourage and promote the repair, retrofitting and reuse of buildings in preference to their demolition and reconstruction where possible (Refer also Section 12.3.9 Demolition and Replacement Dwellings). Where this cannot be achieved, the Planning Authority will support the use of sustainably sourced building materials and the reuse of demolition and excavated materials. See also Criteria 5 of the Department of the Environment Heritage and Local Government 'Urban Design Manual' (2009) and Policy Objectives CA6 and CA7.

The Planning Authority will support the use of structural materials that have low to zero embodied energy and CO2 emissions.

Buildings should be adaptable in design (see Criteria 9 of the 'Urban Design Manual' 2009 in the case of residential developments, Policy Objective CA8: Sustainability in Adaptable Design and Policy Objective PHP19: Existing Housing Stock - Adaptation. Innovative design and layout which provides natural ventilation incorporating design elements such as brise-soleil, green roofs, green walls and soft landscaping. Landscaping and tree planting will be promoted where feasible to reduce the urban heat island.

An Energy Statement should be included for all applications of 1000+ sq.m. commercial development or applications of 30+ residential units to demonstrate what energy efficiency and carbon reduction design measures are being considered.

The planning Authority will support and encourage buildings of innovative design which seek to achieve Passive or Net Zero Carbon design standards.

### 12.2.2 Renewable Energy

The Planning Authority notes that under current planning legislation (the Planning and Development Regulations 2001, as amended), the inclusion of certain renewable technology is considered exempt development. For all other development, the Planning Authority will assess planning applications for renewable energy developments on a case-by-case basis with regard to requirements set out below. They will be considered in the context of current Government policy on the subject but will take into account other, often competing, Council policies on land usage relating to sectors such as agriculture, tourism and outdoor recreational activities, the protection of the scenic areas of the County, sensitive ecological sites, and any relevant guidelines issued from time-to-time by the Department of Housing, Local Government and Heritage.

### 12.2.3 Wind Energy

When assessing planning applications for wind energy developments the Planning Authority will have regard to the 'Wind Energy Development Guidelines for Planning Authorities' (2006), published by the DoEHLG, and the Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017). The Planning Authority will also have regard to the Wind Energy Strategy in Appendix 10 of this Plan.

This Strategy has analysed suitable area for wind energy in the County and it concludes by recommending there are no areas in the County where large-scale commercial wind energy infrastructure should be either 'acceptable in principle' or 'open to consideration'.

However, the Council remains supportive of off-shore wind energy development and small-scale wind energy developments within urban and industrial areas.

### 12.2.4 Solar

In the assessment of any applications for solar farms, the Council will consider these renewable energy developments having regard to:

- Any future Section 28 Guidance.
- Landscape Character Areas of the County.
- Visual impact, zones of influence including cumulative visual impact/zones of influence of existing solar farms from the solar arrays and associated infrastructure such as road access.
- Geometric Glint and Glare impacts on roads, dwellings, national monuments, protected structures and other sensitive receptors.
- Archaeological Impact Assessment and Heritage Impact Assessment.
- Ecological Impact Assessment.
- Landscaping plans to mitigate the visual and landscape impacts.
- Security requirements such as CCTV, security lights, fencing etc.
- Impacts from lighting.
- Construction impacts.
- Impacts on drainage patterns and water tables.
- Suitability of and access to the electricity grid.
- Decommissioning Statement for a site and its associated technologies.

### 12.2.5 District Heating

Pending the issuing of a National Policy Framework for District Heating, the Planning Authority, will support and encourage larger scale developments to consider future proofing to facilitate the future development of potential district heating and waste heat recovery and utilisation. Future-proofing may include the safeguarding of space for future pipework/pipe-run, energy centres or other infrastructure.

### 12.2.6 Urban Greening

Applicants should explore the potential for urban greening in developments including:

- High quality landscaping (including tree planting), that make use of a diverse range of species of plants – consistent with the National

Pollinator Plan, site appropriate and irrigated by rainwater.

- Incorporating Nature-Based Solutions (NBS) into the design of buildings and layout – living/green walls, living/green and or blue roofs including in the design of small buildings and shelters, other soft Sustainable urban Drainage Systems (SUDS) measures such as swales, rain gardens, using trees for urban cooling and the reduction of wind tunnel effect (Refer also Section 12.8.6). The Council is investigating developing a green factor method through a multi-disciplinary approach as set out in Section 3.4.4 Urban Greening. Data on all surface cover types is required. All applications that submit a stormwater audit shall submit the surface cover types as part of the storm water audit process (see 7.1.5 Storm Water Audit Procedure Appendix 7: Sustainable Drainage Systems).



*Mature Tree*

## 12.3 Neighbourhood - People, Homes and Place

This Section sets out guidance on qualitative, quantitative, and development management criteria for sustainable neighbourhood infrastructure and residential developments. These requirements will form the basis for evaluating planning applications for residential development and their respective supporting neighbourhood infrastructure with a view to improving the quality of life in Dún Laoghaire-Rathdown. Key references informing the standards are set out in Appendix 12.

### 12.3.1 Quality Design

It is a Policy Objective to promote high quality design and layout in all new development. Whilst this Section refers more specifically to design relative to residential development, the principles detailed can be applied to any form of development.

A core aim of land-use planning is to ensure that new residential developments offer a high quality living environment for residents, both in terms of the standard of individual dwelling units and in terms of the overall layout and appearance of streets and outdoor spaces. In considering applications for new developments the Planning Authority will refer to Government guidelines that offer specific guidance in relation to design, including those listed in Appendix 12.

#### 12.3.1.1 Design Criteria

The objective of DLR County Council is to achieve high standards of design and layout to create liveable neighbourhoods. The following criteria will be taken into account when assessing applications:

- Land use zoning and specific objectives contained in this Plan and any Strategic Development Zone / Local Area Plan / Urban Framework Plan / non-statutory planning guidance adopted by the Council.
- Compliance with other policy requirements contained within the Plan.
- Consistency with any/all relevant National and Regional policy objectives.
- Synergies with adjoining complementary uses and land use zoning objectives.
- Density - Higher densities should be provided in appropriate locations. Site configuration, open space requirements and the characteristics of the area will have an impact on the density levels achievable.
- Quality of the proposed layout and elevations, the quality of the residential environment will be of primary significance in determining the acceptability of planning applications. Layouts, elevations, and plan form must be designed to emphasise a 'sense of place' and community, utilising existing site features, tree coverage and an appropriate landscape structure.
- Levels of privacy and amenity, the relationship of buildings to one another, including consideration of overlooking, sunlight/daylight standards and the appropriate use of screening devices.
- Quality of linkage and walking and cycling permeability – to adjacent neighbourhoods and facilities and the nature of the public realm/streets and spaces. Walking and cycling permeability shall be maximised at every opportunity.
- Accessibility and traffic safety - proximity to centres and to public transport corridors, existing and proposed.
- Quantitative standards - set out in this Chapter and/or referenced in Government guidelines.
- Safety and positive edges to the public realm - opportunities for crime should be minimised by ensuring that public open spaces are passively overlooked by housing and appropriate boundary treatments applied.
- Quality of proposed public, private, and communal open spaces and recreational facilities and the relationship of proposed open spaces with any existing public or communal open space.
- Quality of the pre-existing environmental sound environment.
- Context - having regard to the setting of the site, the surrounding character, streetscape, and the impact of any proposed development on the development potential of adjoining sites.
- Variety of house types and unit size.
- Variety in layout through providing different lengths and types of residential roads, mixes of 'cul-de-sac', loop roads, set-back road sections, loose grid layouts and similar.
- Inter-relationship of buildings / dwellings, roads, pedestrian ways, neighbourhood centre facilities and local parks and green areas – active frontages and passive surveillance will be encouraged.
- Roofscape, plant and green roofs.

### 12.3.2 Sustainable Neighbourhood Infrastructure

Existing sustainable neighbourhood uses, such as schools, community facilities, health, and recreation, places of worship etc. support and sustain surrounding residential neighbourhoods. These uses and their associated facilities are



Stained glass window by Katherine Lamb, 2014  
Photo: Ros Kavanagh Photography

identified either by the land use zoning objective 'SNI' – *“To protect, improve and encourage the provision of sustainable neighbourhood infrastructure”* or Specific Local Objectives 10 and 22. The retention and/or improvement of existing facilities and services will be required insofar as possible in accordance with Policy Objective PHP2, Chapter 4.

### 12.3.2.1 Development within Sustainable Neighbourhood Infrastructure Lands

Sustainable neighbourhood infrastructure includes land or buildings that serve the needs of the local and wider community for social, educational, health, religious, recreational and leisure, cultural, and civic needs. These facilities and uses may be provided by public sector bodies, the community themselves or by the private sector. Facilities and uses include, but are not limited to – schools, third level education, places of worship, hospitals, health centres/GP's, community centres, leisure centres, family resource centres, libraries, church/parish

halls, meeting rooms, scout dens, men's sheds, theatres and civic offices.

It should incorporate measures to improve public use of the site and/or facilities as appropriate and be required to maximise improvements to walking and cycling permeability and accessibility both within and through the site and linkages to adjoining lands especially related to access to active travel and public transport stops.

All proposed development on lands with a 'Sustainable Neighbourhood Infrastructure' (SNI) zoning objective or Specific Local Objective (SLO) 10 or 22:

- Shall be required to identify all existing and any permitted uses/structures within the overall SNI zoning objective lands of which the proposal is a part and demonstrate how the proposed development will protect and/or improve existing SNI facilities and uses including their



associated amenity / recreational facilities and uses.

- Without prejudice to the above, shall maintain the recreational value of the overall SNI zoning objective lands of which the proposal is a part by retaining 20% or more usable open space in development proposals. A derogation may only apply where an existing facility is located within a more urban, mixed use setting. Such facilities and uses will typically be as identified by SLO 10 and SLO 22.
- Should incorporate measures to improve public use of the site and/or facilities as appropriate and be required to maximise improvements to walking and cycling permeability and accessibility both within and through the site and linkages to adjoining lands especially related to access to active travel and public transport stops.
- Shall be well designed having regard to the site context, landscape features and any heritage within or adjoining the site.
- Should be compatible with or complement the existing SNI facilities and uses.
- Shall ensure that the amenities currently enjoyed by the existing SNI use / facilities are adequately protected in terms of noise, daylight / sunlight and, overlooking as appropriate.
- Should seek to share facilities as appropriate. Such facilities might include car parking, pitches, sports halls, etc.
- Shall submit a detailed justification for any non-SNI uses (SNI uses are defined above) demonstrating how the proposed development will protect and/or enhance the existing SNI use and function of the overall SNI zoning objective lands of which the proposal is a part.
- All proposals within the Sandford Urban Framework Plan area shall also refer to the objectives set out in Appendix 16 SUIP with respect to the SNI zoning (including section 2.3.6 of the SUIP).

For the avoidance of any doubt, all development proposals shall demonstrate that there is sufficient spatial capacity to accommodate the future needs of the existing and/or any proposed SNI facilities within the overall SNI zoning objective lands of which the proposal is a part. In this regard, a Masterplan may be required.

When assessing any proposal, the Planning Authority will consult with any relevant authority.

### 12.3.2.2 Sustainable Neighbourhood Infrastructure – Future Provision

#### (i) New Residential Communities

Planning applications for residential development on sites greater than 1ha or more than 50

residential units located in new residential communities (as set out in Figure 2.9, Chapter 2) will be required to facilitate sustainable neighbourhood infrastructure (SNI) (see Policy Objective PHP2 for a definition of SNI) through one or more of the following ways:

- Reserve an area of not less than 5% of the site area for a future SNI facility. The site reservation may be part of the 15% public open space requirement (see Section 12.8.3.1) and may be subject to a Section 47 agreement with the Planning Authority. The area to be reserved shall be located in a manner that can be readily amalgamated with similar reservations within adjoining lands.
- Provide an appropriate SNI facility (see definition in Policy Objective PHP2) with a floor area of 130 sq.m. per 1,000 population equivalent. The type of facility must have regard to the demographic of the emerging area and any existing and planned facilities and services within a 1km distance / 10 minute walk of the site. It should be noted that a commercial childcare facility shall not be considered to be an SNI facility for the purposes of this Section.
- Provide a development contribution under Section 48 of the Planning and Development Act 2000 towards the provision and/or improvement of a community, cultural or civic facility that the residents of the proposed development will benefit from.

For sites less than 1ha or less than 50 residential units, the Council may consider attaching a development contribution under Section 48 of the Planning and Development Act 2000 for the provision and/or improvement of community, cultural or civic facility that the residents of the proposed development will benefit from.

#### (ii) Existing Built Up Area

For residential schemes within the existing built up area, the Council will consider a development contribution under the Council Section 48 Levy Scheme for the provision and/or improvement of community, cultural or civic facility that the residents of the proposed development will benefit from.

Where the Community Audit (See Section 4.2.1.4 Policy Objective PHP5: Community Facilities) has identified a deficit in an area the Council may require the applicant to accommodate an SNI facility to address this deficit.

In both new residential community areas, and the existing built up area where a future school has been identified within or immediately adjoining the subject site, the applicant shall engage with the Department of Education (DoE) in order to ascertain

their requirements in relation to site provision.

Where a question arises as to whether a site falls within the built up area or within a new residential community area as set out in the Core Strategy and Figure 2.9 the decision shall be solely at the discretion of the Planning Authority.

### 12.3.2.3 Community Facilities

As a general principle the location and provision of community facilities is a pre-requisite to the creation and enhancement of viable, enjoyable, sustainable, and attractive local communities.

In assessing planning applications for leisure facilities, sports grounds, playing fields, play areas, community halls, organisational meeting facilities, medical facilities, childcare facilities, new school provision and other community orientated developments, regard will be had to the following:

- Overall need in terms of necessity, deficiency, and opportunity to enhance or develop local or County facilities. Regard shall be had to the findings of a forthcoming Community Audit in this assessment (see Section 4.2.1.4 Policy Objective PHP5: Community Facilities).
- Practicalities of site in terms of site location relating to uses, impact on local amenities, desirability, and accessibility.
- Conformity with the requirements of appropriate legislative guidelines.
- Conformity with land use zoning objectives.

### 12.3.2.4 Childcare Facilities

With the growing demand for childcare, there is equal recognition that childcare must be of suitably high quality. Childcare provision has also been recognised as one measure to address poverty and social exclusion. The Planning Authority will seek to facilitate the provision of childcare facilities in appropriate locations throughout the County and may require their provision in large residential, public community, commercial and retail developments in accordance with the provisions of the DEHLG 'Childcare Facilities Guidelines for Planning Authorities' (2001) and the Child Care (Pre-School Services) (No. 2) Regulations (2006) and Child Care (Pre-School Services) (No 2) (Amendment) Regulations (2006) (Department of Health and Children).

Where it is proposed or required to provide a new childcare facility as part of a new residential or commercial development, the facility shall be constructed in tandem with the overall scheme. To address the need for childcare and make childcare more accessible to everybody in the County, the developer shall seek to secure an operator and open the facility at an early stage preferably prior

to the occupation of the residential units. In this regard, the developer shall submit phasing details for the development, including the childcare facility and include details of the intended operation of the facility, including details of the intended operator (where feasible) relative to the completion and occupation of dwellings / commercial buildings.

In assessing individual planning applications for childcare facilities, the Planning Authority will have regard to the following:

- Suitability of the site for the type and size of facility proposed.
- Adequate sleeping/rest facilities.
- Adequate availability of indoor and outdoor play space.
- Convenience to public transport nodes.
- Safe access and convenient off-street car parking and/or suitable drop-off and collection points for customers and staff.
- Local traffic conditions.
- Number of such facilities in the area. In this regard, the applicant shall submit a map showing locations of childcare facilities within the vicinity of the subject site and demonstrate the need for an additional facility at that location.
- Intended hours of operation.
- Applications for childcare facilities in existing residential areas will be treated on their merits, having regard to the likely effect on the amenities of adjoining properties, and compliance with the above criteria.
- Detached houses or substantial semi-detached properties are most suitable for the provision of full day care facilities. Properties with childcare should include a residential component within the dwelling, and preferably should be occupied by the operator or a staff member of the childcare facility.
- For new residential developments, the most suitable facility for the provision of full day care should be a purpose built, ground floor, standalone property.
- In considering applications for new Childcare Facilities the Planning Authority will refer to Section 4.7 of the Design Standards for New Apartments Guidelines for Planning Authorities, (2020), specifically the provision of one childcare facility (equivalent to a minimum of 20 child places) for every 75 dwelling units, as detailed in Section 4.7, with the exception for one-bedroom or studio type units, which should not generally be considered to contribute to a requirement for any childcare provision and subject to location, this may also apply in part or whole, to units with two or more bedrooms.

In assessing applications for new childcare facilities, the Planning Authority will consult with the DLR County Childcare Committee to assess the need for the type of facility proposed at the intended location.

(Refer to Section 12.4.10 in relation to car parking standards for childcare facilities).

### 12.3.2.5 School Development

The Planning Authority will consider school developments having regard to specific requirements of the Department of Education (DoE) and guidance set out within 'The Provision of Schools and the Planning System, A Code of Practice for Planning Authorities' (2008).

In general, new schools shall be developed in areas where new/additional schools are required as identified by the DoE and/or within existing school/education sites.

In assessing individual planning applications for new schools and/or redevelopment/extensions of existing schools, the Planning Authority will have regard to the following:

- Overall need in terms of necessity, deficiency, and opportunity to enhance or develop schools.



- Site location, proximity of school to catchment area, size of site relative to outdoor space requirements and the future needs of the school (i.e. sufficient space provided for future expansion).
- Design – In certain instances urban typologies will be encouraged to maximise efficient use of land and to maximise space for outdoor recreational facilities.
- Traffic and transport impact on the surrounding road network.
- Good, safe accessible pedestrian and cyclist routes to and from the school from nearby residential and commercial areas.
- Adequate cycle facilities in accordance with the requirements in the Council Cycle Policy Guidelines and Standards. In all cases it is a requirement to provide showers, changing facilities, lockers and clothes drying facilities, for use by staff and/or students that walk or cycle to work/place of education.
- Safe access and adequate car parking layout to facilitate drop off/pick up.
- Adequate signage, lighting, and boundary treatments.
- Impact on local amenities and out of school hours uses/dual functioning of school facilities.
- Conformity with the requirements of appropriate legislative guidelines.
- Conformity with land use zoning objectives.
- In all cases, a School Travel Plan shall be submitted with an application for any school development, requirements of which should be ascertained at pre-planning stage.
- Temporary classrooms will be assessed on a case-by-case basis and will generally be accepted for a period not exceeding five years and such classrooms should not interfere with onsite car/ cycle parking spaces or unduly impact the usability of outdoor play/sports facilities.
- Extensions to schools will generally be accepted where they will replace existing temporary classroom structures on site. School extensions should be located having regard to adjoining amenities and amenities within the school site.
- Dual function of sports facilities/halls etc. outside of school hours will be encouraged where the use of such facilities will be of a benefit to the wider community, however any outside hours usage of the school should not be to the detriment of adjoining residential amenities. Full details of all anticipated uses outside of school hours should be provided with the planning application.

### 12.3.2.6 Health Care Facilities

The Planning Authority will distinguish between small-scale medical practices involving one to two principals (i.e. doctor/dentist/physiotherapist owning the business) with a maximum of one to two employees, and larger medical practices accommodating two or more medical practitioners and two or more support staff.

The Planning Authority will consider on their own merits, any applications for the establishment of small-scale medical practices, or the extension/refurbishment of existing small-scale medical practices, in residential areas. Applications should involve professional medical (commercial) activities carried out by the resident of the building or, the premises should incorporate an otherwise occupied living unit. The living accommodation should comprise a minimum of circa 45% of the overall building floor area. The operation of these premises shall not have negative impacts on the residential amenities of the surrounding area. Parking and access arrangements shall be as per the Transportation Section's requirements, while parking areas shall not dominate the front curtilage of the property in contrast to adjoining dwellings and shall be similarly landscaped.

Medical practices in residential areas should normally be additions to the existing residential use of a dwelling and be subordinate to it in most cases. Similar to childcare facilities in residential areas – small-scale medical practices should ideally be in larger, and detached houses on their own grounds and with suitable and convenient access for those arriving by car, foot or public transport.

Larger scale and group medical practices should normally only be located in Neighbourhood, District and Major Town Centre zonings. They should not have negative impacts in terms of generating overspill of car parking, traffic hazard, negative impact on adjoining residential uses, and should complement the existing uses and buildings and should have only modest signage.

In the case of veterinary surgeries, full details of all services provided on site shall be submitted including details of overnight facilities (including kennels/staff accommodation) and out of hours services shall be submitted together with noise mitigation measures were appropriate.

### 12.3.3 Quantitative Standards for All Residential Development

Applications for residential schemes shall comply with all relevant requirements set out in PHP20: Protection of Existing Residential Amenity (see Section 4.3.1.3).

### 12.3.3.1 Residential Size and Mix

The finding of the Housing Strategy and HNDA have informed policy PHP27 in relation to mix (refer to Appendix 2 Housing Strategy and HNDA 2022 – 2028).

In order to demonstrate compliance with Policy Objective PHP27 and based on the findings of the Housing Strategy and HNDA, planning applications received for 50+ residential units either individually or cumulatively with lands located within the neighbourhood (10-minute walk) will be required to incorporate a variety and choice of housing units by type and size so as to meet the differing household need in the County. Council Part 8 or Part 10 residential schemes, may propose a different mix having regard to the specific needs of the Council Housing Department.

The proposed provision of residential units (both houses and apartments), shall provide a mix that reflects existing, and emerging household formation, housing demand patterns and housing demand patterns and trends identified locally and/or within the County. New residential communities (as set out in the Core Strategy and Figure 2.9 of the Core Strategy Map) shall ensure an appropriate mix including a proportion of larger units. Applications received in both new residential communities and within the residual built up area shall include:

- Details of existing and permitted unit types within a 10-minute walk of the proposed development.
- A detailed breakdown of the proposed unit type and size including a percentage split between 1/2/3+ bed units which in the case of apartments (and duplexes) shall generally be in accordance with Table 12.1.
- A site and/or floor plans that clearly identify proposed units that:
  - Are designed and located having regard to the needs of older people and/or persons with a disability.
  - Are designed having regard to the concept of lifetime adaptable and/or multi-generational homes.
- A statement outlining how the scheme has been designed for the needs of older people and / or persons with a disability and / or lifetime homes.
- No more than 10% of the total number of units in any private residential development may comprise of two-bedroom three-person apartment types.

Table 12.1 sets out the mix requirements for apartment developments. Duplexes are considered to be apartments for the purposes of mix.

**Table 12.1** Apartment Mix Requirements

| Area   | Threshold            | Mix Studio/1/2 bed Requirement (Apartments and duplexes)   | 3+ bed Requirement (Apartments) |
|--|----------------------|--|---------------------------------|
| New Residential Community (See figure 2.9 Core Strategy Map) | Schemes of 50+ units | Apartment Developments may include up to 60% studio, one and two bed units and with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios | Minimum 40% 3+ bedroom units    |
| Lands within SUFP  | Schemes of 50+ units | Apartment Developments may include up to 60% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios     | Minimum 40% 3+ bedroom units    |
| Existing Built up area.                                      | Schemes of 50+ units | Apartment Developments may include up to 80% studio, one and two bed units with no more than 30% of the overall development as a combination of one bed and studios and no more than 20% of the overall development as studios     | Minimum 20% 3+ bedroom units    |

To avoid ambiguity and provide clarity a worked example is given below.

**Table 12.2** Worked example of DLR Apartment Mix requirements

| Location                       | Proposed Development | Studio/1/2 bed Mix (Apartments and Duplexes) Requirement   | Minimum 3+ bed Requirement (Apartments) |
|--------------------------------|----------------------|--|---|
| New Residential Community/SUFP | 100 apartments       | Up to 60 studio, 1 or 2 bed which can include $\geq 30$ 2 beds and can include up to 30 studio and 1 bed units with no more than 20 studios in that 30 units.            | Minimum 40 no. 3 bed plus units.        |
| Existing Built Up Area         | 100 apartments       | Up to 80 studio, 1 or 2 bed units which can include $\geq 50$ 2 bed units and can include up to 30 studio and 1 bed units with no more than 20 studios in that 30 units. | Minimum 20 no. 3 bed plus units.        |

*Honeypark*



In schemes of 50+ units, where a mixture of housing and apartments or a scheme comprising solely of houses is being provided on a site the housing offering must ensure a mixture that includes a proportion of housing units that are 3 beds or less. In new residential community areas, it is appropriate that schemes generally include houses in addition to apartment/duplexes. In deciding on the mix of house and apartments in these areas regard shall be had to the details of existing and permitted unit types within a 10-minute walk of the proposed development (see bullet point above). The apartment element, if in excess of 50 units, shall comply with the table above. Where a question arises as to whether a site falls within the built up area or within a new residential community area, as set out in the Core Strategy and Figure 2.9, the decision shall be solely at the discretion of the Planning Authority.

### 12.3.3.2 Residential Density

In general, the number of dwellings (houses or apartments) to be provided on a site should be determined with reference to the Government Guidelines document:

- 'Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities' (2009).
- Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities (2020).

As a general principle, and on the grounds of sustainability, the objective is to optimise the

density of development in response to type of site, location, and accessibility to public transport. (See policy PHP18, Chapter 4).

### 12.3.4 Residential Development – General Requirements

The following general requirements relate to all housing developments including both housing and apartment developments and should be considered when designing housing developments to ensure general requirements as outlined below (see also Section 12.3.1.1 for overall design criteria).

#### 12.3.4.1 Road and Footpath Requirements

The requirements set down in the Council's 'Taking in Charge Policy Document', and 'The Design Manual for Urban Roads and Streets', (DMURS), 2019, will generally apply.

Where an innovative layout is accepted by the Planning Authority variations to these requirements may be accepted. In allowing any deviation in the general requirements, the primary considerations will be the safety and convenience of pedestrians, cyclists and access for emergency vehicles.

Continuous footpaths shall be provided at junctions, and vehicular entrances, to facilitate people with ease of movement. At any such junctions where continuous footpaths are neither feasible nor appropriate, dished kerbs with tactile paving shall be provided to facilitate people with ease of movement.



Cherrywood

### 12.3.4.2 Habitable Rooms

The minimum size of habitable rooms for houses/apartments/and flats shall conform with appropriate National guidelines/ standards in operation at the date of application for planning permission, including the minimum dimensions as set out in 'Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities' (2020), and 'Quality Housing for Sustainable Communities: Best Practice Guidelines for Delivering Homes Sustaining Communities' (2007).

All habitable rooms within new residential units shall have access to appropriate levels of natural /daylight and ventilation. Development shall be guided by the principles of Site Layout Planning for Daylight and Sunlight, A guide to good practice (Building Research Establishment Report, 2011) and/or any updated, or subsequent guidance, in this regard. A daylight analysis will be required for all proposed developments of 50+ units, or as otherwise required by the Planning Authority. The impact of any development on existing habitable rooms should also be considered.

### 12.3.4.3 Naming of Residential Estates

Dún Laoghaire-Rathdown place names are an important part of the County's cultural heritage, and reflect local history from ancient times to the present. It is a Policy Objective, therefore, that the naming of streets and residential estates shall reflect local place names or local people of note, heritage, language or topographical features as appropriate, and shall incorporate old place names from the locality as much as possible. Bi-lingual and Irish-language signs will be mandatory. The applicant/developer should ensure that the chosen place name for a new residential development is appropriate relative to its location, and is not already in use within the County.

### 12.3.4.4 Phased Development

No large developments over 100 residential units shall be permitted unless it can be demonstrated that adequate provisions for specified physical and social infrastructural requirements, including: roads, sewers, water mains, community, recreational and sporting facilities (indoor and outdoor), public transport, first and second level schools and shops are available at completion to support development.

In addition, when considering proposals for development within the curtilage of Protected Structures a proposed phasing agreement should be provided (refer to Section 12.11.2.3).

A phasing schedule for any such development shall be submitted with a planning application.

### 12.3.4.5 Management Companies and Taking in Charge

In residential developments, which are not proposed to be Taken in Charge by the Council, evidence will be required that private Management Companies are to be set up by time of completion of the estate, and of which membership shall be compulsory for all purchasers of property.

If a development (or part thereof) is to be Taken in Charge by the Council the applicant shall agree, which areas are to be Taken in Charge, and this shall be clearly indicated on a site layout plan. All areas not to be Taken in Charge by the Council, shall also be clearly indicated on a site layout plan, and shall be maintained and the responsibility of a properly constituted Private Management Company. These details shall be submitted with the planning application.

All roads, footpaths, sewers, drains, lighting columns, mini-pillars, watermains, services and open spaces within the privately managed areas, irrespective of the management and maintenance regime to be put in place for these areas, shall be satisfactorily completed to the standard for development works as set out in the Council's 'Development Works Guidance Document'.

In this regard, the applicant shall have regard to the Department of the Environment, Community and Local Governments document 'Taking in Charge of Residential Developments Circular Letter PD 1/08', and 'Circular Letter PL 5/2014', the Departments 'National Taking in Charge Initiative Report', 2018, and the Council's 'Taking in Charge Policy Document', 'Development Works Guidance Document', and any successor guidance with respect to taking-in-charge.

### 12.3.4.6 Bonds

To ensure the satisfactory completion of development works, such as roads, surface water drainage, public lighting and open space, including the protection of trees, on a site which has been the subject of a grant of permission, a bond or cash lodgement may be required until the development has been satisfactorily completed. The bond or cash lodgement may be sequestered in part or in its entirety at the discretion of the Planning Authority where the development has not been satisfactorily completed. The amount of such bond or cash lodgement will be determined by the Planning Authority.

### 12.3.4.7 Refuse Storage and Services

Adequate refuse storage, recycling and composting areas, and future expansion of separated waste disposal for residential developments shall be adequately catered for. In the case of communal refuse storage provision, the collection point for

refuse should be accessible both to the external collector and to the resident and be secured against illegal dumping by non-residents.

In the case of individual houses, the applicant shall clearly show within a planning application the proposed location and design of bin storage to serve each dwelling and having regard to the number of individual bins required to serve each dwelling at the time of the application and any possible future requirements for refuse storage/collection. (See also Appendix 6).

### 12.3.5 Apartment Development

See Section 12.4.5 and Section 12.8 for Car Parking and Open Space Requirements pertaining to apartment developments.

#### 12.3.5.1 Dual Aspect in Apartments

A dual aspect apartment is designed with openable windows on two or more walls, allowing for views in more than just one direction. The windows may be opposite one another, or adjacent around a corner. The use of windows, indents or kinks on single external elevations, in apartment units which are otherwise single aspect apartments, is not considered acceptable and/or sufficient to be considered dual aspect and these units, will be assessed as single aspect units.

Specific Planning Policy Requirement (SPPR) 4 of the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning Authorities' (2020), provides guidance with respect to the minimum number of dual aspect apartments that may be provided in any single apartment schemes. In accordance with this guidance, DLR as a County is classified as a suburban or intermediate location and therefore:

- There shall generally be a minimum of 50% dual aspect apartments in a single scheme.
- For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, DLR may exercise discretion to consider dual aspect unit provision at a level lower than the 50% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.

#### 12.3.5.2 Separation Between Blocks

All proposals for residential development, particularly apartment developments and those over three storeys high, shall provide for acceptable separation distances between blocks to avoid negative effects such as excessive overlooking, overbearing and overshadowing effects and provide sustainable residential amenity conditions and open spaces.

A minimum clearance distance of circa 22 metres, in general, is required, between opposing windows

in the case of apartments up to three storeys in height. In taller blocks, a greater separation distance may be prescribed having regard to the layout, size, and design. In certain instances, depending on orientation and location in built-up areas, reduced separation distances may be acceptable. In all instances where the minimum separation distances are not met, the applicant shall submit a daylight availability analysis for the proposed development.

#### 12.3.5.3 Internal Storage and External Storage

Internal storage standards for apartments shall accord with, or exceed the levels outlined in Table 12.3 below:

**Table 12.3:** *Minimum Storage Space Requirements*

| Minimum Requirements            |
|---------------------------------|
| One Bedroom 3 sq.m.             |
| Two Bedroom (3 person) 5 sq. m. |
| Two Bedroom (4 person) 6 sq. m. |
| Three Bedroom 9 sq.m.           |

- Storage should be additional to kitchen presses and bedroom furniture.
- Hot press/boiler space will not count as general storage.
- No individual storage room should exceed 3.5sq.m. and shall be provided within the apartment unit.

Apartment schemes should provide external storage for bulky items outside individual units (i.e. at ground or basement level), in addition to the minimum apartment storage requirements. These storage units should be secure, at ground floor level, in close proximity to the entrance to the apartment block and allocated to each individual apartment unit.

#### 12.3.5.4 Penthouse Development

The addition of a penthouse level – which typically consists of high quality roof level living accommodation in an apartment development – may be acceptable where living space constitutes the equivalent of one storey and is set back from the edge of the building. A penthouse level should have regard to the overall design of an apartment block and should be finished with high quality materials and not have a negative visual impact on the skyline and/or streetscape (refer also to the Building Height Strategy set out in Appendix 5).

#### 12.3.5.5 Minimum Apartment Floor Areas

All apartment developments shall accord with or exceed the minimum floor areas indicated in the Sustainable Urban Housing: Design Standards for New Apartments, Guidelines for Planning



Authorities', (2020), as set out in the Table 12.4 below.

In this regard, the areas listed are minimum standards and should not be taken as the norm for all developments; higher floor areas will be encouraged throughout the County.

**Table 12.4:** Minimum Overall Apartment Floor Areas

| Minimum Overall Floor Areas |           |
|-----------------------------|-----------|
| Studio                      | 37 sq. m. |
| One bedroom                 | 45 sq. m. |
| Two bedroom (3 persons)     | 63 sq. m. |
| Two bedroom (4 persons)     | 73 sq. m. |
| Three bedrooms              | 90 sq. m. |

In order to safeguard standards, the majority of apartments in any proposed scheme of 10 or more shall exceed the minimum floor area standard for any combination of 1, 2 or 3 bed, by a minimum of 10%\* (excluding studios).

#### 12.3.5.6 Additional Apartment Design Requirements

Ground level apartment floor to ceiling heights shall be a minimum of 2.7 metres and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, Planning Authorities may exercise discretion on a case-by-case basis, subject to overall design quality.

A maximum of 12 apartments per floor per core may be provided in apartment schemes.\* This

maximum provision may be increased for building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, subject to overall design quality, and compliance with building regulations.

#### 12.3.6 Build-to-Rent Accommodation

Built-to-Rent (BTR) accommodation consists of purpose-built, long-term rental apartment accommodation that incorporates dedicated residential amenities and facilities. BTR accommodation will only be permitted in suitable locations in accordance with Policy Objective PHP28.

All proposed BTR accommodation must comply with SPPR 7 and SPPR 8 as set out within the Design Standards for New Apartments, 2020 (and any amending SPPR as appropriate). In this regard applications for proposed BTR must clearly demonstrate compliance with the guidelines and include details in relation to:

- The proposed ownership and operation by an institutional entity for a minimum period of not less than 15 years and no individual residential unit can be sold or rented separately for that period. A covenant or legal agreement shall be submitted and entered into in this regard.
- Proposed residential support facilities such as laundry facilities, concierge and management facilities, maintenance/repair services, waste management facilities, etc.
- Proposed resident services and amenities for communal recreational and other activities by residents.

The quantum and scale of the proposed residential support facilities, services and amenities must



\* Not applicable to BTR development in accordance with SPPR 8.



have regard to and adequately support the number of future residents within the BTR scheme. BTR accommodation must comply with all apartment standards set out in Section 12.3.5.

A derogation with regard to in-unit storage may be considered where alternative, secure storage area can be provided on-site. All proposed units must provide for private open space in the form of a balcony, terrace, winter garden or roof garden. A reduction in the area of private open space serving each unit will only be considered in instances where at least an additional 10% high quality, useable, communal and/or additional compensatory communal support facilities are provided. On-site car parking must comply with the requirements set out in Section 12.4.5.

In all instances, the applicant shall clearly demonstrate that the BTR development is located within a 10 minute walking time from high frequency public transport routes.

Where any derogations in standards including standards relating to unit mix, open space, car parking and storage are availed of, a condition should be attached to any grant of permission to state that planning permission must be sought for a change of tenure to another tenure model following the period specified in the covenant.

### 12.3.7 Additional Accommodation in Existing Built-up Areas

#### 12.3.7.1 Extensions to Dwellings

The following Section provides guidance with respect to porches, front extensions, side extensions, rear extensions, roof alterations, attic conversions and dormer extension.

##### (i) Extensions to the Front:

Porch extensions, other than those deemed to be exempted development, should be of appropriate design and scale relative to the design of the original house. The scale, height, and projection from the front building line of the dwelling should not be excessive so as to dominate the front elevation of the dwelling. The porch should complement the existing dwelling, and a more contemporary design approach can be considered.

Front extensions, at both ground and first level will be considered acceptable in principle subject to scale, design, and impact on visual and residential amenities. A break in the front building line will be acceptable, over two floors to the front elevation, subject to scale and design however a significant break in the building line should be resisted unless the design can demonstrate to the Planning Authority that the proposal will not impact on the visual or residential amenities of directly adjoining

dwellings. Excessive scale should be avoided. Front extensions, particularly at first floor level, should reflect the roof shape and slope of the main dwelling. A minimum driveway length of 6 metres should be maintained.

### (ii) Extensions to the Rear:

Ground floor rear extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining. The extension should match or complement the main house.

First floor rear extensions will be considered on their merits, noting that they can have potential for negative impacts on the amenities of adjacent properties, and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions the following factors will be considered:

- Overshadowing, overbearing, and overlooking - along with proximity, height, and length along mutual boundaries.
- Remaining rear private open space, its orientation and usability.
- Degree of set-back from mutual side boundaries.
- External finishes and design, which shall generally be in harmony with existing.

### (iii) Extensions to the Side:

Ground floor side extensions will be evaluated against proximity to boundaries, size, and visual harmony with existing (especially front elevation) and impacts on adjoining residential amenity.

First floor side extensions built over existing structures and matching existing dwelling design and height will generally be acceptable. However, in certain cases a set-back of an extension's front façade and its roof profile and ridge may be sought to protect amenities, integrate into the streetscape, and avoid a 'terracing' effect. External finishes shall normally be in harmony with existing.

Any planning application submitted in relation to extensions, basements or new first/upper floor level within the envelope of the existing building, shall clearly indicate on all drawings the extent of demolition/wall removal required to facilitate the proposed development and a structural report, prepared by a competent and suitably qualified engineer, may be required to determine the integrity of walls/structures to be retained and outline potential impacts on adjoining properties. This requirement should be ascertained at pre-planning stage.

Side gable, protruding parapet walls at eaves/gutter level of hip-roofs are not encouraged.

The proposed construction of new building structures directly onto the boundary with the public realm (including footpaths/open space/roads etc), is not acceptable and it will be required that the development is set within the existing boundary on site and shall not form the boundary wall. The provision of windows (particularly at first floor level) within the side elevation of extensions adjacent to public open space will be encouraged in order to promote passive surveillance, and to break up the bulk/extent of the side gable as viewed from the public realm.

### (iv) Alterations at Roof/Attic Level:

Roof alterations/expansions to main roof profiles - changing the hip-end roof of a semi-detached house to a gable/ 'A' frame end or 'half-hip' for example - will be assessed against a number of criteria including:

- Careful consideration and special regard to the character and size of the structure, its position on the streetscape and proximity to adjacent structures.
- Existing roof variations on the streetscape.
- Distance/contrast/visibility of proposed roof end.
- Harmony with the rest of the structure, adjacent structures, and prominence.

Dormer extensions to roofs, i.e. to the front, side, and rear, will be considered with regard to impacts on existing character and form, and the privacy of adjacent properties. The design, dimensions, and bulk of any roof proposal relative to the overall size of the dwelling and gardens will be the overriding considerations. Dormer extensions shall be set back from the eaves, gables and/or party boundaries. Dormer extensions should be set down from the existing ridge level so as to not read as a third storey extension at roof level to the rear.

The proposed quality of materials/finishes for dormer extensions will be considered carefully as this can greatly improve their appearance. The level and type of glazing within a dormer extension should have regard to existing window treatments and fenestration of the dwelling. However, regard should also be had to size of fenestration proposed at attic level relative to adjoining residential amenities.

Particular care will be taken in evaluating large, visually dominant dormer window structures, with a balance sought between quality residential amenity and the privacy of adjacent properties. Excessive overlooking of adjacent properties should be avoided.

### 12.3.7.2 Sub-Division of Dwellings

In accordance with Policy Objective PHP19: Existing Housing Stock - Densification and Adaptation, the sub-division of existing dwellings into two or more dwelling units will be encouraged in circumstances where it would contribute to maintaining a viable community in an area, will allow for the opportunity of downsizing, is in a location well served with amenities, and where the existing dwelling is of an appropriate size.

The maximum number of units in any proposed subdivision will depend upon the characteristics of the area, the suitability of the dwelling for sub-division, availability of services, parking, private amenity space, privacy, and other factors.

Permission to sub-divide into apartments will not normally be granted unless the average unit size for a one-bedroom unit is at least 45sq.m. gross floor area. Conversions must not detract from adjoining/existing residential amenity (in terms of overlooking, significant loss of landscaping, high site coverage) or result in a negative visual impact on the streetscape or on neighbouring properties.

Sub-division will not usually be a feasible proposition in modern suburban estates of two storey houses but may be appropriate in larger than average family sized dwellings in old houses or larger apartments. Appropriate cycle parking will be provided in accordance with Cycle Parking Guidelines set-out in Section 12.4.6. New car parking provision, or non-provision (in certain instances at the discretion of the Planning Authority and as set out in Section 12.4.5.2) shall be in accordance with the Council's car parking standards in Section 12.4.5.

Design and landscaping shall be of a high standard for a quality visual environment with adequate open space arrangements required and considered at the discretion of the Planning Authority.

Any proposed external structures, such as fire escapes, should be clearly indicated in the planning application, to ensure any such structures would not have a negative impact on visual and adjoining residential amenities. This is of particular relevance when the proposal relates to a Protected Structures or dwelling located within an Architectural Conservation Area (ACA) so as to not detract from the historic value of structure. In the event that external fire escapes may be required, the applicant should discuss specifications with the Fire Officer (and the Conservation Officer with respect to Protected Structures or ACAs), prior to lodging a planning application, only the possible visual / residential amenity impacts will be assessed through the Planning process.

### 12.3.7.3 'Family Member/Granny' Flat Extension

A 'family' or 'granny' flat refers to a temporary subdivision of a single dwelling - often by adding an extension to the dwelling or converting an attached garage which is linked to the main dwelling - for a subsidiary element, for use by a member of the immediate family (e.g. elderly parent), but not as a fully independent dwelling. These will be assessed against the criteria applied to 'normal' domestic extensions. The Planning Authority will generally consider such sub-division and/or extension favourably subject to ensuring no negative impacts on the integrity of the primary dwelling. Applications for granny / family flats within the rural area will be assessed under the provisions of Section 12.3.10.6.

Proposals should be:

- Interlinked with the primary dwelling and capable of being readily subsumed back into same.
- Any such extension to the main dwelling shall be subsidiary in scale relative to the main dwelling.
- Such that the Planning Authority is satisfied that there is a valid justification for the proposal in use terms.

Permission will normally be on condition that:

- The flat can be subsumed back into the main dwelling when it is no longer required.
- It shall not be let or sold, other than as an intrinsic part of the overall property.
- Where the owner wishes it to remain subdivided on a permanent basis, an application shall be made for sub-division which will be assessed on the more demanding criteria as would be applied to a separate dwelling house.

### 12.3.7.4 Detached Habitable Room

This can provide useful ancillary accommodation such as a playroom, gym, or study/home office for the main residence. It should be modest in floor area and scale, relative to the main house and remaining rear garden area. The applicant will be required to demonstrate that neither the design nor the use of the proposed structure will detract from the residential amenity of adjoining property or the main house. Any such structure shall not be to provide residential accommodation for a family member/ granny flat nor shall the structure be let or sold independently from the main dwelling.

### 12.3.7.5 Corner/Side Garden Sites

Corner site development refers to sub-division of an existing house curtilage and/or an appropriately zoned brownfield site, to provide an additional dwelling(s) in existing built up areas. In these cases, the Planning Authority will have regard to the following parameters (Refer also to Section 12.3.7.7):

- Size, design, layout, relationship with existing dwelling and immediately adjacent properties.
- Impact on the amenities of neighbouring residents.
- Accommodation standards for occupiers.
- Development Plan standards for existing and proposed dwellings.
- Building lines followed, where appropriate.
- Car parking for existing and proposed dwellings provided on site.
- Side/gable and rear access/maintenance space.
- Adequate usable private open space for existing and proposed dwellings provided.
- Level of visual harmony, including external finishes and colours.
- Larger corner sites may allow more variation in design, but more compact detached proposals should more closely relate to adjacent dwellings. A modern design response may, however, be deemed more appropriate in



Corner/Side garden development Merville Road with solar panels.

certain areas where it may not be appropriate to match the existing design.

- Side gable walls as side boundaries facing corners in estate roads are not considered acceptable and should be avoided.
- Appropriate boundary treatments should be provided both around the site and between the existing and proposed dwellings. Existing boundary treatments should be retained/reinstated where possible.
- Use of first floor/apex windows on gables close to boundaries overlooking footpaths, roads and open spaces for visual amenity and passive surveillance.

It is also recognised that these sites may offer the potential for the development of elderly persons accommodation of more than one unit, and this will be encouraged by way of corner/side and infill development. This would allow the elderly to remain in their community in secure and safe accommodation. At the discretion of the Planning Authority, subject to design and level of accommodation provided, there may be some relaxation in private open space and car parking standards for this type of proposal.

#### 12.3.7.6 Backland Development

Backland residential development usually involves the establishment of a new single dwelling, and a building line to the rear of an existing line of houses. Residential development within the boundary of larger detached houses does not constitute backland development and will not be assessed as such.

Where the Planning Authority accepts the general principle of backland residential development to the rear of smaller, more confined sites, within the existing built-up area, the following standards will apply:

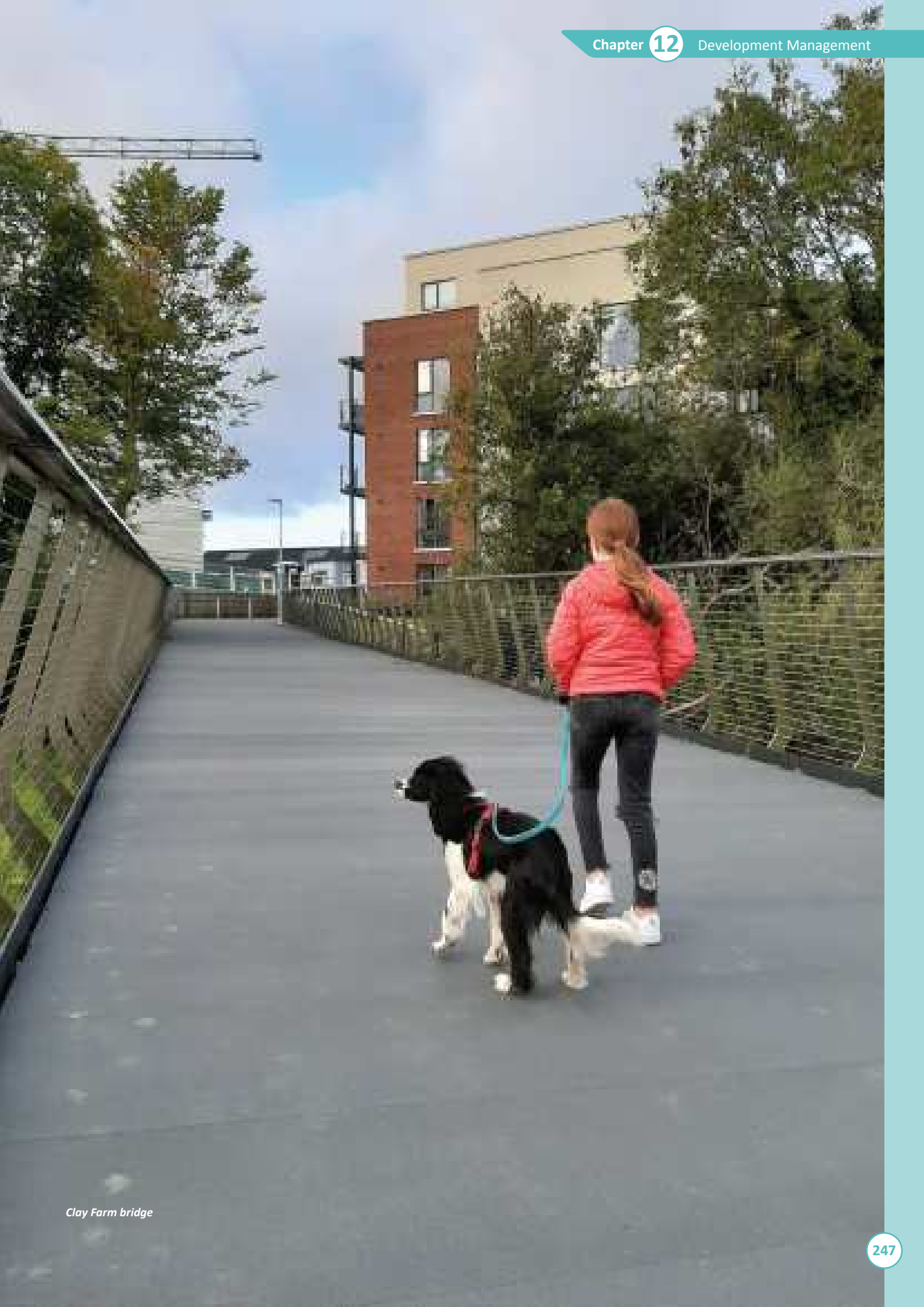
- Generally, be single storey in height to avoid overlooking.
- Appropriate scale relative to the existing dwelling and of high quality of design.
- Adequate vehicular access of a lane width of 3.7 metres must be provided to the proposed dwelling (3.1 metres at pinch points) to allow easy passage of large vehicles such as fire tenders or refuse collection vehicles.
- A wider entrance may be required to a backland development to or from a narrow laneway.

- Existing dwelling and proposed dwellings shall have minimum individual private open spaces - exclusive of parking - of 48 sq.m. each for one/two bedroom units, or 60 sq.m. plus for three/four or more bedroom units.
- Proposed single storey backland dwelling shall be located not less than 15 metres from the rear façade of the existing dwelling, and with a minimum rear garden depth of 7 metres.
- Proposed two storey backland dwellings shall be located not less than 22 metres from the rear façade of the existing dwelling where windows of habitable first floor rooms directly face each other. Proposed two-storey backland dwellings should have a minimum rear garden depth for the proposed dwelling of 11 metres.
- A relaxation in rear garden length, may be acceptable, once sufficient open space provided to serve the proposed dwelling and the applicant can demonstrate that the proposed backland dwelling will not impact negatively on adjoining residential amenity.

Where there is potential to provide backland development at more than one site/property in a particular area, the Planning Authority will seek to encourage the amalgamation of adjoining sites/properties in order to provide for a more comprehensive backland development, this should be discussed at pre-planning stage. Piecemeal backland development with multiple vehicular access points will not be encouraged.

#### 12.3.7.7 Infill

In accordance with Policy Objective PHP19: Existing Housing Stock – Adaptation, infill development will be encouraged within the County. New infill development shall respect the height and massing of existing residential units. Infill development shall retain the physical character of the area including features such as boundary walls, pillars, gates/gateways, trees, landscaping, and fencing or railings. This shall particularly apply to those areas that exemplify Victorian era to early-mid 20th century suburban ‘Garden City’ planned settings and estates that do not otherwise benefit from ACA status or similar. (Refer also to Section 12.3.7.5 corner/side garden sites for development parameters, Policy Objectives HER20 and HER21 in Chapter 11).



Clay Farm bridge

### 12.3.7.8 'Living-Over-The-Shop'

In encouraging the residential use of the upper floors of commercial properties in established retail/commercial areas the Council will consider possible dispensations from normal standards to facilitate 'Living-Over-The-Shop' developments, that will contribute positively to the renewal of areas provided any proposed modifications will not have a negative impact on visual amenities or the existing streetscape. The Planning Authority will encourage 'living over the shop', subject to suitability of location, standard of accommodation proposed, and the following should be noted in this regard:

- Derogations for older commercial buildings in appropriate cases may be given in respect of private open space, parking, and unit size standards.
- Derogations for car parking may be allowed having regard to parking policy.

### 12.3.7.9 Mews Lane Development

The principle of mews development will generally be acceptable when located on a lane that:

- Is already developed to such an extent that further development would have to be regarded as infill.
- Is already adequately serviced and surfaced from the site to the public road, with a suitable underlying base to cater for the expected traffic volumes.
- Has a legally acceptable agreement between owners or interested parties who intend to bring the laneway to standards and conditions - particularly in terms of services, road surfacing and public lighting - suitable to be taken-in-charge by the Council. The onus will be on the applicant(s) to demonstrate that they have a consensus of owners or interested parties.

*Modern Extension Shankill*





- Where the Council is likely to be able to provide services and where owners can be levied to allow the Council to service the sites.
- Has been identified as being suitable for such development on the County Development Plan Maps or within a Local Area Plan.

The principle of mews development on a particular laneway will not generally be accepted where:

- The length of all or most of the adjoining rear gardens on the side of the lane concerned is less than 25 metres or
- Where, particularly in a commercial area, the lane is likely to be required by the frontage buildings for access or the area adjoining the lane is required for expansion.

Where the Planning Authority accepts the principle of residential development on a particular laneway, the following standards will generally apply:

- Development will be confined to single units in one or two storeys of modest size and the separation distance between the rear façade of the existing main structure (onto the front road) and the rear mews structure should normally be a minimum of 20 metres and not less than 15 metres, or not less than 22 metres where first floor windows of habitable rooms directly face each other.
- Setting back of dwellings and boundary walls may be required dependant on existing building lines, lane width, character and parking/access.
- Dwellings and boundary walls may be required to reflect the scale, height, materials and finish of existing walls and buildings, particularly where old coach houses and two storey structures are involved.
- All parking provision in mews laneways should be in off-street garages, integral garages (car ports), forecourts or courtyards, and conditions to 'de-exempt' garage conversions will normally be attached. At least one off-street parking space per dwelling will generally be required. Where two spaces can be reasonably accommodated these should be provided. Part set-backs of frontage for on-street parallel parking may be considered depending on lane width and structure types.
- Each dwelling shall generally have a private open space area of not less than circa 48 sq.m. exclusive of car parking area. A financial contribution in lieu of public open space provision may be required.
- Where dwellings are permitted on both sides of a lane, habitable room windows must be set out to minimise direct overlooking of each other where less than 9 metres apart.

- Vehicular entrance widths shall be a minimum but sufficient to provide for proper vehicular turning movements allowing for laneway width and for pedestrian visibility.

Minimum lane width requirements are:

- Up to 6 dwellings: Adequate vehicular access of a lane width of circa 3.7 metres must be provided to the proposed dwellings - 3.1 metres at pinch points – to allow easy passage of large vehicles such as fire tenders or refuse collection vehicles.
- Up to 20 dwellings: Width of 4.8 metres subject to a maximum length of 300 metres. Short lengths of narrow width may be acceptable where there will be no frontage access to those lengths.

All mews laneways will be considered to be shared surfaces and footpaths need not necessarily be provided. If external street/security lighting is warranted, only a minimal level and wall-mounted type(s) may need to be provided. Opportunities should be undertaken to improve permeability and connectivity to and from the development as part of the Development Management process.

Each proposed mews lane unit will be assessed having regard to site specific conditions. Reduced standards from the above may be acceptable, particularly in cases of conversion of existing two storey structures in sound condition and of particular architectural and/or townscape value.

Applications should clearly state the requirements and method statement for bin storage and collection, car parking, access and similar details.

#### 12.3.7.10 Institutional Lands

Where no demand for an alternative institutional use is evident or foreseen, the Council may permit alternative uses subject to the area's zoning objectives and the open character of the lands being retained. There are still a number of large institutions in the established suburbs of the County which may be subject to redevelopment pressures in the coming years. The principal aims of any eventual redevelopment of these lands will be to achieve a sustainable amount of development while ensuring the essential setting of the lands and the integrity of the main buildings are retained. In order to promote a high standard of development a comprehensive Masterplan should accompany a planning application for institutional sites. Such a Masterplan must adequately take account of the built heritage and natural assets of a site and established recreational use patterns. Public access to all or some of the lands may be required. Every planning application lodged on institutional lands shall clearly demonstrate how they conform with

the agreed Masterplan for the overall site. Should any proposed development deviate from the agreed Masterplan then a revised Masterplan shall be agreed with the Planning Authority.

A minimum public open space provision of 25% of the total site area will be required on Institutional Lands. This provision must be sufficient to maintain the open character of the site - with development proposals built around existing features and layout, particularly by reference to retention of trees, boundary walls and other features as considered necessary by the Council.

### 12.3.7.11 Student Accommodation

All proposals for student accommodation should comply with the Department of Education and Science Guidelines on Residential Development for Third Level Students (1999), the subsequent supplementary document (2005), the provision of the 'National Student Accommodation Strategy' (2017), circular PL8/2016, and circular NRUP/05/2021.

The Council will support the provision of on-campus accommodation and purpose built-professionally managed student accommodation off-campus at suitable locations. When dealing with planning applications for such developments a number of criteria will be taken into account including:

- The location of student accommodation should follow the following hierarchy of priority:
  - On campus
  - Within 1km distance from the boundary of a Third Level Institute
  - More than 1km from a Third Level Institute and within close proximity to high quality public transport corridors (DART, N11 and Luas), cycle and pedestrian routes and green routes. In all cases such facilities will be resisted in remote locations at a remove from urban areas.
- The potential impact on residential amenities. Full cognisance will be taken of the need to protect existing residential amenities particularly in applications for larger scale student accommodation, and such accommodation will not be permitted where it would have a detrimental effect.
- The level and quality of on-site facilities, including storage facilities, waste management, covered cycle parking and associated showers and locker, leisure facilities, car parking and amenity.
- The architectural quality of the design and also the external layout, with respect to materials, scale, height and relationship to adjacent structures. Internal layouts should take

cognisance of the need for flexibility for future possible changes of use.

- The number of existing similar facilities in the area (applicable only to off-campus accommodation). In assessing a proposal for student accommodation, the Planning Authority will take cognisance of the amount of student accommodation which exists in the locality and will resist the over-concentration of such schemes in any one area in the interests of sustainable development and residential amenity.

In considering planning applications for change of use of existing student accommodation either on a temporary or permanent basis, the planning authority must be satisfied that there are compelling grounds to grant permission for any such proposed change of use, while demand for student accommodation remains high. The onus must be on any applicant for change of use from existing purpose-built student accommodation to demonstrate that there is no longer a need for such use in the area in question. Otherwise, student accommodation should be retained, where appropriate.

## 12.3.8 Housing for All

### 12.3.8.1 Age Friendly Housing

Having regard to the current and future demographic conditions and the ageing demographic of the County, it is an objective of the of DLR to promote an age friendly approach by ensuring that both existing and proposed residential developments are future proofed for an ageing population.

In accordance with the principles of the Policy Statement 'Housing Options for Our Ageing Population' 2019, the Planning Authority will advocate age-friendly thinking with respect to new developments in the County in particular at pre-planning stage. Developers should consider an Age-friendly approach, with facilities and materials inclusive of an age-friendly community/society in line with the above guidelines.

### 12.3.8.2 Nursing Homes / Assisted Living Accommodation

When dealing with planning applications for such developments a number of criteria will be taken into account including:

- Such facilities will be resisted in remote locations at a remove from urban areas. They should be located into established neighbourhoods / residential areas well served by community infrastructure, and amenities. Future residents should expect reasonable access to local services such as shops and community facilities.



*Tivway, Sandyford, courtesy of Henry J Lyons Architects.*

- The potential impact on residential amenities of adjoining properties.
- Nursing Homes/Assisted Living Accommodation will provide at least 20% open space of the overall site area (Refer also to Section 12.8)
- Adequate provision of parking facilities (Refer also to Section 12.4.5).
- The design, proposed pallet of materials, and fenestration.
- The size and scale of the proposal must be appropriate to the area.
- Proximity of high quality public transport links and provision of good footpath links.

Individual dwelling units within established residential areas may also be considered under the provisions of infill/garden site development (Refer also to Section 12.3.7.7) particularly, where there is insufficient land availability for larger housing/nursing home development, and there is a need to provide alternative accommodation for older people wanting to downsize but remain within their community.

### 12.3.9 Demolition and Replacement Dwellings

The Planning Authority has a preference for and will promote the deep retro-fit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement unless a strong

justification in respect of the latter has been put forward by the applicant. (See Policy Objective CA6: Retrofit and Reuse of Buildings and Policy Objective PHP19: Existing Housing Stock - Adaptation)

Demolition of an existing house in single occupancy and replacement with multiple new build units will not be considered on the grounds of replacement numbers only but will be weighed against other factors. Better alternatives to comprehensive demolition of, for example, a distinctive detached dwelling and its landscaped gardens, may be to construct structures around the established dwelling and seek to retain characteristic site elements.

The Planning Authority will assess single replacement dwellings within an urban area on a case by case basis and may only permit such developments where the existing dwelling is uninhabitable.

Applications for replacement dwellings shall also have regard to Policy Objectives HER20 and HER21 in Chapter 11. In this regard, the retention and reuse of an existing structure will be preferable to replacing a dwelling, and the planning authority will encourage the retention of exemplar nineteenth and twentieth century dwellings on sites in excess of 0.4 hectares. Applications for replacement dwelling within the rural area will be assessed under the provision of Section 12.3.10.4.

### 12.3.10 One-Off Housing in the Countryside

The Council's policy position in respect of the management of 'one-off' housing in the rural and green belt areas of the County is clearly set out under Policy Objectives PHP23 and PHP24.

The Council generally seeks to protect the rural and open character of the countryside and foster sustainable development. In pursuance of these objectives the Council's position in relation to 'one-off' houses is essentially restrictive and precautionary.

In addition to the specific requirements set out in Policy Objective PHP23 in response to the varying degrees of protection afforded to the different rural zonings, and under the provisions of Circular SP5/08 and subsequent Circular PL 2/2017, applications received for one-off dwellings in lands zoned objective 'B' or 'G' will be assessed having regard to:

- The applicant's full-time employment or their commitment to operate a full-time business from their proposed home in a rural area (to discourage commuting to towns and cities).
- How their existing or proposed business contributes to and enhance the rural community.
- The nature of an applicant's employment or business being compatible with rural areas (in order to discourage applicants whose business is not location dependant e.g. telesales or telemarketing).

The Planning Authority has had regard to circular PL2/2017 in formulating the Policy Objective contained in PHP23 and the requirements set out above. This Plan may require to be varied in respect of policy on rural housing in the event that new Section 28 Guidelines are issued.

In all cases, the applicant shall submit the following details with Planning Applications for residential development within a rural area:

- A map showing all existing family owned property and lands.
- A rationale as to why a particular site has been chosen for development.
- A strong justification in relation to the need for an additional dwelling in the rural area.
- A rationale clearly detailing why a family flat is not a suitable alternative.
- Documentary evidence to show how the applicant complies with rural housing policy.
- A site suitability report in relation to waste water treatment.

#### 12.3.10.1 Suitable Sites

The suitability of a rural site for any development will be evaluated according to the following criteria:

- The landscape must be suitable to accommodate the proposed development.
- Acceptable visual impact of the development in relation the surrounding countryside and dwellings / structures / features in the vicinity.
- The site must be capable of accommodating all proposed structures together with the required water supply (borehole) and treatment system (as required) and wastewater treatment system.
- No other adverse impact on the environment.
- Satisfactory capacity of the access road/lane serving the proposed site.
- Adequate car parking and manoeuvring space on site and suitable vehicular access.
- Satisfactory screening/shelter.
- Protection of residential amenity where appropriate.
- Satisfactory relationship to any nearby dwelling.
- The adequacy of infrastructure to serve the proposed development.
- No adverse impact on heritage items, European sites and/or protected areas.
- Ecological Impact.

#### 12.3.10.2 Design

The Planning Authority will endeavour to produce an up to date rural design guide over the lifetime of this Plan and may do so as part of any new Glencullen Local Area Plan. Until such time as a full guidance document has been produced, all applications for rural dwellings and extensions should have regard to the guidance provided below.

Suburban-type and/or ribbon development is not acceptable in rural areas. The Planning Authority will generally require new dwellings to be set well back from the road. The building line will be determined by local topography and existing and natural features.

The traditional field pattern should be preserved, and roadside and field boundary hedges retained and/ or reinstated. There will generally be an emphasis on retaining existing roadside and other boundaries, and any other attractive natural/man-made features that are characteristic of the site or surroundings. A native tree planting scheme will generally be required in order to enhance rural amenity. Access roads and driveways should respect site contours. Recessed gateways should be constructed in local materials and in a style indigenous to the area.



The Planning Authority will not insist on the use of particular architectural styles but will generally expect visually similar/sympathetic appearance in areas where there is an accepted vernacular.

A design which is incompatible with site conditions, to the extent that it would be dominant, intrusive or incongruous in the landscape, will not be permitted. There are individual circumstances where more modern designed houses within rural areas which respect their setting may be acceptable. If the Planning Authority considers that there may be a potential visual impact, the application will be requested to submit a visual impact assessment with their application.

Buildings should not be located on a ridgeline or in an elevated position on a site. The site contours should be respected. Roof types and materials may be controlled in the interest of visual amenity. The Planning Authority will seek to minimise light pollution resulting from new development proposals within the rural area.

#### 12.3.10.3 Occupancy

Where permission is granted for dwellings in rural areas it will be normal practice for the Planning Authority to stipulate by condition that the applicant enter into an agreement under Section 47 of the Planning and Development Act 2000, as amended, restricting occupation of the dwelling for a period of 7 years to the applicant, or to other such persons as agreed by the Planning Authority.

#### 12.3.10.4 Replacement Dwelling – Rural

In applications for replacement dwelling the Planning Authority has a preference for the deep retro-fit of structurally sound, habitable dwellings in good condition as opposed to demolition and replacement unless a strong justification in respect of the latter has been put forward by the applicant. Were the demolition and replacement is accepted, the primary considerations will be:

- The potential negative visual impacts on the surrounding properties or landscape and other negative impacts on the rural amenity – which could result from the design, location, layout, and size of the proposed dwelling.
- The appropriateness of demolition of the existing structure having regard to its existing setting, age, design, and overall contribution to the area.
- Structures do not necessarily have to be designated a Protected Structure to be considered to warrant retention and due regard will be given to an area's vernacular in terms of both existing and proposed structures.
- In currently, or recently, occupied dwellings proposed for demolition the applicants will be expected to be the owner and occupier to make such an application, provide a statement of some details of their occupancy noting that future applications by the applicant/family may have regard to same. Where such permission is granted a Section 47 condition relating to occupancy will not normally be applied.

### 12.3.10.5 Extensions – Rural

Extensions of a reasonable or modest size may be acceptable, subject to the proposed extension respecting the character, scale, and proportions of the existing dwelling, and subject to the availability of necessary services and protection of the visual amenities of the area.

### 12.3.10.6 ‘Family Member / Granny’ Flat – Rural

A family flat is a temporary self-contained living unit with one or (maximum) two bedrooms for a member of the immediate family to reside in. Family flats can provide a short-to-medium term solution to housing needs within the rural area, particularly in cases where an applicant cannot satisfy rural housing policy or where a native is required to return to live in the rural area in order to care for family members. In general, a family flat would consist of extending/ adapting an existing family dwelling to accommodate their needs. In such cases, a direct link (in the form of an internal door) to the main dwelling house would be maintained and the unit, when no longer in use as a family flat, would be subsumed back into the fabric of the main dwelling. In exceptional circumstances, the Planning Authority may accept the principle of renovating/restoring and changing the use of all/ part of an existing outbuilding or structure within the curtilage of a family dwelling for use as a ‘family flat’. Any such proposal would be strictly controlled and would be assessed on a case-by-case basis. All such developments considered to be acceptable by the Planning Authority must enter into a legally binding agreement under the provisions of Section 47 of the Planning Act in respect of the use of the proposed family unit remaining as such and will not be permitted to be sold/let separately from the main dwelling.

A family flat will be subject to the following criteria:

- The flat must not exceed 50 sq.m. in floorspace and/or comply with rural extensions guidance above.
- The site must be suitable for development.
- The flat must be occupied by an immediate family member and a legal agreement - under the provisions of Section 47 of the Act - to this effect may be sought by the Planning Authority. When no longer in use as a family flat, the unit must be subsumed back into the fabric of the main dwelling house.
- The flat must be capable of being connected to the existing wastewater treatment system on the site. Where such a system is not sufficiently sized or operating efficiently it must be capable of being replaced with a suitable wastewater treatment system to serve both the existing house and family flat.

- The creation of an additional vehicular access will not be considered acceptable and the existing access and parking on site must be capable of accommodating any additional vehicular movements or upgraded as deemed necessary by the Planning Authority.

### 12.3.10.7 Road Frontage

Minimum road frontage length for individual new houses should generally be at least 60 metres in order to preserve the rural or high amenity quality of the area.

### 12.3.10.8 Vehicular Entrances

Vehicular entrance gates shall be recessed, and the wing walls or fences splayed so as to provide adequate sight distances in both directions, depending on the traffic conditions and the characteristics of the roadway at that location. Existing/proposed vehicular access points shall be carefully examined, including consideration of landscape and visual amenity aspects, as there may be circumstances where it is desirable to seek alternative positions to avoid removal of substantial lengths of good quality characteristic existing boundaries. Front boundary treatments shall retain, or plant, indigenous hedges, earth banks, or provide dry stone walls and similar - depending on the typologies common to the area.

### 12.3.10.9 Waste Water Treatment Systems

Site assessment and the design of waste water treatment systems and percolation areas shall generally conform with the Environmental Protection Agency’s ‘Code of Practice: Wastewater treatment and Disposal Systems Serving Single Houses’ (2009) and the requirements of the Environmental Health Office.

A detailed site investigation report, to include percolation and water table tests certified by a qualified person, should be provided with the Planning Application and a suitable trial hole should be made available for inspection by the Environmental Health Office.

### 12.3.10.10 Water Supply

Where no public water main is available, a potable water supply must be provided in accordance with Council requirements. Tests of the proposed drinking water should be carried out in accordance with the requirements of the Environmental Health Office and results should be submitted with the Planning Application.

### 12.3.11 Green Belt

Where a one-off dwelling or other development is deemed acceptable by the Planning Authority, similar site suitability and design criteria for rural development shall apply. Any proposed development within a green belt area, shall

however, clearly demonstrate how it will not impact upon the deliverability of any future development within lands identified as a Strategic Land Reserve. (See Policy Objective CS5: Strategic Land Reserve). The siting and form of any proposed development shall have regard to the accessibility and overall future development potential of the subject site and/or adjoining green belt lands. (See also Policy Objective PHP24:Housing in Green Belt Areas).

### 12.3.12 Rural – Non-Residential Development

As with rural housing, the Council's position in relation to non-residential rural development is again essentially restrictive and precautionary. Any application for non-residential development within the rural area will be dealt with on a case-by-case basis and will be assessed having regard to the following:

- Compliance of the proposed use with the zoning objective of the site.
- The need for such a use within the rural area.
- The suitability of the site in accordance with Section 12.3.10.1.
- Potential negative visual impacts on the surrounding properties or landscape and for other negative impacts on the rural amenity – which could result from the design, location, layout, size, and type of the proposed development.
- Vehicular access arrangements, parking requirements and potential impacts on the

existing road network.

- Waste water treatment and drinking water provisions on site. Any un-serviced site must comply with the 'EPA Wastewater Treatment Manuals – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels' (1999) (or any superseding documents) and the requirements of the Environmental Health Office.
- Ecological Impact.

### 12.3.13 Rural – Temporary Accommodation

#### 12.3.13.1 Holiday Caravan and Camping Sites

The Planning Authority recognises the tourist benefits of properly developed sites for holiday home type caravans, smaller trailer caravans, glamping pods and tents. These sites will generally be permitted in rural areas zoned 'B' where the topography would permit their siting without injury to amenity or public health. In rural areas zoned 'GB' holiday caravan sites are not 'permitted in principle' but may be 'open for consideration' depending on circumstances. The Planning Authority regards holiday caravan sites as sites for temporary (leisure/tourist) dwellings. Glamping pods should however be of a similar size and scale to a tent/caravan. The layout and servicing of such sites will be required to conform to the standards set out in the Fáilte Ireland – 'Registration and Renewal of Registration Regulations for Caravan and Camping Parks' (2009).



Killiney Beach

## 12.4 Transport

### 12.4.1 Traffic Management and Road Safety

The road layout of new residential, commercial, and/or mixed-use developments shall be designed in accordance with DMURS which seeks to create self-enforcing 30km/h zones. This Manual sets out design guidance and standards for constructing new, and reconfiguring existing, urban roads and streets, incorporating a multidisciplinary approach to the design of low speed environments in urban areas. All works carried out shall meet the requirements of the Council's 'Taking in Charge Policy Document', 'Development Works Guidance Document', and any successor guidance with respect to taking-in-charge.

To provide for pedestrians and cyclists as part of the development management process, all new development will be required to maximise permeability and connectivity for pedestrian and cyclists and to create direct links to adjacent roads and public transport networks in accordance with the provisions of the 'Urban Design Manual – A Best Practice Guide' (2009), 'Sustainable Urban Housing: Design Standards for Apartments' (2020) and the 'Design Manual for Urban Roads and Streets' (DMURS, 2019).

On existing roads, traffic management measures may be required to create a pedestrian and cycle friendly environment. Road safety interventions may also be required to create a safe road environment for all road users such as the provision of accessible pedestrian facilities and segregated cycle tracks.

To ensure that the needs of all road's users are considered, a Quality Audit may be required for major developments that impact on the road network and for all new road and traffic schemes. This should be carried out in accordance with DMURS and best UK practice. The Design Manual for Urban Roads and Streets Quality Audits generally consist of a number of individual and overlapping audits that may include: an audit of visual quality; a review of how the street is/may be used by the community; a road safety audit, including a risk assessment; an access audit; a walking audit; a cycle audit; a non-motorised user audit; a community street audit (in existing streets); and a place check audit. A street design audit was added as an additional audit type in the DMURS Guidance in 2019. It can be submitted as a component of a Quality Audit (for larger projects) or as a stand-alone audit process for smaller projects, the emphasis is on placemaking and promoting the multidisciplinary aspects of successful street design. This is an auditing tool that can be used to ensure that the that the four major aspects of street design as set out in DMURS: Connectivity, Self-Regulating Street Environment, Pedestrian and Cycling Environment, and Visual Quality are appropriately taken into account.

Potential applicants for planning permission should engage in pre-planning discussions to ascertain which audits, if any, should be submitted with the application. Further details on the guidance on the audit thresholds can be found within the 'Development Management Thresholds Information Document' in Appendix 3.



*Charlotte and Leona blocks at Honeypark, Dún Laoghaire*



### 12.4.2 Traffic and Transport Assessment

Where new development has significant car trip potential, a detailed assessment of:

- The transportation systems available and
- The impact of the proposed development on the surrounding environment and transportation network, should be appraised through the submission of a Traffic and Transport Assessment (TTA), in accordance with Transport Infrastructure Ireland (TII) 'Traffic and Transport Assessment Guidelines', (2014). The requirements for a TTA should be ascertained at pre-planning stage.

Traffic and Transport Assessments shall project forward 5 years and 15 years after opening date in accordance with the TII Traffic and Transport Assessment Guidelines and the UK's Institution of Highways and Transportation Guidelines, and shall, in their analysis, consider all major road and traffic schemes and existing and proposed developments in an area (Refer also to Appendix 3 Development Management Thresholds).

### 12.4.3 Travel Plans

A Travel Plan is an effective instrument used utilising the provision of sustainable travel infrastructure within a development. Travel Plans are applicable to housing developments, workplaces, colleges, schools, and hospitals as Travel Plan initiatives relate not only to residents but also to staff, students or visitors.

Travel Plan measures could include proposals to encourage cycling and walking, cycle parking facilities, car sharing, carpooling, dedicated priority car parking for car-sharers, sustainable delivery solutions, flexible working hours, off-peak shift working, e-working from home, free/subsidised bicycles and public transport promotions.

Preparation of a Travel Plan should be considered at the earliest possible stage of the planning process (pre- planning) with the Travel Plan demonstrating that it is an integral part of the development. A condition will be attached to ensure the Travel Plan features as a central component of the planning permission granted. However, a condition which requires a post decision submission of a Travel Plan will only be used in exceptional circumstances.

In general, a Workplace Travel Plan is required if an existing or proposed development has the potential to employ over 100 persons when fully occupied. Travel Plans are required for all schools (as per Smarter Travel, the National Transport Policy) and for residential developments of 100 dwellings or more (Refer also to Appendix 3). These thresholds do not preclude the submission of a Travel Plan for developments below the prescribed thresholds,

e.g. proposed centres of employment, existing town centres, central areas where expansion/redevelopment is proposed, which the Local Authority considers may have significant travel implications.

The National Transport Authority (NTA) document 'Achieving Effective Workplace Travel Plans Guidance for Local Authorities' (2012), should also be utilised as it contains valuable information on the recommended contents, targets and indicators of a Travel Plan.

The travel mode share target shall at minimum meet the Smarter Travel targets (or any subsequent updated national/regional targets) - peak hour transport mode split of a maximum of 45 % trips by Car Driver and 55% minimum by sustainable modes (walking, cycling and public transport).

### 12.4.4 Street Lighting

The lighting of roads and public amenity areas shall be provided in accordance with the requirements of Public Lighting Standards BS5489-1 EN 13201:2015 and further updates and also the Council's 'Public Lighting Installations in Residential and Industrial Areas Guidance Document'.

In general, for security and road safety reasons, street lighting may be provided for car and cycle parking areas, new access roads and along cycle/pedestrian routes within new developments, all as per the Council requirements. Details of the column height and spacing, and lantern type, lighting class and lux levels and energy efficiencies shall be provided. Low pedestrian lighting bollards (1 metre to 2 metre height) are not recommended on electrical safety and maintenance grounds. Where new junctions are created as a result of new developments, additional lighting poles may be required on the public roads opposite the junction. In such cases an assessment of the adequacy of the street lighting should be undertaken with details of light intensity/ lux levels provided.

### 12.4.5 Car Parking Standards

Car parking standards provide a guide on the number of required off-street parking spaces for new developments. The principal objective of the application of car parking standards is to ensure that, in assessing development proposals, appropriate consideration is given to the accommodation of vehicles attracted to the site within the context of Smarter Travel, the Government policy aimed at promoting modal shift to more sustainable forms of transport.

The Council's car parking standards have also been informed by the National Planning Framework. The National Planning Framework requires a stronger focus by Planning Authorities on consolidating

growth within existing built up areas, strengthening our urban centres and improving public transport, permeability and accessibility. The standards have also been informed by the 'Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities' (2020) including SPPR 8.

It is in the context of the above policy requirements, changing commuting patterns and investment in walking, cycling and public transport infrastructure that the Council's car parking standards have been developed. In particular, the standards take into account the increasing availability of options for travel other than by car and the need to encourage non car modes by limiting car parking supply, especially at employment and retail destinations and at educational facilities, while at the same time prioritising high standards for cycle parking and requiring appropriate ancillary facilities for cyclists and pedestrians at destination points.

#### 12.4.5.1 Parking Zones

The propensity of people to choose non car modes is to a great extent determined by proximity to quality public transport as well as the range and accessibility, on foot or by bicycle, of services within an area. The County has therefore been divided into four Parking Zones, reflecting the varying degrees to which these criteria are generally met. Car parking within new developments will be in accordance with the standards set out in Table 12.5. The Parking Zones are indicative as set out on Map T2 and described below:

##### (i) Parking Zone 1

This zone generally comprises the Major Town Centre areas of Dún Laoghaire and Dundrum together with the Blackrock District Centre area. These are areas, which are generally characterised by:

- Access to a high level of existing and planned public transport services (rail and bus) with good interchange potential.
- A high level of service accessibility, existing and planned, by walking or cycling.
- A capacity to accommodate high density retail, office and residential developments.

Within parking zone 1 Maximum car parking standards have been set for all uses including residential.

##### (ii) Parking Zone 2

This zone generally includes areas, which are within the following walking bands/catchments:

- 10 minute walk of the proposed CBC 13 (Core Bus Corridor) from DCC boundary along the N11 to Kill Lane.

- 5 minute walk of the N11 proposed CBC from Kill Lane Junction to Bray.
- 10 minute walk of the proposed CBC 15 from DCC boundary to Blackrock.
- 5 minute walk of Kill Lane/Avenue/Mounttown bus route.
- 10 minute walk of Dart and Luas stations.

Note: The N11 Quality Bus Corridor (QBC) and the Rock Road QBC will be replaced by CBC 13 and 15.

These are areas, which are generally characterised by:

- Access to a good level of existing or planned public transport services.
- A good level of service accessibility, existing and planned, by walking or cycling.
- A capacity to accommodate a higher density of development than surrounding areas.

Within parking zone 2 maximum standards shall apply for all uses except for residential where the standard is required. For residential uses reduced provision may be acceptable dependent on criteria set out in Section 12.4.5.2 below.

##### (iii) Parking Zone 3

This zone generally comprises the remainder of the County, excluding rural areas. These are areas, which are generally characterised by:

- Access to a level of existing or planned public transport services
- A reasonable level of service accessibility, existing and planned, by walking or cycling
- A capacity to accommodate a higher density of development than rural areas.

Within parking zone 3 maximum standards shall apply to uses other than residential where the parking standard shall apply. In zone 3 additional parking shall be provided for visitors in residential schemes at a rate of 1 per 10. In some instances, in zone 3 reduced provision may be acceptable dependent on the criteria set out in 12.4.5.2 (i) below with particular regard to infill/brownfield developments in neighbourhood or district centres.

##### (iv) Parking Zone 4

This zone comprises the rural areas within the County.

Within parking zone 4 maximum standards shall apply for all uses except for residential where developments will be assessed on a case by case basis.

Note: The Parking Zone Map is indicative and there may be potential for an area to move from one zone to another during the lifetime of the Plan due



*Dún Laoghaire MTB Killiney Hill*

to local improvements in pedestrian permeability which would increase the walkability catchment and/or future public transport provision including the Luas extension to Bray.

The onus shall be on the applicant to demonstrate any change in zone. In this regard the applicant shall engage with the Council on the potential to move to another parking zone during the pre-planning stage. It will be at the discretion of the Planning Authority if such a change is merited.

#### 12.4.5.2 Application of Standards

In relation to the maximum standards, any proposals exceeding these standards will be permissible only in exceptional circumstances; such as where the Planning Authority consider that there is a specific requirement for a higher number of spaces. An example of this would be in instances where there are demonstrable benefits for the wider area through regeneration or similar urban and civic improvement initiatives.

In certain instances, within all zones, applicants may be required to provide the maximum number of spaces.

In certain instances, in Zones 1 and 2 the Planning Authority may allow a deviation from the maximum or standard number of car parking spaces specified in Table 12.5 or may consider that no parking spaces are required. Small infill residential schemes (up to 0.25 hectares) or brownfield/refurbishment residential schemes in zones 1 and 2 along with

some locations in zone 3 (in neighbourhood or district centres) may be likely to fulfil these criteria. In all instances, where a deviation from the maximum or standard specified in Table 12.5 is being proposed, the level of parking permitted and the acceptability of proposals, will be decided at the discretion of the Planning Authority, having regard to criteria as set out below:

#### (i) Assessment Criteria for deviation from Car Parking Standards (set out in Table 12.5)

- Proximity to public transport services and level of service and interchange available.
- Walking and cycling accessibility/permeability and any improvement to same.
- The need to safeguard investment in sustainable transport and encourage a modal shift.
- Availability of car sharing and bike / e-bike sharing facilities.
- Existing availability of parking and its potential for dual use.
- Particular nature, scale and characteristics of the proposed development (as noted above deviations may be more appropriate for smaller infill proposals).
- The range of services available within the area.
- Impact on traffic safety and the amenities of the area.
- Capacity of the surrounding road network.
- Urban design, regeneration and civic benefits including street vibrancy.

- Robustness of Mobility Management Plan to support the development.
- The availability of on street parking controls in the immediate vicinity.
- Any specific sustainability measures being implemented including but not limited to:
  - The provision of bespoke public transport services.
  - The provision of bespoke mobility interventions.

Where a development site is located on the boundary of two or more parking zones, the level of parking provision will be decided at the discretion of the Planning Authority having regard to the criteria set out above. In Zones 1 and 2, where a deviation from the parking standards set out in Table 12.5 is being proposed, the applicant should engage with the Council at pre-planning stage regarding the acceptability of the proposal.

#### 12.4.5.3 Car Parking – General

In instances where Table 12.5 does not specify a parking standard for a particular land use, the Planning Authority shall determine the parking requirements having regard to the assessment criteria for parking provision as set out above.

For both residential and non-residential car parking, 4% of car parking provision shall be suitable for use by disabled persons. In certain circumstances the Planning Authority may consider that a higher disabled parking content may be required depending on the nature of development. All disabled parking should be clearly marked and suitably sign posted for convenient access.

A minimum of 4% of car parking spaces provided shall be reserved for parent and child parking for commercial, retail, health, childcare, hotels, medical and leisure uses, but a higher number may be required depending on the nature and location of the development.

#### 12.4.5.4 Destination Parking

This generally refers to parking associated with employment and educational facilities as well as other non – residential uses. As these are trips which are routinely undertaken, often on a daily basis and at peak travel times, it is considered that encouraging a shift to more sustainable transport modes, especially for commuter travel, will require a strong focus on limiting the supply of destination parking. It is the policy of the Planning Authority therefore to restrict car parking provision in particular for employment and retail developments as well as educational and leisure type facilities, in accordance with the standards set out in Table 12.5.

Local non-peak trips such as retail should be facilitated by more sustainable modes of transport and should also have reduced car parking.

There is a requirement to provide for cycling, good accessibility to public transport along with Travel Plans and associated measures hand in hand with the reduction in destination car parking.

#### 12.4.5.5 Existing Parking, Dual Use Parking and Complementary Use

Given the significant amount of parking provision already available within established centres across the County, the Planning Authority will seek to ensure that overall parking provision is optimised through the dual use of parking and the development of complementary uses where peak car parking demand does not coincide. In particular, the Planning Authority for example considers there to be significant potential for restaurant and other leisure type uses, which generally experience peak activity at evenings and weekends, to complement retail and office employment uses.

Optimal use of existing parking, dual use parking and complementary use are therefore specific requirements of the Planning Authority and are reflected in the maximum parking standards set out in Table 12.5. In particular, for standalone developments of 100 sq. m. or under, there is a general presumption against the provision of any additional parking within parking zones 1 and 2 for the following land use types: Retail Convenience, Retail / Financial Services, Restaurant, Café and Lounge, Bar. In certain instances, within parking zone 3, the Planning Authority may also decide that no parking provision is required for such developments, having regard to the assessment criteria for parking provision set out above. In zone 4 it is less likely that dual use will be relevant, but it will be considered on a case by case basis.

For mixed use developments, applicants will be required to demonstrate how the overall parking provision being proposed complies with the Planning Authority's requirements for dual use parking and complementary uses.

#### 12.4.5.6 Residential Parking

The Planning Authority recognises that car ownership by itself is unlikely to be the main determining factor in whether or not someone chooses sustainable transport options with proximity to quality public transport, availability of good walking and cycling infrastructure and proximity to services likely to be more relevant. The car ownership levels in the County are high and therefore car storage for residential development is an issue as people may choose to use sustainable modes to travel to work or school but still require car parking/storage for their car.

There is a key distinction between residential parking and destination parking and there is less value in adopting more restrictive residential parking standards for the purposes of encouraging sustainable travel. Notwithstanding this, the proximity of residential developments, within parking zone 1 in particular, to both public transport and services, together with the need to strengthen the sustainability and resilience of our urban centres and make efficient use of land, will see an increasing shift towards densification of development around transport nodes and significant service centres with car travel and car ownership becoming less relevant. Within Zone 1, car parking for residential developments has therefore been set as a maximum.

For the purposes of the parking standards set out in Table 12.5 below Built to Rent development are considered to be residential apartments. Where a Built to Rent scheme avails of lower car parking based on the nature of the use a condition should be attached to any grant of permission to state that planning permission shall be sought for a change of tenure to another tenure model following the period specified in the covenant.

For apartment developments, car parking spaces should be allocated to residential units and visitor car parking. All visitor car parking is to be for short term use and not to be used by residents. Car parking shall be managed as such by a management company. For apartment developments car parking spaces associated with residential units must be sold in conjunction with the units and not sold separately, or let, to avoid take-up by non-residents and will be conditioned as such in the development management process.

As part of mixed-use developments, parking areas for the residential element must be clearly designated and segregated from other non-residential component parts of the development. There will be circumstances where parking controls may be required to be introduced on access roads and parking areas within new developments. Details in respect of car parking allocation should be submitted with Management Schemes and/ or taking-in-charge maps submitted as part of a planning application.

Car parking proposals will be assessed having regard to their impact on place making as well as providing residents with adequate and safe access to their private vehicle. Any surface carparking should be suitably integrated into the site with soft landscaping proposals and have regard to SuDS. The Council are open to innovative carparking solutions for residential development. Car parking may be provided in a multi-storey car parks or in a peripheral location subject to there being environmentally attractive and safe pedestrian linkage between the residential units and the car park and subject to there being a limited amount of parking spaces available in the immediate vicinity for loading / unloading and for residents with disabilities. If multi storey car parks are proposed for a residential scheme, consideration should at design stage be given to their future potential for other uses should the car parking no longer be required.

Innovative proposals for individual garages will also be considered which can be used for bike, mobility scooters or car storage. This may be particularly useful for households who have a range of large bicycles such as cargo bikes, tricycles or adapted bicycles for the disabled.



*Parking and Cycle Parking  
Shankill Primary Care Centre*

Table 12.5 Car Parking Zones and Standards

| Land Use  |   | Zone 1<br>MTC Areas and<br>Blackrock | Zone 2<br>Near Public<br>Transport | Zone 3<br>Remainder of<br>County<br>(non-rural) | Zone 4 Rural    |
|---|---|--------------------------------------|------------------------------------|---|-----------------|
| <b>Houses:</b>  | <b>Criterion</b>  | <b>Maximum</b>                       | <b>Standard</b>                    | <b>Standard</b>                                 | <b>Standard</b> |
| House 1 bed   | unit  | 1                                    | 1                                  | 1   | Case by case    |
| House 2 bed   | unit  | 1                                    | 1                                  | 1   | Case by case    |
| House 3 bed or more                                     | unit  | 1                                    | 2                                  | 2   | Case by case    |
| <b>Apartments and<br/>Sheltered Housing:</b>            |   |                                      |                                    |   |                 |
| Apt 1 bed   | unit  | 1                                    | 1                                  | 1*  | Case by Case    |
| Apt 2 bed   | unit  | 1                                    | 1                                  | 1*  | Case by Case    |
| Apt 3 bed +   | unit  | 1                                    | 2                                  | 2*  | Case by Case    |
| <b>Other Uses</b>                                       | <b>Criterion</b>  | <b>Maximum</b>                       | <b>Maximum</b>                     | <b>Maximum</b>                                  | <b>Maximum</b>  |
| Caravan Park  | stand   | n/a                                  | n/a                                | 1   | 1               |
| Hotel/Aparthotel etc                                    | bedroom   | 1 per 3 rooms                        | 1 per 2 rooms                      | 1 per room                                      | n/a             |
| Student Hostel /<br>Accommodation                       | bed space   | 1 per 20                             | 1 per 15                           | 1 per 10  | n/a             |
| <b>Education:</b>                                       | <b>Criterion</b>  | <b>Maximum</b>                       | <b>Maximum</b>                     | <b>Maximum</b>                                  | <b>Maximum</b>  |
| All Schools   | classroom<br>(excluding<br>resource<br>or ancillary<br>rooms) | 1                                    | 1                                  | 2   | 2               |
| Childcare   | GFA (including<br>set down)                                   | 1 per 80                             | 1 per 60                           | 1 per 40  | 1 per 40        |
| Third Level   |   | case by case                         | case by case                       | case by case                                    | n/a             |
| <b>Retail:</b>  | <b>Criterion</b>  | <b>Maximum</b>                       | <b>Maximum</b>                     | <b>Maximum</b>                                  | <b>Maximum</b>  |
| Retail Conv >1000<br>sqm (supermarket)                  | GFA   | 1 per 60                             | 1 per 30                           | 1 per 20  | n/a             |
| Retail Conv > 100sqm                                    | GFA   | 1 per 60                             | 1 per 40                           | 1 per 30  | n/a             |
| Retail Conv < 100sqm                                    | GFA   | none                                 | none                               | 1 per 30  | n/a             |
| Retail / Financial<br>Services < 100sqm<br>(standalone) | GFA   | none                                 | none                               | 1 per 50  | n/a             |
| Retail / Financial<br>Services > 100sqm                 | GFA   | 1 per 200                            | 1 per 150                          | 1 per 100                                       |                 |
| Retail Comp   | GFA   | 1 per 200                            | 1 per 100                          | 1 per 50  | n/a             |
| Retail Warehouse  | GFA   | 1 per 100                            | 1 per 50                           | 1 per 50  | n/a             |
| <b>Employment:</b>                                      | <b>Criterion</b>  | <b>Maximum</b>                       | <b>Maximum</b>                     | <b>Maximum</b>                                  | <b>Maximum</b>  |
| Offices, Businesses,<br>Professional                    | GFA   | 1 per 200                            | 1 per 150                          | 1 per 100                                       | n/a             |
| Science and<br>Technology based<br>industry             | GFA   | 1 per 200                            | 1 per 150                          | 1 per 100                                       | n/a             |
| Industry General /<br>Manufacturing                     | GFA   | 1 per 300                            | 1 per 200                          | 1 per 100                                       | n/a             |

| Land Use  |                    | Zone 1<br>MTC Areas and<br>Blackrock | Zone 2<br>Near Public<br>Transport | Zone 3<br>Remainder of<br>County<br>(non-rural) | Zone 4 Rural   |
|---|--------------------|--------------------------------------|------------------------------------|---|----------------|
| <b>Leisure:</b>   | <b>Criterion</b>   | <b>Maximum</b>                       | <b>Maximum</b>                     | <b>Maximum</b>                                  | <b>Maximum</b> |
| Theatre, Cinema,<br>Auditorium / Conf                     | Seat               | 1 per 50                             | 1 per 25                           | 1 per 20  | n/a            |
| Restaurant, Café, Bar,<br>Lounge < 100sqm<br>(standalone) | GFA                | none                                 | none                               | 1 per 30  | 1 per 25       |
| Restaurant, Café, Bar,<br>Lounge > 100sqm                 | GFA                | 1 per 100                            | 1 per 50                           | 1 per 30  | 1 per 25       |
| <b>Community:</b>   | <b>Criterion</b>   | <b>Maximum</b>                       | <b>Maximum</b>                     | <b>Maximum</b>                                  | <b>Maximum</b> |
| Community facility,<br>library, museum, art<br>gallery    | GFA                | 1 per 150                            | 1 per 100                          | 1 per 50  | 1 per 50       |
| Place of Worship<br>Place of Public<br>Worship            | Seat               | 1 per 50                             | 1 per 20                           | 1 per 10  | 1 per 5        |
| Medical facility  | Consulting<br>Room | 1                                    | 2                                  | 2   | n/a            |
| Hospital  | GFA                | 1 per 100                            | 1 per 75                           | 1 per 50  | 1 per 50       |
| Residential Institution                                   | Bed                | 1 per 3                              | 1 per 2                            | 1 per 2   | 1 per 4        |
| Funeral Home  | parlour            | 4                                    | 4                                  | 5   | n/a            |
| <b>Sport:</b>   | <b>Criterion</b>   | <b>Maximum</b>                       | <b>Maximum</b>                     | <b>Maximum</b>                                  | <b>Maximum</b> |
| Golf Course   | Hole               | n/a                                  | n/a                                | n/a   | 6              |
| Pitch and Putt  | Hole               | n/a                                  | n/a                                | 3   | 4              |
| Gym / Sports Club   | GFA                | 1 per 100                            | 1 per 75                           | 1 per 50  | n/a            |
| Sports Grounds /<br>Sport related                         |                    | case by case                         | case by case                       | case by case                                    | case by case   |

\*plus 1 in 10 visitor parking for apartments in zone 4

**Table 12.6** Sandyford Urban Framework Plan Area - Parking Maximums For All Future Residential Developments

| Unit size     | Car parking spaces per unit      |
|---------------|----------------------------------|
| 1 bed         | 0.6                              |
| 2 bed         | 0.8                              |
| 3 or more bed | 1                                |
| All units     | Minimum of 0.02 car share spaces |



#### 12.4.5.7 Parking and Loading Bays

In general, parking bays shall be a minimum 2.4 metres in width and 4.8 metres in length - with increased dimensions required for short-stay retail parking spaces and loading/set down parking areas. The configuration whereby double parking bays are placed length to length is discouraged. Carparking dimensions for in curtilage parking is set out in Section 12.4.8.1 (5.5 metres x 3 metres minimum). Parking bay widths suitable for people with disabilities shall be a minimum of 2.4 metres wide – with a 1.2 metres buffer on both sides - and 6.0 metres in depth.

Parking bay widths suitable for parent and child parking shall be a minimum of 3.3 metres wide, or 5.7 metres if paired with 0.9 metres hatching between the parking spaces.

Parking bays for people with disabilities or parent and child shall be located on firm, level ground, preferably at ground floor level, be in close proximity to access points/lifts and avoid potential conflict points such as ramps, steps etc. All parking bays should be in accordance with Part M of the Building Regulations. The location of disability or parent and child parking bays should be highlighted as part of pre-planning discussions.

Where there is a need for loading and unloading in a development, additional parking bays suitable for loading should be provided in addition to the parking requirements set out in Table 12.5. Residential developments of more than 50 units should have at least one loading bay and there shall be a ratio of not less than 1 loading bay per 100 units in larger developments. Loading bays shall be situated so as to minimise traffic hazard, reduce distance to carry goods and encourage its use for

home deliveries. This standard may be relaxed if the planning authority consider it is appropriate based on the location and the nature/design of both the street and the residential development.

#### 12.4.6 Cycle Parking

The Council's proactive promotion of cycling has, at its core, the objective of providing the cycling infrastructure necessary to encourage more people to use cycling for their everyday mobility needs. An essential element of this infrastructure is well designed and integrated cycle parking provision within new developments and the purpose of this Section is to ensure that this is properly provided through the development management process. Cycle parking should accord with the Council published – 'Standards for Cycle Parking and Associated Cycling Facilities for New Developments' (2018) or any subsequent review of these standards. These are minimum cycle parking standards. In car parking Zones 1 and 2 these minimum standards should be exceeded. It is intended that the next review of the Council's cycle parking standards would be aligned with the 4 parking zones set out in Section 12.4.5.1 above.

It is an objective of the Council to improve the integration of cycle parking and public transport within the County by working with all the relevant stakeholders, including the NTA and public transport operators, to promote and facilitate an increased level of quality cycle parking provision at or convenient to Dart and Luas stations and at appropriate locations along our main bus corridors. It is considered that the development of these facilities can also help to address the need for increased and improved public cycle parking within our towns, villages and neighbourhood centres, where the provision of appropriately located cycle



parking can serve the needs of public transport users as well as visitors, shoppers and workers.

#### 12.4.6.1 Requirements for New Development

With increasing numbers of people cycling and a growing number of options for cycle mobility, including cargo bikes, bike trailers and e-bikes, all of which increase the range of uses and needs, which cycling can respond to, it is essential that well integrated, accessible and secure cycle parking, to cater for all types of cycles, and for cyclists of all ages and abilities is provided within new developments. This will help to encourage the use of new mobility solutions for everyday mobility needs such as shopping, delivery and school drop off / collection.

It is a requirement that, new residential developments of 5 residential units or more or non-residential type developments of 400 sq. m. or over, submit a Cycle Audit as part of the planning application. The Cycle Audit must be prepared by a suitably qualified person and shall clearly demonstrate, in plan format, how all the requirements of Council's Standards for Cycle Parking and Associated Cycling Facilities for New Developments, are met within the development.

For new residential developments of less than 5 units and non-residential developments of under 400 sqm planning applications shall include a Cycle Statement, setting out how it meets the requirements of Council's 'Standards for Cycle Parking and Associated Cycling Facilities for New Developments' (2018).

#### 12.4.6.2 Cycle Parking Assessment Criteria

In general, new residential developments of 5 units or more or non-residential of 400 sq. m. or over will be assessed in accordance with the following criteria:

- Is the number of cycle parking spaces and footprint adequate and is there suitable provision for parking of outsized formats (cargo bikes etc)?
- Is the location of cycle parking convenient, appropriate and secure with adequate provision for covered parking?
- Is the cycle parking area accessible in terms of dedicated access routes with ramps and/or kerb dishings where required?
- Do the internal cycle access routes connect well with off-site cycle facilities – existing and proposed?
- Is there adequate and appropriately designed and integrated provision for ancillary cycling and pedestrian facilities including showers, locker / changing rooms and drying areas?

Where cycle parking cannot be conveniently provided within the development, a financial contribution of €500 per cycle parking stand will be required to provide alternative on-street cycle parking provision in the vicinity of the development.

Consideration should be given to requiring the provision of cycle parking-related directional signage, in particular for storage and commercial parking facilities. Bike lockers, showers and changing rooms should be available at final destination storage facilities (private).

For short-term cycle parking (e.g. for customers or visitors), cycle parking is required at ground level. This should be located within 25 metres of the destination in an area of good passive surveillance. Weather protected covered facilities should be considered where appropriate. Consideration should be given to using green roofs in the design of standalone cycle parking shelters. Appropriate cycle parking signage may also be required to direct cyclists to the end destination.

For long-term cycle parking (e.g. for more than 3 hours for residents, staff, students), secure covered cycle parking is a requirement. This should be conveniently located within 50 metres of the destination and located near building access points where possible.

In all cases it is a requirement to provide showers, changing facilities, lockers and clothes drying facilities, for use by staff that walk or cycle to work. CCTV cameras or passive surveillance of car parks and cycle parks may be required for personal safety and security considerations.

All cycle facilities in multi-storey car parks shall be at ground floor level and completely segregated from vehicular traffic. Cyclists should also have designated entry and exit routes at the car park and with minimum headroom of 2.4 metres to facilitate access by cyclists.

Within larger new developments cycle routes shall link to the existing cycle network where possible and maintain a high degree of permeability through developments. Cycle Audits may be required in such developments.

#### 12.4.7 Motorcycle Parking

It is an objective of the Council to require developments to provide motorcycle parking spaces at a minimum of four or more spaces per 100 car parking spaces. The type of motorcycle stand and typical parking layout should be in accordance with the Council's Cycling Policy Guidelines and Standards with a spacing of 1 metre to allow the parking of one motorcycle per stand.

## 12.4.8 Vehicular Entrances and Hardstanding Areas

### 12.4.8.1 General Specifications

Vehicle entrances and exits shall be designed to avoid traffic hazard for pedestrians and passing traffic. Where a new entrance onto a public road is proposed, the Council will have regard to the road and footway layout, the traffic conditions on the road and available sightlines and will impose appropriate conditions in the interest of public safety. In general, for a single residential dwelling, the maximum width of an entrance is 3.5 metres. For a shared entrance for two residential dwellings, this may be increased to a maximum width of 4 metres. Each car parking space for a residential dwelling shall have a minimum length of 5.5 metres depth to ensure the parked car does not overhang onto the existing public footway and a minimum width of 3 metres to allow for clearance from nearby wall/steps/boundary.

Proper provision shall be made for sightlines at the exit from driveways in accordance with the requirements in DMURS, and as appropriate to the particular road type, and speed being accessed.

Automatic electronic gates into residential developments are not favoured and should be omitted. Electronic or automatic gates are not acceptable in terms of road safety unless the entrance is set back from the back of the footway, to avoid the roadway or footway being obstructed by a vehicle while the gate is opening. In general, outward opening gates will not be considered acceptable. A minimum of a 1.2 metres access path shall be provided for each dwelling. Sufficient space shall also be provided for refuse storage and service metres (Section 12.3.4.7) cycle storage (Section 12.4.6) and urban greening and SUDS (see Section 12.4.8.3).

### 12.4.8.2 Visual and Physical Impacts

Vehicular entrances and on-curtilage parking should not normally dominate a property's frontage. In areas characterised predominantly by pedestrian entrances and few, if any, vehicular entrances, proposals for driveways and on-curtilage parking will be assessed on their own merits but should be resisted. Applications for double-width entrances will normally be resisted.

Impacts on features like boundary walls and pillars, and roadside grass verges and trees outside properties will require to be considered, and entrances may be relocated to avoid these. Any boundary walls, entrance piers and gates and railings shall normally be finished to harmonise in colour, texture, height and size to match the existing streetscape.

There can be negative cumulative effects from the removal or creation of front boundary treatments and roadside elements in terms of area character and appearance, pedestrian safety, on-street parking, drainage and biodiversity – and these will be assessed in the consideration of applications.

Proposals for off street parking need to be balanced against loss of amenity (visual and physical) and will be considered in light of overall traffic flows and car parking in the vicinity.

### 12.4.8.3 Driveways/Hardstanding Areas

A minimum of one third of front garden areas should be maintained in grass or landscaped in the interest of urban greening and SUDS. In the case of smaller properties - such as small terraced dwellings this requirement may be relaxed. Each driveway, parking and hardstanding area shall be constructed in accordance with SuDS and include measures to prevent drainage from the driveway entering onto the public. Where unbound material is proposed for driveway, parking and hardstanding areas, it shall be contained in such a way to ensure that it does not transfer on to the public road or footpath on road safety grounds.

### 12.4.8.4 ACAs/Protected Structures

Boundary features such as walls, railings and gardens contribute to character and setting of Protected Structures and those areas which have been identified as ACAs and cACAs. Poorly designed off-street parking which involves the removal of boundary walls, gate piers, railings and gates can have an effect on the setting and appreciation of the building, groups of buildings and the wider streetscape and will not generally be permitted.

In areas characterised predominately by pedestrian entrances, new or widened vehicular entrances will be resisted. Where existing rear site vehicular access exists or can be easily provided, off-street parking to the front will generally not be permitted.

All proposals for off-street parking will be considered on a case-by-case basis and should:

- Minimise loss of original boundary treatment.
- Retain a significant amount of soft landscaping and planting to reduce the visual impact of the parked car. The vehicular entrance and hard-standing area should not dominate a property's forecourt or result in the loss of traditional finishes such as granite setts and flags.
- Provide surface treatments of a high quality using traditional materials compatible with the surrounding context. Bituminous and concrete surfacing are not acceptable.
- Where favourable site conditions exist



minimum intervention, integration and reuse of materials will be the key considerations.

All other criteria for car parking within Section 12.4.8 shall also apply to parking within ACAs/ Protected Structures.

#### 12.4.8.5 Financial Contributions

The loss of on street car parking to provide for vehicular entrances shall be considered having regard to overall parking in the general area. Where an existing on-street car parking space requires removal to facilitate a new or widened vehicular entrance, and cannot be conveniently relocated within the public domain, then a financial contribution will be required in accordance with the terms and conditions of the Transportation Section and Water Services Department.

Likewise, where a tree, located on-street, requires removal to facilitate a new or widened vehicular entrance and cannot be conveniently relocated within the public domain then a financial contribution will be required in lieu.

#### 12.4.8.6 Access Across Public Open Space

The Planning Authority will not normally grant permission for a development which requires or entails vehicular access over public open space or a non-paved route. The applicant would be required to clearly indicate the necessary right of way or entitlement to carry out the proposed works.

#### 12.4.9 Design of Underground and Multi- Storey Car Parks

Multi-storey or underground basement car parks shall generally meet the requirements set out in the UK's Institution of Structural Engineers booklet entitled 'Design Recommendations for Multi Storey and Underground Car Park Fourth Edition' (2011) and any subsequent updates.

Multi-storey or underground car parks shall be well lit and brightly painted, with CCTV cameras provided to ensure personal safety and security. In general, one- way traffic routing is preferred. A splayed entrance with a 6.0 metres flat area shall be provided at the exit point from a basement car park onto a main road with adequate pedestrian and vehicular sightlines available in each direction. Sufficient headroom clearance (minimum 2.4 metres), should be provided to allow access for cyclists and high mobility vehicles for the mobility impaired. In car parks which include cul-de-sac parking, a maximum length of 6 parking spaces may be considered acceptable.

In larger developments consideration shall be given to specific access and egress routes for cyclists including segregated routes or bicycle lifts. Cycle parking shall generally be at the upper level of any basement car park and located close to lifts or stairwells. Clearly marked well-lit pedestrian routes shall be identified within underground and multi-storey car parks.

One-way signal-controlled ramps or car lifts are generally not acceptable for maintenance and operational reasons. Large cul-de-sacs shall not be provided within underground car park layouts. Provision shall be made for an emergency access to underground car parks and, where more than 300 parking spaces are being provided, a second vehicular access point to an underground car park is required. To prevent flooding drainage measures will be required to prevent run off from the public road entering the underground car park. Runoff from multi-storey, undercroft and basement car parking areas shall be collected, and treated where appropriate, before final discharge to the foul sewerage system

Where an underground car park is provided specifically for a residential development, the car park must be universally accessible by all with the provision of pedestrian ramps and/or lifts into each block located above ground.

Where a number of multi storey carparks are provided in close proximity on any one street there should be no cumulative negative impact on the streetscape from multiple entrances.

#### 12.4.10 Childcare Facilities – Parking/ Access

All pedestrian routes leading to a childcare facility from any parking area, play area, or nearby road and footpath shall be suitably designed to meet specified accessibility requirements in accordance with Part M of the Building Regulations. Car parking standards for childcare facilities are set out in the table 12.5 above. Cycle parking standards are set out in the ‘Council Cycle Standards’ (2018).

For new childcare facilities, the availability of existing on-street car parking spaces and any part-time hours of operation will be considered as part of the Development Management process.

#### 12.4.11 Electrically Operated Vehicles

To encourage the use of Electric Vehicles (EV), in line with Council, National Policy and Standards, developments shall provide at minimum EV Charging points and infrastructure as follows:

- Residential multi-unit developments both new buildings and buildings undergoing major renovations (with private car spaces including visitor car parking spaces) - a minimum of one car parking space per five car parking spaces should be equipped with one fully functional EV Charging Point. Ducting for every parking space shall also be provided.
- New dwellings with in-curtilage car parking - the installation of appropriate infrastructure to enable installation at a later stage of a recharging point for EVs.
- Non-residential developments (with private car parking spaces including visitor car parking spaces with more than 10 spaces e.g. office developments,) – provide at least 1 recharging point. and a minimum of one car parking space per five car parking spaces should be equipped with one fully functional EV Charging Point.
- Developments with publicly accessible spaces (e.g. supermarket car park, cinema etc.) - provide at least 1 recharging point and a minimum of one car parking space per five car parking spaces should be equipped with one fully functional EV Charging Point.

Publicly accessible charge point parking space(s) should be clearly marked as being designated for EV charging. Appropriate signage indicating the presence of a Charge Point or Points should also be erected. All Charge Points fitted in publicly accessible areas should be capable of communicating usage data with the National Charge Point Management System and use the latest version of the Open Charge Point Protocol (OCCP). They should also support a user identification system such as Radio Frequency Identification (RFID). Publicly accessible EV Charging locations should also allow for ad-hoc payment methods for users. EV Charging enabling works for disabled and other reserved parking spaces should also be included in the development where these exist.

When detailed Guidance for EV vehicles which is currently in preparation by DLR in association with the other Dublin local authorities becomes available it shall replace the above standards.

#### 12.4.12 Sports Facilities

Accessibility to sports facilities shall be designed in accordance with best accessibility practice such as ‘Sport England Accessible Sports Facilities’ (2010).

#### 12.4.13 Emergency Access

In some circumstances large-scale developments, which could result in a significant level of peak and/or off-peak travel, and residential developments greater than 300 units shall provide for duplicate access or other means approved by the Planning Authority for emergency use/access. This shall also allow access for pedestrians and cyclists. The Councils Transportation Section will ascertain whether an additional access is required. This will be dealt with on a case-by-case basis through the pre-planning process.

#### 12.4.14 Signage, Bus Shelters, and Taxi Ranks

All signs, bus shelters and taxi ranks should be designed in accordance with best accessibility practice and in a manner, which will not obstruct or distract or create a conflict with pedestrians,

cyclists, public transport, or private vehicles. Adequate sightlines shall be provided in each direction, where signs, bus shelters and taxi ranks are located in close proximity to junctions and entrances. Taxi and Bus shelters should consider the incorporation of green roofs with pollinators (See also Section 12.8.6.3 Green Roofs /Blue roofs).

Access routes to bus shelters and taxi ranks should be designed in accordance with the requirements in DMURS.

The 'Traffic Management Guidelines', (2012) (DTTS) and the 'National Cycle Manual' (2012), (NTA), should be consulted to ensure best practice in terms of locating bus shelters to avoid conflicts with other cyclists and other road users.

Any signage on public roads or footways shall not cause an obstruction to any road user and sightlines should be in accordance with the requirements in DMURS.

#### 12.4.15 Development in the Vicinity of the Luas Line

Development in the vicinity of the Luas needs to appropriately take the light rail infrastructure into

consideration. In this regard development should be guided by the TII's 'Light Rail Environment – Technical Guidelines for Development PE-PDV-00001', December 2020 and any subsequent updates of same.

#### 12.4.16 Dublin Eastern Bypass

Planning applications in the vicinity of the Dublin Eastern Bypass (DEBP) shown on the development plan maps 1, 2, 5 and 6 as a Strategic road reservation and subject to SLO 4 shall comply with the requirements of the Dublin Eastern Bypass Corridor Protection Study Booterstown to Sandyford, 2011 and any subsequent updates. All such applications shall be accompanied by a report setting out how the requirements of the Protections Study are met. In the event that the corridor is no longer needed for the DEBP, a Dún Laoghaire-Rathdown County Council lead study should be carried out to determine the best use of the corridor prior to any development being permitted. This study may be informed by a future NTA study. This should include the consideration of sustainable transport, biodiversity and recreation projects including playing pitches, and engagement with the public.



*Fernhill Sculpture*

## 12.5 Enterprise and Employment

The Planning Authority will seek to encourage high quality design, materials and finishes and good quality landscaping with robust maintenance protocols for all large commercial and office developments in Dún Laoghaire-Rathdown. For all significant commercial and employment developments (comprising schemes with a gross floor area of 1000 sq.m. and above (or otherwise required by the Planning Authority), a Design Statement will be required.

### 12.5.1 Assessment of Enterprise and Employment Development Proposals

In assessing planning applications, a number of considerations will be taken into account:

- Conformity with the land use Policy Objectives set out in respect of enterprise and employment development as outlined in Chapter 6.
- The mix of uses being proposed particularly in mixed use areas (Major Town Centres, District Centres and Neighbourhood Centres) where redevelopment and changes of use need to be orientated towards creating urban environments that are vibrant and lively.
- Achievement of an appropriate density and scale of development.
- Provision of public open space/public realm to a minimum of 10% of site area (Refer also to Section 12.8).
- The high quality design requirement that protects but also enhances the architectural character of the County, particularly in relation to landmark structures and viewpoints.
- The intensity and nature of the proposed use.
- The potential impact of traffic movement, parking provision and whether or not consideration has been given to a Workplace Travel Plan (Refer also to Section 12.4.3).
- Whether or not the proposed development will have a significant detrimental effect on the amenities of the surrounding areas.
- Energy efficiency and overall sustainability of the development.
- The quality of waste management measures proposed.
- At a detailed level parking, circulation and access arrangements shall be as per Planning Authority requirements and as outlined in Table 12.5. Loading and open storage areas shall be visually unobtrusive from public roadways and screened or preferably located behind the building line. Multiple unit developments shall implement ordered naming and signage schemes to avoid visual clutter.

(See also Section 12.3.1.1. for overall design criteria)

### 12.5.2 Apart Hotel

Apart hotels are a type of hotel that provides for self-catering apartment units, in addition to ordinary hotel facilities, thereby providing the visitor with the flexibility of an apartment, which is managed like a hotel. Aparthotels usually have a hotel-like booking system, however there is no fixed contract and occupants can 'check out', when they wish. Within aparthotel developments, there can be a range of accommodation styles. This type of accommodation, however, should not be used to provide permanent accommodation for individuals, families, or students.

In this regard, all proposed apart hotel developments/schemes shall ensure that:

- The proposed development shall include a fully services reception desk/administration, concierge, security, housekeeping facilities and other uses associated with the management of the aparthotel.
- The proposed development may also include entertainment facilities and/or the provision of food and refreshments, this may be dependent on location, size of aparthotel and available facilities in the locale.
- The design and layout of the aparthotel units should be such to allow for the amalgamation of units to cater for families.
- A mix of unit types, and sizes shall be provided to cater for the needs of the visitors. The Planning Authority will not be in favour of an over-provision of single-bed units within a development.

Permission will normally be conditioned so that:

- Permission is required for a change of use from commercial accommodation to residential accommodation.
- The maximum occupancy period for the proposed development shall be two months.
- The accommodation shall not be used for long-term accommodation i.e. student accommodation.

If it is intended to convert the aparthotel into full residential use in the future, the development must comply with the required standards for apartment development as set out within this Plan with respect to parking, public/private open space, etc (refer to Section 12.3.3 Quantitative Standards, and 12.3.4 Apartment Development) and must apply for a change of use.

## 12.6 Towns and Villages and Retail Development

As our towns and villages enhance their multi-functional role retail is still a key element. Retail development must therefore conform to the highest design standards. It should be designed and sized to be appropriate in scale in relation to the planned catchment area.

Neighbourhood Centres are intended to cater for the daily shopping and service needs of the immediately surrounding neighbourhood and will consequently be generally small in scale. In dealing with applications in local centres any analysis should take cognizance of changing shopping trends and the social and economic circumstances of the area.

### 12.6.1 Assessment of Development Proposals in Towns, District and Neighbourhood Centres.

Applications for new retail development in the County shall accord with the retail Policy Objectives of the Development Plan (refer to Chapter 7), Regional Guidance and Government Guidance, as

set out in the 'Retail Planning Guidelines', (2012), and shall:

- Be consistent with the role and function of the particular retail centre as set out in the Development Plan and accord with the scale and type of retailing identified for that location.
- Accord with the fundamental objective to support the vitality and viability of the retail centre and demonstrate compliance with the sequential approach. Provide a detailed retail impact assessment and a transport impact assessment to accompany the application where appropriate.
- Be of a high quality and incorporate layouts that encourage active and engaging frontages where appropriate.
- There shall be a general presumption against large out-of-town retail centres - in particular those located adjacent or close to existing, new or planned national roads/motorways.



Frascati Shopping Centre, Blackrock

- In the context of larger scale developments in our Major Towns, District and Neighbourhood Centres, while adequate car parking, separate service areas and convenient access by public transport and by walking and cycling from surrounding residential areas are essential elements, these must be supplemented by features that improve the overall attractiveness of the scheme to the public. Such features can include for example:
    - Public realm of appropriate scale, design and enclosure.
    - The provision and design of street furniture, e.g. seats, litterbins, cycle facilities.
    - The provision within the overall design of the scheme for public facilities, e.g. toilets, advice centres, and supporting community, civic and cultural uses including health clinics, crèches, theatres, libraries for example.
    - Activities and uses including retail services and restaurant uses that keep the centre alive both during the day and evening.
    - The inclusion of some element of residential uses, particularly apartments, as an integral part of the centre in order to generate evening activity and security of the centre. Provision of residential must be in accordance however with the overall zoning objective for the area.
  - An overall design strategy that helps promote Convenience Shop variety (by the use of differing shopfronts, plot frontage widths, setbacks, signs etc.) but set within an overarching and cohesive design concept that unites the whole.
  - The design and layout of buildings, together with the robustness of materials used in their construction, should be such as to discourage graffiti, vandalism and other forms of anti-social activity. All unsightly areas for example, service cores, should be screened from surrounding residential areas and from pedestrian corridors within the scheme. Considered screening should form an integral part of any design, but where this is not possible, supplementary tree planting and landscaping will be necessary.
  - Considered tree planting, landscaping and overall urban greening measures must, in any event, form an integral part of the general design of any shopping scheme.
  - Appropriate Wall Art.
- (Note: In relation to Noise, Odour and Ventilation see Section 12.9.3 below)
- In dealing with applications for planning permission for retail development, the Council shall have



Dundrum Town Centre



regard to the DECLG 'Retail Planning Guidelines for Planning Authorities' (2012), the accompanying 'Retail Design Manual' (2012) and the 'Retail Planning Strategy for the Greater Dublin Area 2008-2016' and/or any updated Retail Strategy for the Dublin area.

### 12.6.2 Large Goods Stores

Large convenience store - comprising supermarkets, superstores and hypermarkets – are now an accepted element of retailing in cities and large towns. They often provide primarily for the weekly convenience goods shopping of households. They require extensive open areas of floorspace together with adjacent car parking as the majority their customers undertake their bulk convenience shopping trips by car.

Large convenience goods stores should be located in, or on the edge of Major Town Centres or District Centres.

Where a proposal for large convenience goods stores development involves the sale of a significant amount of comparison goods (as is now common in many supermarkets, superstores and hypermarkets), the planning application drawings should clearly delineate the floorspace to be devoted primarily for the sale of convenience goods. The balance between the convenience and comparison element of the proposed store drawings is a critical element in the assessment of the suitability of the development proposal. Where a significant element of the store is indicated to be for comparison goods the potential impact of that element of the store on existing comparison goods stores within the catchment must be included in the assessment of the application.

### 12.6.3 Convenience Shop

A small/local convenience shop will be open for consideration within a residential area (lands zoned Objective 'A' – "*To provide residential development and improve residential amenity while protecting the existing residential amenities*"). When assessing any such proposals, the Council will have regard to the distance from the proposed development to established local shopping facilities and to its impact on the amenity of adjoining dwellings. Local convenience shops shall not have a floorspace greater than 100 sq.m. net. (refer also to Policy RET8, Section 7.5.5.1).

### 12.6.4 Retail Parks and Retail Warehousing

Retail parks have generally evolved as agglomerations of retail warehouses grouped around a common car park selling mainly bulky

household goods. Retail warehouses can often require extensive areas of showroom space, often with minimal storage requirements. Retail warehouses have two main impacts on the retail hierarchy in a County:

- If located in a Major Town Centre - by their very nature, scale and spatial characteristics – a Retail Park/Warehouse can detract from the urban character of the Town Centre and represent an unsustainable and inappropriate use of land.
- If the range of goods on offer in a retail warehouse extends beyond that of bulky household goods it could undermine or weaken the hierarchy of retail centres in the County.

The range of goods being sold from retail warehouse parks can often include a high proportion of non-bulky durables. If this pattern were allowed to continue unchallenged there is potential for a detrimental impact on the County's Major Town Centres and District Centres.

The 'Retail Planning Guidelines for Planning Authorities' (2012), recommend that the retail floorspace in any given retail warehouse unit be devoted to:

- Ancillary products associated with bulky goods and/or non-bulky durables should not exceed 20%.

In addition, such space shall be clearly delineated on the planning application drawings to facilitate monitoring and enforcement. This guidance will be adhered to in relation to future Retail Parks and Retail Warehouse developments in the County.

As a general principle the Planning Authority will adopt a precautionary approach to any significant additional retail warehouse floorspace in the County for the duration of the Development Plan. Such an approach is advocated in the 'Retail Planning Guideline for Planning Authorities' (2012).

Having regard to the precautionary approach advised above and where appropriate, retail warehousing may be facilitated on land with zoning Objective 'E' – "*To provide for employment and economic development*" where the site has good access to a suitable road network and has access to integrated public transport.

For out-of-centre locations, the 2012 Guidelines provide a recommended minimum unit size for retail warehouses of 700 sq.m. and a 'capped' maximum unit size of 6,000 sq.m. These standards will be adhered to in Dún Laoghaire-Rathdown.

### 12.6.5 Fast Food Outlets/Takeaways/ Restaurants

The following criteria will be taken into account in the assessment of development proposals for fast food/takeaway outlets, including those with a drive-through facility, and where relevant, for restaurants.

- The need to retain, protect and strengthen the retail overall variety, and multi-use function of the area.
- The adequacy of existing facilities for the sale of hot food for consumption off the premises in the locality. In this regard, the applicant shall submit details of all existing fast food/takeaway outlets within the locality.
- The cumulative effect of the proposed development on the amenities of the area, particularly so in predominantly residential zoned locales.
- The effect of the proposed development on the existing mix of land uses and activities in the area.
- Careful consideration of the location of fast food outlets in the vicinity of schools and parks.
- Location of vents and other external services and their impact on adjoining amenities in terms of noise/smell/visual impact.
- Fast food outlets/takeaways with proposed drive-through facilities will generally only be acceptable within Major Town Centres or District Centres and will be assessed on a case-by-case basis.
- The proliferation or oversupply of certain premises that cause or are likely to cause disturbance or nuisance, detract from amenities or seriously detract from an area generally in terms of use and services mix may be resisted.
- Hours of operation.

### 12.6.6 Off-Licences/Betting Shops

Off-Licences and Betting Shops provided in the County's commercial and mixed-use areas provide a local commercial service. The Planning Authority will seek to protect residential and other communities by ensuring that the quantum of off licences/betting shops - particularly within smaller centres - is not disproportionate to the overall size and character of the area. However, the number and control of off- licences/betting shops will primarily be a licensing issue.

In any consideration of proposals for off-licences/ betting shops, regard to the amenities of nearby residents - i.e. noise, general disturbance, hours of operation and litter – will be paramount. New Off-Licences and Betting Shops will not be permitted in areas zoned Objective 'A' – 'To protect and/or improve residential amenity'.

Any application for betting shops shall clearly indicate on drawings submitted the location and size of any/all satellite dishes required to serve the unit. The Planning Authority will generally not accept TV screens or excessive advertising (generally no more than 25% coverage) within the shop window of betting shops.

### 12.6.7 Service Stations

Applications for service stations should take account of the following:

#### Retail sales area:

- The total area (net) devoted to ancillary - or convenience - retail sales, within a service station shall not exceed 100 sq.m. and shall be in scale with the overall size of the filling station. Should such a unit or a larger retail facility be proposed with a wide range of



Monkstown Village

goods it will be treated as a shop and assessed accordingly (including a sequential test).

#### Location:

- Limited service station facilities ancillary to large foodstores located in, or adjacent to Major Town Centres/District Centres, may be permitted where there is acceptable road access, and where it is considered there will be no negative impacts in terms of visual intrusion or the amenities of the adjoining area.

A workshop for minor servicing (e.g. tyre changing, puncture repairs, oil changing) or service station may only be permitted in circumstances where they would not adversely affect local amenities - particularly with regard to proximity to dwellings or adjoining residential areas. The Planning Authority will generally not permit such uses in or adjoining residential areas unless it can be clearly demonstrated that no significant damage to residential amenities will occur by reason of factors such as noise, visual obstruction, safety considerations or fumes and smells.

#### Low Emission Fuel Infrastructure:

- Consideration should be given to the provision of low emission fuel infrastructure, including the provision of EV charging facilities, in development proposals for new and or refurbished service stations.

#### Design:

- New service stations and refurbished existing stations will be required to have a high standard of design. In rural areas service stations will not be permitted where they will have a negative impact on surrounding views, prospects, and scenery or general amenities.
- New service stations and refurbished existing stations shall ensure provision of Low Emission Vehicle Refuelling/Recharging Infrastructure.
- The layout of new or redeveloped service stations shall permit safe access for delivery tankers (cab plus trailer) up to 15.5 metres in length. An adequate off - road area shall be provided for parking tankers safely without obstructing access to pumps while fuel is being delivered to service stations.
- For 50kph speed limit areas, a road frontage of not less than 21 metres is required for a new service station, and this frontage must be kept clear of any structure for a depth of not less than 4.6 metre from the street boundary of the site. This road frontage width shall increase to a minimum of 30 metres for 60/80kph speed limit areas.
- There shall be a minimum distance of 7 metres from the pump island to the road boundary.
  - Only one entry and one exit point shall

be permitted for vehicular traffic onto the public road, and exits onto dual carriageways shall be restricted to a single lane width. The access points shall be between 7 metres-9 metres wide, with a minimum junction radius of 10.7 metres. A one-way traffic routing system is preferred.

- Ramped entry treatments shall be provided at the vehicular entrance and exit, as per Council requirements, to provide for pedestrian/cyclist priority as appropriate.
- Pedestrian routes to and from retail areas shall be clearly defined.
- Short and long-term cycle parking and cycle facilities provision shall be in accordance with the requirements of the Council Cycling Policy Guidelines and Standards - with a minimum of 5 no. cycle parking spaces required.
- The location of air/water facilities and car wash facilities shall be carefully considered in relation to impact on adjoining properties. Details in respect of noise generation and hours of use shall be submitted as part of any application.
- The location of any other ancillary structure(s) within the forecourt – such as a parcel collection/ drop off structure – shall be clearly indicated and should not interfere with vehicular circulation or car/ cycle parking within the service station forecourt.
- Where it is proposed to provide a fully automated filling station, the proposed use/function of any existing and/or disused kiosk/shop unit on site shall be clearly demonstrated within any planning application.
- New service stations and refurbished existing service stations shall include at a minimum one bicycle repair and maintenance station, including bicycle wash and pump, which shall be maintained accordingly.

#### Signage:

- Signs should be limited and generally form part of the buildings or other structures.
- The use of high level signs, signs projecting over footpaths, 'fly' posters and bunting will not be permitted. Free standing signs shall be limited to one per service station and shall not project above the forecourt canopy and shall not impact on vehicular sightlines at the exit onto the public road.
- In visually sensitive locations, the use of standard 'corporate' designs and back-lit signage etc. for service stations may not be acceptable.

**Lighting:**

- Forecourt lighting including canopy and signage lighting should be limited to that which is necessary for the safe operation of a service station. The use of high level and powerful lighting should be avoided where possible and should not interfere with the amenities of adjoining premises or cause glare, hazard or confusion to public road users. All external lighting shall be cowled and diverted away from the public roadway to prevent a traffic hazard.

**Hours of Operation:**

- Consideration may also be given to the limiting of the hours of operation. Details in respect of opening hours shall be submitted as part of the planning application.

**Discharge License**

- A discharge license may be required.

**12.6.8 Shopfronts, Signage, Advertising and Public Art****12.6.8.1 Shopfronts**

Good shopfront design makes a valuable contribution to the environmental quality of shopping areas. The overall preference is for 'open' design shopfronts with no security shutters, with an illuminated goods display and otherwise some element of lighting on shopfront windows on main shopping streets. The Council will control the design of shopfronts in line with the following principles - the scope of which encompasses not only shops but also other business frontages, such as restaurants, public houses, banks, and offices- namely:

- The design, materials and proportion of the shopfront should be appropriate and respect the scale and fabric of the building and/or street of which they form part. Not all shopfront design needs to be in the 'traditional style', the use of high quality contemporary designs is welcomed.
- Replacement of more modern era, but poor quality, shopfronts may be welcomed e.g. restoring original building features or omitting 'over-size' or obtrusive signs.
- The presence of well-crafted and historic shopfronts is an important part of the character of an area. Features of existing shopfronts, which are likely to be of interest and merit include pilasters or uprights, apron panels, stall risers or plinths below the display windows, any mullions, or glazing bars to the display window etc. Such elements should be considered for retention and incorporated into the new shopfront design.

- Fascia design is an important element of shopfront design. Fascias should not interfere with existing first floor cills and should reflect existing plot widths.
- Oversized fascias are not appropriate.
- If aluminium is used it should be anodised or treated in an appropriate colour.
- The painting of clay brick or stone is generally not acceptable.
- Illuminated box signage will generally not be acceptable.
- Fascia and shopfront lighting shall be carefully considered.
- The amount of hanging and projecting signs will be controlled on shopfronts and streetscapes.
- Commercial interests will not necessarily be allowed to use standardised shopfront design, 'corporate colours' and materials. Compatibility with individual buildings and with the street scene is considered more important than uniformity between the branches of one company.
- Roller shutters are not exempted development on, or in front of the building line and their erection requires planning permission.
- Shutters should be provided in such a way that no part of the shutter or its casing extends beyond the face of the building. Where possible the shutter should be recessed to provide for a window display area. Painted and 'pen grille' shuttering should be used and, in all cases, shutters should be treated with a colour to match the colour of the main shopfront materials. Provision should be made for roller shutters behind the line of the glazing. In vulnerable areas painted 'Open Style' external shutters may be appropriate.
- Alarm boxes should be sensitive in design and location on the building.
- Planning permission will be required for the erection of canopies. Canopies of traditional design and retractable materials will be promoted.
- Signage/advertising on freestanding structures to the front of commercial units, such as wind breaks/ tables and chairs etc, shall be limited. Freestanding structures may not be accepted in instances where they would detract from the shopfront of a unit by means of impeding access or visual clutter.

**12.6.8.2 Signage**

To protect the amenities and attractiveness of the County, no commercial advertising structure will be permitted in the open countryside, on or near a structure of architectural or historical importance, in architectural conservation areas, on public open spaces, in areas of high amenity, within important



Signage

views, in residential areas, or where they would confuse or distract users of any public road. The existing County Heritage Plan includes for the provision of an Interpretation Programme, which includes information boards and signage in the public realm and printed materials such as maps and trails. In addition, the Council will encourage the use of informational signage with respect to biodiversity, ecology, and climate adaptation measures at specific locations throughout the County.

Particular attention will be paid to the design and location of new advertising in those areas where the Council intends to implement town and village improvement schemes in order to maximise the potential environmental benefits of such schemes and also in areas the subject of Local Area Plans.

Advertising signs, where permitted, should be simple in design and sympathetic to the surroundings and features of the building on which they will be displayed. The number of signs located on a property should be limited, to avoid visual clutter, and no sign should be unduly obtrusive or out-of-scale with the building façade. The use of existing infrastructure for advertising should be considered. Control will be exercised to prevent excessive signage and an impression of visual clutter in any location. Details in respect of signage illumination (i.e. backlit, downlighters, uplighters etc.) must be submitted as part of the planning

application, and the Council will discourage the use of flashing/moving illumination on signs or TV screens within shop windows.

Applications for signage shall also be considered having regard to the impact of any proposed signage, associated lighting or any other structure along roads running parallel to or buildings alongside the railways. In this regard reference, to and requirements of TII's 'Code of engineering practice for works on, near, or adjacent the Luas light rail system' and TII's Light Rail Environment - Technical Guidelines for Development PE-PDV-00001 December 2020 (or any superseding document) should be made.

### 12.6.8.3 Wall Panel/Poster Board Advertisements

Wall panel/poster board advertisements may be permitted on commercial premises in Major Town Centres, District Centres and Neighbourhood Centres. The size of the display panel should relate to pedestrian scale. Larger scale poster panels are generally inappropriate in locations proximate to pedestrians.

A wall panel/poster board should be sited back from the wall edges (i.e. not fill entire wall sections and obscure tops/sides of walls) and have regard to the symmetry and any features of the wall on which it is to be displayed. Panels should not normally be placed on buildings above ground floor level.

Wall panel/poster board advertisements will not be permitted where they would confuse or distract users of any public road and the use of prismatic/moving advertisements will not be encouraged.

In circumstances where they will provide temporary screening for derelict and vacant sites or sites where development is taking place, the actual poster board should not exceed 30% of the surface of the wall or screening on which it is mounted.

Subject to location, well designed advertisement panels may be permitted on construction hoardings for a specified period. The panels should not extend above the general line of the top of the hoarding and should be evenly spaced at uniform height and width.

#### 12.6.8.4 Bus Shelters and Taxi Shelters

Shelters incorporating advertising panels shall be carefully sited and shall not impact on vehicular sightlines. Shelters will be considered generally in regard to convenience, visual amenity and the facilitation of the greater use of public transport. The Planning Authority will exercise control over their exact location and over the number and scale of advertising panels permitted. Consideration will be given in such cases to the provision of associated supporting items such as bicycle stands and litter bins. Cantilevered shelters may be required so as not to impede pedestrian flow.

#### 12.6.8.5 Free-Standing and Outdoor Advertisement Displays

Public information and advertising panels are permissible in situations such as pedestrian precincts of shopping centres, other areas of commercial activity and along major traffic routes. They can sometimes be effective when grouped in a unified composite, which avoids an impression of clutter, subject to the location and number of panels. The amount of advertising permitted on public information panels will be restricted and shall constitute not more than 50% of the total area.

The location of all proposed freestanding advertising structures should be carefully considered having regard to pedestrian movement, and vehicles entering, and exiting a site or parking space.

The use of totem pole advertisement displays will be carefully considered. In general, a proliferation of these structures shall be avoided in the commercially zoned areas of the County. Their height should not be excessive and should be sympathetic to the surroundings, in particular where they adjoin residential areas. The information displayed on the totem pole should not be excessive or appear unduly visually obtrusive. The number of totem structures, serving the specific site, shall be limited, and should not be located in a position

that would interfere with vehicular and pedestrian sightlines.

All advertisement displays shall also be considered under the criteria set out below in Section 12.6.8.6 – Street Furniture Strategy.

The Planning Authority will not normally permit the attachment of sundry advertising devices to the façade of any structure, e.g. multi-coloured lights, spotlights, flags, bunting, banners, neon moving message signs, fly posting, barrage balloon etc.

Freestanding structures such as flags/teardrop banners etc. require planning permission, even if erected for a temporary period. Such structures, with or without advertising, will only be accepted in appropriate locations, and where they would not detract from road/footpath users, or interfere with vehicular sightlines.

The Planning Authority will promote the use of the public domain for outdoor advertising, such as billboards, bus shelters, free standing advertisements, which has a positive impact on the street environment and creates a vibrant public realm. The scale, height, architectural design, and position of such outdoor advertising should be carefully considered so as to not impact negatively on the visual amenity of the area, and the usability of the public domain by individuals. The use of digital advertising could also be considered for outdoor advertising ideas. Regard should also be had to the street furniture strategy, as below.

Advertisements and advertising structures shall be strictly limited along the coastline to appropriate locations only, and full consideration shall be given to their visual impact, scale, and design.

#### 12.6.8.6 Street Furniture Strategy

Proposals for the installation of any items of street furniture shall have regard to the following:

- Any additional street furniture items shall have regard to their need, to avoid proliferation of street furniture in a location. Items should be discreet and well designed to reduce visual clutter and to ensure visual amenities are not compromised.
- All new street furniture items shall have a clear function relative to their location and shall have regard to the need to reduce and avoid street clutter and ensure that footpaths and cycle ways are kept free of unnecessary impediments.
- The co-location of street furniture items/signage, will, where feasible, be required in order to reduce clutter.

The use of high-quality materials, which may include polished steel and/or suitable coating of

structures etc., will be required in order to ensure the long-term visual appearance of furniture items. All street elements shall be located so as to provide clear, accurate and timely guidance for road users, pedestrian and cyclists and should not interfere with sightlines.

#### 12.6.8.7 Digital Advertising/Signage

The Planning Authority acknowledges that the advertising world is moving at pace with new forms of advertising emerging, in particular with respect to digital advertising.

The use of digital advertising to outdoor shopfronts is can be highly engaging, eye catching and can also have a significant positive impact on the public realm by making streetscapes interactive. Digital advertising may be permitted, in certain locations subject to design, size, detail, and level

of illumination. The number of existing advertising signs on the shopfront (or similar), will also be taken into consideration as visual clutter will not be acceptable.

#### 12.6.8.8 Public Art - Private Developer-initiated Commissions

Public Art commissions by private developers can make a positive contribution to the environment and public realm. In accordance with the 'dlr Public Arts Policy, 2015 – 2025', in instances where a developer proposes a public art commission, a condition should be attached to any grant of permission, requiring the developer to follow the "*Public Art: Per Cent for Art Scheme, General National Guidelines*" (2004). The developer will be required to engage the services of an experienced art consultant/curator.



*Samuel Beckett  
Campus Per Cent for  
Art Scheme Sculpture  
by Eileen Mac Donagh,  
2016 - photo credit  
Ciara King, dlr Arts  
Office*

## 12.7 Green Infrastructure and Biodiversity

### 12.7.1 Green Infrastructure

Green Infrastructure is a planned network of natural and semi-natural areas with other environmental features designed and managed to offer a wide range of ecosystem services. GI includes nature conservation areas, rivers, floodplains, wetlands, treelines, woodlands, coast, gardens, open spaces and parks. Linked together these networks, of green areas are able to provide multiple benefits in the form of supporting a green economy, improving quality of life, protecting biodiversity and enhancing the ecosystems to deliver services such as disaster risk reduction, water purification, air quality, space for recreation and climate change and adaptation.

Where a proposed development impacts on a site known, or likely, to be a breeding or resting site of a species listed in Habitats Regulations a derogation licence, issued by the National Parks and Wildlife Service (NPWS), which is part of the Heritage Division of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs will be required in advance of any works being carried out.

Developers/Applicants should be advised of this possibility at pre-planning stage and advised to consult with the National Parks and Wildlife Service (NPWS), Licensing and Development Applications Unit, prior to making a planning application. It is preferable for a derogation license to have been applied for and/or obtained prior to submission of any planning application.

Where a proposed development results in a loss of or impact on existing trees or on a wildlife corridor, potentially resulting in an adverse impact on dependant flora and fauna, developers/applicants shall undertake an Ecological Impact Assessment and provide mitigation measures associated with these to address any such impacts if they are identified on site.

### 12.7.2 Biodiversity

There are a number of habitats, plant, animal and bird species within Dún Laoghaire-Rathdown which are protected under National and EU legislation, and therefore it is a Policy Objective of the Council *“to protect and enhance biodiversity and landscape, and ensure the protection of environments and habitats”* (Refer Section 8.7 Biodiversity).

Any development proposals for sites designated as, or immediately adjacent to, a pNHA, SPA or SAC shall be accompanied by an EIS and/or Appropriate Assessment and shall be referred to the NPWS. Regard shall be had to ‘Guidance for Local – Authorities Appropriate Assessment of Plans and Projects in Ireland’ (DEHLG) (2009).

In the event of a proposed development impacting on a site known, or likely, to be a breeding or resting site of a species listed in Habitats Regulations a derogation license, as per Article 16 of the Habitats Directive issued by the NPWS, will be required in advance of permission.

A precautionary approach should be taken to all proposals in environmentally sensitive areas and/or to sites that may be in use by, or contain, protected species.

An Ecological Risk Assessment may be required in relevant planning applications for both designated and/or non-designated sites (as appropriate) to ensure that the proposed development does not undermine or impact on the conservation objectives of these sites.

In order to comply with European and National legislation on nature conservation, and to ensure that areas of biodiversity value are adequately protected, an ecological assessment will be carried out for development proposals which have potential



to impact on species and habitats protected. (Refer to Section 8.7.1.5 Policy Objective GIB22).

No projects giving rise to significant direct, indirect or secondary impacts on European sites arising from their size or scale, land take, proximity, resource requirements, emissions (disposal to land, water or air), transportation requirements, duration of construction, operation, decommissioning or from any other effects shall be permitted on the basis of this Development Plan (either individually or in combination with other plans and projects, except as provided for in Section 6(4) of the Habitats Directive).

Planning applications for development, which may impact on European sites should be screened for Appropriate Assessment and accompanied by a Natura Impact Statement if required.

Development on, or adjacent to, inland waterways shall only be permitted, where an assessment carried out to the satisfaction of the Council, in consultation with Inland Fisheries Ireland, indicates that the proposed development will have no significant adverse effect on the integrity of any European site.

In the event of lighting being proposed along river corridors an Ecological Impact Assessment (and where necessary an Appropriate Assessment) - including bat and otter surveys - shall be conducted by specialist consultants. The recommendations of the specialist studies shall be implemented. No lighting will be installed without prior consultation with the NPWS and shall be in line with:

- Advances in knowledge into the impact of lighting on bats and other species and
- Reflect advances in technology in the lighting industry.

The Council fully supports and recognises the importance of biodiversity in its own right and the ecosystem services it provides including carbon sequestration. The 'Slow to Mow' campaign is promoted by DLR, to encourage the public to create areas for pollinators and wildlife within their own site/garden and this should be considered as part of any proposed garden/landscaping area, where feasible. These initiatives aim to support and protect biodiversity in the County.

In accordance with Policy Objective GIB29 – Nature Based Solutions (NBS), to encourage environmentally friendly solutions, new development proposals shall also incorporate NBS, where relevant, such as landscaping, SuDs, creating permeable green areas, providing green roofs and flood risk management can be included in the NBS approach.

Developments proposed on sites where invasive species are or were previously present shall have regard to the forthcoming 'Invasive Alien Species Action Plan' for the County, which will provide guidance with respect to the management of alien species (Section 8.7.1.11 Policy Objective GIB28). Applicants may be required to submit a control and management program at application or compliance stage for sites where invasive species are or were previously present.

The Planning Authority may require, where appropriate, Visitor/Management Plans to be submitted as part of the Development Management process for development proposals within or adjacent to an ecological sensitive site, as appropriate. The Visitor/Management Plan shall include appropriate measures to avoid significant negative effects and loss of habitat and associated disturbance to the ecological sensitive site.

### 12.7.3 Sensitive Landscapes and Site Features

To protect and enhance the character and amenities of the County's rural or sensitive open areas, all new developments of any scale shall incorporate high quality landscape design and shall ensure that:

- Existing site features such as specimen trees, stands of mature trees, hedgerows, rock outcrops and water features are properly identified and retained where appropriate and new planting or other landscaping appropriate to the character of the area will be provided.
- Existing significant on-site natural features must influence the layout.
- Developers should consult the Planning Authority at an early stage in relation to landscaping and planting proposals.
- Landscaping in new developments shall include planting of native Irish flora.
- Developers will be responsible for the grading, hard landscaping, planting, and further development of open space, including the provision of pedestrian paths and other facilities. Developers will be required to provide roadside trees, street planting and screen planting where necessary.

To protect and enhance the character and amenities of the County's rural or sensitive open areas, all new developments of any scale shall incorporate high quality landscape design and shall ensure that:

- Existing site features such as specimen trees, stands of mature trees, hedgerows, rock outcrops and water features are properly identified and retained where appropriate and new planting or other landscaping appropriate to the character of the area will be provided.

- Existing significant on-site natural features must influence the layout. Developers should consult the Planning Authority at an early stage (as part of the pre-planning process) in relation to landscaping and planting proposals.
- Landscaping in new developments shall include planting of native Irish flora.
- Developers will be responsible for the grading, hard landscaping, planting, and further development of open space, including the provision of pedestrian paths and other facilities.
- Developers will be required to provide roadside trees, street planting and screen planting where necessary. The Planning Authority encourages developers to plant suitable tree species in front gardens before dwelling occupation.

#### 12.7.4 High Amenity Landscapes, Views and Prospects

Planning applications that have the potential to adversely impact upon landscapes attributed with a High Amenity Zoning Objective - or upon Protected Views or Prospects - shall be accompanied by an assessment of the potential landscape and visual

impacts of the proposed development, including photomontages – demonstrating that landscape impacts have been anticipated and avoided to a level consistent with the sensitivity of the landscape (Refer to Section 8.4.5 Policy Objective GIB6 – Views and Prospects).

#### 12.7.5 Fencing of Hitherto Open Land

The following criteria will be used when considering planning applications for new fencing, in relation to lands open to, or used by the public during the ten years preceding. Such fencing is not exempted development in accordance with Art 9((1) (a) (X) of the Planning and Development Regulations, 2001, as amended:

- Such fencing in upland or amenity areas shall conform to the best agricultural practice.
- The nature of the material to be used, the height of the fence, and in the case of a wire fence, the type of wire to be used should be indicated and this will be taken into account relative to the location of the proposed fencing.
- Stiles or gates at appropriate places may be required and details of same shall be submitted i.e. height, materials, etc.



Forest Walk, Ticknock,  
Dublin Mountains

## 12.8 Open Space and Recreation

### 12.8.1 Landscape Design Rationale

Planning applications for both residential (10+ units or as required by the Planning Authority) and commercial (1,000 sq.m. or as required by the Planning Authority), including leisure and recreational facilities, should submit a landscape design rationale prepared by a qualified Landscape Architect or other suitably competent landscape professional (as deemed appropriate by the Planning Authority), for the consideration of the Parks and Landscape Services Department. Smaller schemes may also require a Landscape Plan to be submitted. All such requirements should be ascertained at pre-planning stage.

The design rationale shall set out and specifically indicate how the overall approach is ecologically resilient and provides varied landscapes that reflect the character of the area.

The landscape design rationale should also address the following:

- Ecosystems services and carbon capture approach.
- Urban Greening.
- Biodiversity including pollinator friendly approach.
- Sustainable Drainage Systems.
- Maintenance without the use of chemical.
- Nature Based Play.

Such proposals shall include a scaled Landscape Plan(s) including:

- Cross-sections, where applicable, indicating the layout and hard and soft treatments of all boundaries, features, external areas, and green spaces.
- Specifications for materials, workmanship, and maintenance, together with proposed design details.
- Hard landscape details are to include, where applicable, any proposed lighting, seating, kerbing, boundaries, edging, surfacing and water features.
- Soft landscape details are to include, detailed planting plans and planting schedules, stating species/varieties, quantities, sizes, rootball presentation, and spacings.
- A Landscape Plan shall be accompanied by a timescale for its implementation, including a minimum 18-month landscape maintenance period and a defects liability clause.
- Regard should also be had to Policy Objective OSR13: Play Facilities and Nature Based Play.

### 12.8.2 Open Space Categories for Residential Development

In relation to Development Management, there are three categories of open space: public open space, communal open space, and private open space. This is provided or conditioned by way of a grant of planning permission, to serve the needs of the local population, and is categorised in the table below. Permeability may be required for pedestrians and cyclist across open space.

**Table 12.7** Categories of Open Space for Residential Development

| Open Space Category: | Classification:   |
|----------------------|---|
| Public Open Space    | Public open space is defined as being generally freely available and accessible to the public, and in the case of certain residential developments has, or is intended to be, 'taken-in-charge' by the Local Authority.<br><br>In all new residential development schemes, there should be some appropriate provision made for public open space within the site. In all instances where public open space is not provided a contribution under Section 48 will be required for the short fall. |
| Communal Open Space  | Communal open space is for the use of a set group of residents within the development only and would ordinarily be maintained by a Management Company i.e. is privately owned.<br><br>This would be typical of apartment - type residential developments and can be gated/ located adjacent to one/two specific apartment blocks for their exclusive semi-private use.<br><br>It can also apply to some housing schemes.  |
| Private Open Space   | Private open space normally refers to balconies and/or private gardens, which are the responsibility of, and only accessible to, the individual resident.   |

The following will not normally be considered as part of any Open Space provision:

- Car/bus parking.
- Bin/fuel stores.
- Bicycle parking structures.
- ESB substations or other service infrastructure.
- Underground flood attenuation tanks.

All applications for residential schemes (including Built to Rent) should include a clear written schedule and colour coded drawing with public, private and communal open space provision identified. The written schedule shall include the County Development Plan requirements, the proposed provision and full details of any short fall.

### 12.8.3 Open Space Quantity for Residential Development

#### 12.8.3.1 Public Open Space

**Table 12.8** *Public Open Space Requirements for residential developments*

| Location:  | Public Open Space Standards (minimum): |
|--|--|
| Residential Development in new residential communities as shown in the Core strategy – figure 2.9. | 15% (of site area)                     |
| Residential Development in the existing built up area.   | 15% (of site area)                     |
| Institutional and Redevelopment of SNI use   | 25% (of site area)                     |

All residential schemes must provide a minimum provision of public open space in accordance with the table above, which has regard to the content of the Section 28 Guidelines ‘Sustainable Residential Development in Urban Areas’ (2009).

To qualify as public open space the area must be designed and located to be publicly accessible and useable by all in the County; generally free from attenuation measures; and capable of being taken in charge (i.e. must accord with the Council policy on taking in charge of open spaces).

It is acknowledged that in certain instances it may not be possible to provide the above standards of public open space. High density urban schemes and/or smaller urban infill schemes for example may provide adequate communal open space but no actual public open space. In these instances where the required percentage of public open space is not provided the Council will seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended. The contribution in lieu to be paid for any shortfall in the

quantum of public open space to be provided will be used for the provision of improved community and civic infrastructure and/or parks and open spaces, in the vicinity of the proposed development for use of the intended occupiers of same.

On overall sites of less than 0.25 ha, the Council may also consider levying a contribution in lieu of public open space.

Public Open Space may be taken-in-charge, by the Local Authority, or may be privately managed.

#### 12.8.3.2 Communal Open Space

**Table 12.9** *Communal Open Space Standards*

| Unit Type            | Minimum Area per Unit |
|----------------------|-----------------------|
| Studio               | 4 sq. m               |
| One Bed              | 5 sq. m               |
| Two bedrooms (3 bed) | 6 sq. m               |
| Two bedrooms (4 bed) | 7 sq. m               |
| Three bedrooms       | 9 sq. m               |
| Four +               | 12 sq. m.             |

In addition to Public Open Space, provided by the Developer, communal open space must also be provided for apartments and in some instances for houses, in accordance with the minimum standards set out in Table 12.9 above in accordance with the standards in the ‘Sustainable Urban Housing, Design Standards for New Apartments’ Section 28 Guidelines, (2020). Communal open space may also be provided for houses if the proposal does not meet the full private amenity space standards for private gardens as set out below. Communal open space is for the exclusive use of the residents of the development and should be accessible, secure, and usable outdoor space which is inclusive and suitable for use by those with young children and for less mobile older persons. Whilst an element of roof garden may be acceptable, the full quantum of communal open space should not take the form of being solely roof gardens (See also Section 12.8.5.4). While public and communal open space may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or a ‘privacy strip’ between the two.

In very high density schemes (in excess of 100 units per hectare), the Council may seek a development contribution under Section 48 of the Planning and Development Act 2000, as amended, for the shortfall in communal open space provision.

The provision and proper future maintenance of well-designed communal open space will contribute to meeting the amenity needs of residents. Communal open space will be privately managed.

For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, the quantity of Communal amenity space, to serve the residents, may be relaxed in part or whole, on a case-by-case basis, however this is subject to overall design quality.

### 12.8.3.3 Private Open Space

#### (i) Private Open Space for Houses:

All houses (terraced, semi-detached, detached) shall provide an area of good quality usable private open space behind the front building as follows:

**Table 12.10** Private Open Space

| House type          | Private Open Space requirement (minimum) |
|---------------------|--|
| 1-2 bedroom         | 48 sq. m. *                              |
| 3 bedroom           | 60 sq. m.                                |
| 4 bedroom (or more) | 75 sq. m.                                |

\* may be acceptable in cases where it can be demonstrated that good quality usable open space can be provided on site.

Any provision of open space to the side of dwellings will only be considered as part of the overall private open space calculation where it is useable, good quality space. Narrow strips of open space to the side of dwellings shall not be included within any of the above calculations.

In instances where an innovative design response is provided on site, particularly for infill and corner side garden sites, a relaxation in the quantum of private open space may be considered, however

this is on a case-by- case basis. The provision of open space to the front and side of the site to serve the proposed dwelling may also be considered acceptable, subject to design, residential amenity, etc.

This Section should be read in conjunction with Development Management requirements i.e. infill, backland, side garden development, etc. (Section 12.3.7.1 and also Section 12.8.8 below on quality of private amenity space).

#### (ii) Private Open Space for Apartment Developments:

Table 12.11 below sets out minimum requirements in line with the Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2020.

**Table 12.11:** Balconies / Winter Gardens: Minimum Private Open Space Standards for Apartment Developments

| Type/No. of bedrooms | Minimum square metres |
|----------------------|-----------------------|
| Studio               | 4 sq. m.              |
| One                  | 5 sq. m.              |
| Two (3 persons)      | 6 sq. m.              |
| Two (4 persons)      | 7 sq. m.              |
| Three                | 9 sq. m.              |
| Four +               | 12 sq. m.             |

Private amenity space for apartments shall accord with the requirements set out in Table 12.11, above.



CGI of permitted development, Kiltarnan  
Credit: James Horan Architectural Illustration and  
Stephen Newell Architects



Every apartment shall have private amenity space in the form of gardens or patios/terraces for ground floor apartments and balconies at upper levels. Where provided at ground level, private amenity space shall incorporate boundary treatment appropriate to ensure privacy and security. Private amenity space should be located to optimise solar orientation and designed to minimise overshadowing and overlooking.

In certain circumstances, apartments which have limited or no individual private open space - for example where it is proposed to sub-divide an existing building into apartments - communal and private open space requirements may be combined (partially or otherwise) to provide for communal amenity areas.

In exceptional cases in 'urban centres', for reasons of maintenance of streetscape character, or the preservation of residential amenity of adjoining property, the Planning Authority may accept the provision of communal open space in lieu of private open space.

In exceptional cases, where the Planning Authority accepts the provision of private open space in the form of semi-private/communal space - the provision of at least 'balconettes' (with inward opening 'French' doors) and/or access to winter gardens, for access to the open air - will be required. This would only be accepted in developments where an existing building is converted for apartment use and the building could not support balcony structures (e.g. a Protected Structure).

Such developments may also be required to contribute financially towards open space being provided elsewhere in the area in accordance with Development Plan standards.

For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, the quantity of Communal amenity space, to serve the residents, may be relaxed in part or whole, on a case-by-case basis, however this is subject to overall design quality.

Where a Built to Rent scheme avails of lower private amenity space based on the nature of the use a condition should be attached to any grant of permission to state that planning permission shall be sought for a change of tenure to another tenure model following the period specified in the covenant.

#### **12.8.4 Open Space Quantity for Mixed Use, Non-Residential and Commercial**

The Planning Authority shall require a minimum of 10% of the overall site area for all large-scale, mixed-use, non-residential, and commercial developments to be reserved for use as public Open Space/Urban realm space. (Any residential element of a mixed use scheme shall provide public open space in accordance with Table 12.8 above).

Where the required public open space standards cannot be achieved for non-residential, mixed use and commercial, the Council will also require a contribution in lieu to be paid by the Developer

to contribute to the public realm and public realm improvement works.

Adequate and suitable open space should be provided for Nursing Homes/Housing for the Elderly/Assisted Living Accommodation. Planning applications for such developments should:

- Include detailed open space and landscaping plans that take account of the location of the facility and orientation.
- Provide at least 15 sq.m. open space per resident (unless otherwise agreed with the Planning Authority).
- Have regard to the availability/suitability of already existing open space.
- Respect and accommodate the specific needs of the residents of the facility.
- Be accessible for all users and provide links to adjoining public footpaths.
- Incorporate age friendly principles in the design.

Applicants for all new developments are encouraged to engage with the Planning Authority at pre-planning stage to discuss the public, communal and private Open Space requirements for specific sites and uses.

### 12.8.5 Public Open Space – Quality

Open space is fundamental in contributing to a high quality of life for those living, working and visiting the County. It provides a basis for active and passive recreation, creates urban focus, fosters community spirit, and helps mitigate the impacts of climate change.

It can also improve the public realm and urban image, provides for inclusivity, adds to the liveability, sense of identity and define the quality of the area.

For this reason, public open space should be accessible, inclusive, secure, and usable. In accordance with the 'Guidelines on Sustainable Residential Development in Urban Areas', public open space on greenfield sites in the County's new development areas should be in the form of useful open spaces and where appropriate larger neighbourhood parks to serve the wider community.

Where public open space is to be provided on foot of a planning permission, the space in question should be well designed, and located to sympathetically complement the layout of the development.

Public open spaces should be overlooked and designed to ensure that potential for anti-social behaviour is minimised through passive

surveillance. The open space should be visible from, and accessible to, the maximum number of dwellings/units within the proposed scheme. Inaccessible, hidden or otherwise backland open space, and narrow linear strips of open space will not be acceptable.

For public open space proposed roof gardens will not be acceptable. Fragmented open spaces within a development layout, which result specifically from the necessity to protect existing site features (for example a stand of mature trees) may not be included in the calculation of open space requirements, as they are necessary to ensure the protection of existing amenities.

Age friendly measures should also be incorporated into the design of public open space, such as the provision of suitable benches at appropriate intervals.

'Sustainable Residential Development in Urban Areas - Guidelines for Planning Authorities' provides detailed guidance on the provision of open space for new residential developments while the 'Retail Design Manual' (2012) provides guiding principles on how landscaping and open spaces can assist improved public realm and promote attractive retailing centres.

#### 12.8.5.1 Design

The layout of public open space and its associated facilities/ infrastructure as delivered by the residential development – particularly in larger areas of open space - should be designed to meet a range of user needs, including both active and the passive recreation to maximise accessibility and should strive to incorporate universal design.

Users of public open space in the County should feel safe with adequate supervision, passive surveillance, boundary treatment and public lighting all contributing to an overall sense of security. Public Open Space should be expansive and suitably proportioned. Accordingly, blocks and buildings should overlook the public realm. Narrow tracts and corridors of open space, which are difficult to manage, will generally not be acceptable.

Public open spaces, within new development should be capable of providing opportunities for play e.g. playgrounds, small pitches, etc. Playgrounds on public open space should be carefully sited within residential areas to ensure they are both easily accessible and overlooked by dwellings, while not causing a nuisance to nearby residences.

In higher density residential schemes (in excess of 100 units per hectare), the quality of the open space becomes of paramount importance.

### 12.8.5.2 Accessibility, Permeability, Security and Privacy

Permeability and accessibility will be encouraged as part of an integrated approach to the provision of linked open spaces. Where pedestrian and cycleway opportunities are presented, substantial links between developments will be encouraged.

### 12.8.5.3 Communal Open Space – Quality

Communal amenity space within apartment and/or housing developments should be provided as a garden within the courtyard of a perimeter block or adjoining a linear apartment block. Designers must ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach communal amenity space throughout the year in accordance with BRE 209 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice', (2011). The communal open space should be visible from, and accessible to, the maximum number of units within the proposed scheme. Inaccessible, hidden or otherwise back land communal open space, and narrow linear strips of communal open space will not be acceptable.

Playgrounds in communal open space areas should be carefully sited within residential areas to ensure they are both easily accessible and overlooked by dwellings, while not causing a nuisance to nearby residences.

The provision and proper future maintenance of well-designed communal amenity space will contribute to meeting the amenity needs of residents within the development. In particular, accessible, secure and usable outdoor space is a high priority for families with young children, and for less mobile older people.

### 12.8.5.4 Roof Gardens

Roof gardens are a valuable form of urban greening (see Section 3.4.4). Consideration of the use of roof gardens as communal open space shall be on a case by case basis and will not normally be acceptable on a site where there is scope to provide communal open space at grade, as roof gardens do not provide the same standard of amenity particularly to young children. Consideration must also be given to the overall design, layout, and location of the roof garden, including its height. For larger apartment schemes in excess of 50 units no more than 30% of the communal open space shall be provided by way of a roof garden.

While recognising that the primary form of communal open space should be provided at grade, where intensive green roofs are being provided in accordance with Section 12.8.6.3 and Appendix 7.2 there may be scope for their use as additional amenity areas in the form of roof gardens. In addition, there may be certain instances such as on smaller town centre infill schemes where there is only scope for a roof garden. Roof gardens will be considered subject to the following -

- Safety consideration including safe access by children.
- Wind and climate assessment.
- Daylight and sunlight assessment (on small town centre infill schemes, where all communal open space is provided by way of a roof garden, daylight and sunlight standards should be higher than minimum standards for more than 50% of the development).
- Maintenance issues.
- Provision of suitable landscaping plans which provide for a diverse range of plants which have year round interest, pollinator friendly and are suitably adapted to the rooftop conditions.
- Visual assessment.
- Proximity to vents.



Open Space, Stillorgan Park



## 12.8.6 Biodiversity and SuDS in both Public and Communal Open Space

### 12.8.6.1 Biodiversity

Open spaces, especially large ones, can provide for a range of natural habitats and can facilitate the preservation and enhancement of flora and fauna. All proposals should be pollinator friendly, that is providing sufficient year-round diverse flowering plants to address the decline of pollinators. They should generally accord with the planting and maintenance approach set out in the Pollinator Friendly Planting Code of the All-Ireland Pollinator Plan, which is inclusive of best practise in the use of pesticides, herbicides, fungicides, and growth regulators.

### 12.8.6.2 SuDS (Sustainable Drainage Systems)

SuDS measures, such as attenuation storage systems, including detention basins that come into regular operation after rainfall events, shall not normally be included in the calculation of open space provision. Where a SuDS scheme provides biodiversity and amenity value and is readily accessible for either use or enjoyment in most weather conditions, a proportion of the SuDS area could be incorporated as a component part of the communal or public open space provision.

This proportion will be decided by the Planning Authority on a case-by-case basis. The Council will also encourage the use of bioswales in roadside verges, and open spaces. Further to Section 3.4.4 Urban Greening, data on all surface cover types shall be submitted to the Planning Authority as part of the storm water audit process (see 7.1.5 Storm Water Audit Procedure Appendix 7: Sustainable Drainage Systems). The Council will consult as appropriate with Iarnrod Eireann in relation to any development where infiltration proposals will be in proximity to a railway cutting or tunnel.

### 12.8.6.3 Green Roofs /Blue roofs

The use of green roofs/blue roofs in accordance with the requirements of the Dún Laoghaire-Rathdown County Council's Green Roof Policy, (See Appendix 7.2) forms part of an integrated approach to the provision of green infrastructure. This approach takes particular account of the benefits in terms of SuDS provision, nature-based solutions, biodiversity benefits, urban greening, urban cooling, and the potential for additional amenity space, particularly in high density development contexts. The provision of green and blue roofs within any development, however, shall not normally form part of the overall minimum open space (public or communal) provision but should complement the required open space provided within the site.

Applications for developments with a roof area  $\geq 300\text{sq.m.}$  shall provide Green Roofs in accordance with 'Dún Laoghaire – Rathdown County Council's Green Roof Policy' (2020).

Green or living roofs on smaller structures are also encouraged by the Council. These can function as smaller urban greening measures which as well as being a SUDS feature, are a useful wildlife habitat, can trap carbon and contribute to urban cooling. There is good potential for living roofs on bike and bin stores, bus shelters, detached habitable rooms and garages. Living roofs can be designed to incorporate a diverse range of pollinator friendly species which are drought tolerant and therefore do not require supplementary watering. Added features such as insect hotels and bird boxes can be incorporated into the design.

## 12.8.7 Private Amenity Space – Quality Standards

### 12.8.7.1 Separation Distances

A minimum standard of 22 metres separation between directly opposing rear first floor windows should usually be observed, for new developments. This normally results in a minimum rear garden depth of 11 metres. However, this required rear garden depth may be prior to any domestic rear extensions, which may require planning permission or be exempted development being carried out. Adequate separation distances, between directly opposing rear first floor windows, should be provided when extending existing dwellings at first floor level, to ensure the retention of adjoining residential amenity. For single storey dwellings, a reduction in the rear garden depth may be considered, subject to the protection of adjoining residential amenity.

However, where sufficient alternative private open space (e.g. to the side) is available, the required separation distance for new developments may be reduced, subject to the maintenance of privacy and protection of adjoining residential amenities.

In all instances, private open space should not be unduly overshadowed and where there is the potential for the proposed development to overshadow or overlook existing/future development adjoining the site, minimum separation distances to boundaries should be increased.

In an exceptionally well-designed scheme providing an otherwise very high-quality living environment and that is in close proximity to existing public open spaces, the above standards may be relaxed.

Any relaxing of standards will be assessed on a case-by-case basis and should not be seen as setting a precedent for future development.



### 12.8.7.2 Boundaries

In all cases, suitable boundary treatments both around the side and between proposed dwellings shall be provided. In this regard, boundary treatments located to the rear of dwellings should be capable of providing adequate privacy between properties.

Boundaries located to the front of dwellings should generally consist of softer, more open boundary treatments, such as low-level walls/railings and/or hedging/planted treatments.

Provision of 'defensible' space, e.g. a planting strip, to the front of dwellings should be provided to contribute towards a sense of security within the home. Bin storage and/or utility meter alone, should not form any proposed defensible space areas.

Details of all existing and proposed boundary treatments, including vehicular entrance details, should be submitted as part of any planning application. These shall include details in relation to proposed materials, finishes, and, in the case of planted boundaries, details in respect of species together with a planting schedule.

### 12.8.8 Financial Contributions in Lieu of Open Space

Where the required open space standards cannot be provided, the Developer should indicate what is required as per the requirements of the

County Development Plan (Section 12.8.), and what is to be provided to serve the development. Applicants should submit a clear schedule with public, private and communal open space requirements and proposals set out along with any short fall. Where the required open space cannot be achieved, the applicant shall provide a contribution in lieu of providing the full quantum of public open space. This shall apply to both residential (including Built to Rent) and non-residential/commercial developments. In some instances, this may relate to a more urban context, which allows the development to contribute to the urban realm and the liveability value of the development in the context of its location by way of a financial contribution. This will take the form of a contribution towards capital investment in improving the urban realm by creating and/or upgrading local parks and spaces and revenue costs for the maintenance of these spaces.

### 12.8.9 Play Facilities for Apartments and Residential Developments

In line with the 'Ready Steady Play! A National Play Policy', DCYA (2019) provision should be made to include suitable play opportunities for all ages of the child population within new residential developments. Design details relating to play areas shall be submitted as part of any relevant planning application to include a detailed specification of any playground to be provided and incorporate natural play, wherever possible.

Play Facilities should incorporate the Nature-based play philosophy and approach to play provision throughout the County (see Policy Objective OSR13: Play Facilities and Nature Based Play).

Parks and Landscape will review and update the existing 2003 DLR Play Policy during the lifetime of the 2022 – 2028 County Development Plan. The new DLR Play Strategy will incorporate the Nature-based Play philosophy and approach.

The Council will endeavour to ensure that all play facilities will be accessible and provide inclusivity. The Council will have regard to changing demographics in how and where it provides for play. Multiple Use Games Areas (MUGA) incorporating, for example basketball and 5-a-side facilities will be considered in any calculation of the ‘Equipped Play Space’ standards.

In terms of play facilities for children regard shall be had to the ‘Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2020’, (or any superseding document), which request consideration of the recreational needs of children in the design of apartment schemes. Safety of children needs to be taken into consideration and protected throughout the entire site, particularly in terms of safe access to larger communal play spaces.

Children’s play needs around the apartment building should include:

- Within the private open space associated with individual apartments.
- Within small play spaces (about 85 – 100 sq. metres) for the specific needs of toddlers and children up to the age of six, with suitable play equipment, seating for parents/guardians, and within sight of the apartment building, in a scheme that includes 25 or more units with two or more bedrooms; and,
- Within play areas (200–400 sq. metres) for older children and young teenagers, in a scheme that includes 100 or more apartments with two or more bedrooms.

The perimeter block with a central communal open space is particularly appropriate for children’s play, especially if access from the street is controlled. The landscape design and orientation of play areas can contribute significantly to their amenity value. However, the noise from courtyard play areas can diminish residential amenity, particularly in smaller schemes, and this should be designed appropriately.

### 12.8.10 Amenity Space in Build-to-Rent

In Built to Rent schemes, flexibility may apply in relation to the provision of a proportion of the

private amenity space associated with individual units, and in relation to the provision of all of the communal amenity space, on the basis of the provision of alternative, compensatory communal support facilities and amenities within the development. This, however, shall be at the discretion of the Planning Authority, and shall be assessed on a case by case basis. The obligation will be on the project proposer to demonstrate the overall quality of the facilities provided and to ensure residents enjoy an enhanced overall standard of amenity (consistent with SPPR8 of Sustainable Urban Housing: Design Standards for New Apartments Guidelines for Planning Authorities, 2020’).

Having regard to any residential support structures proposed, where the communal amenity space associated with the Build-to-Rent scheme is still considered substandard, the Council may require a contribution in lieu, to be paid, by the Developer, to enhance and improve the public realm specific to the Build to Rent scheme.

### 12.8.11 Existing Trees and Hedgerows

New developments shall be designed to incorporate, as far as practicable, the amenities offered by existing trees and hedgerows. New developments shall, also have regard to objectives to protect and preserve trees and woodlands (as identified on the County Development Plan Maps). The tree symbols on the maps may represent an individual tree or a cluster of trees and are not an absolute commitment to preservation. Decisions on preservation are made subject to full Arboricultural Assessment and having regard to other objectives of the Plan.

Arboricultural Assessments carried out by an independent, qualified Arborist shall be submitted as part of planning applications for sites that contain trees or other significant vegetation. The assessment shall contain a tree survey, implications assessment and method statement. The assessment of the site in question will inform the proposed layout, in relation to the retention of the maximum number of significant and good quality trees and hedgerows. Tree and hedgerow protection shall be carried out in accordance with BS 5837 (2012) ‘Trees in Relation to Design, Demolition and Construction – Recommendations’, or any subsequent document. All requirements for Arboricultural Assessment should be determined at pre-planning stage.

The retention of existing planted site boundaries will be encouraged within new developments, particularly where it is considered that the existing boundary adds positively to the character/visual amenity of the area. New developments should have regard to the location of new buildings/

extensions relative to planted boundaries. Prior to construction, the applicant shall provide details of adequate measures on site to protect all planting/trees to be retained and this protection shall be maintained throughout the development during the construction period.

An ecological assessment of existing hedgerows shall be required where new developments potentially impact on their ecological importance. This should be carried out by a suitably qualified ecologist, and submitted at pre-planning stage, to

inform the design and accompany the planning application. In addition, the approach set out in the 'How to Guide Hedgerows for Pollinators' should be followed, as appropriate.

Where it proves necessary to remove trees to facilitate development, the Council will require the commensurate planting or replacement trees and other plant material. This will be implemented by way of condition. A financial bond may be required to ensure protection of existing trees and hedgerows during and post construction.



Forestry

## 12.9 Environmental Infrastructure

### 12.9.1 Air Pollution

In considering applications for planning permission the Planning Authority will have regard to the 'Local Government (Planning and Development) General Policy Directive' (1988), (as may be amended from time to time) issued by the Minister for the E to air quality standards nationally, and to the 'Air Quality Management Plan for the Dublin Region' (Refer also to Section 10.4).

### 12.9.2 Noise Pollution and Noise Nuisance

The Planning Authority will have regard to the 'Dublin Agglomeration Environmental Noise Action Plan 2018-2023', when assessing planning applications along major road and rail transport corridors – the objective being to reduce noise from new sources and to identify and protect and create areas of low sound levels.

Residential development should be set back from roads/rail lines such that amenities of residents are not unduly impacted upon by reason of noise. To address potential noise issues at post development stage, mitigation measures should be undertaken, where appropriate, between the residential development and road/rail line. At design stage consideration should be given to the location of bedrooms so as to ensure the least possible impact from noise sources. Similar mitigation measures may also be required when dealing with commercial development in close proximity to residential areas where there may be noise generated from the completed development – such developments will be assessed on a case by case basis.

Noise nuisance is defined in Section 108 of the EPA Act 1992 as "Any noise which is so loud, so continuous, so repeated, of such duration or pitch or occurring at such times as to give reasonable cause for annoyance to a person in any premises in the neighbourhood".

The Planning Authority will use the Development Management process for larger developments or developments close to residential developments:

- To attach planning conditions on relevant permissions granted to reduce or prevent the development from causing any noise or vibration that might give reasonable cause for annoyance to persons in any premises in the neighbourhood, as per Section 34(4)(c) of the Planning Act.
- To require developers to produce a Sound Impact Assessment and Mitigation Plan where a noise-generating use is proposed and specialist input is deemed necessary, for any new development that the Planning Authority considers will impact negatively on pre-existing environmental sound levels.
- To require developers to produce an Acoustic Design Assessment (informed by guidance such as is set out in 'ProPG Planning and Noise', 2018, as referenced in the 'Dublin Agglomeration Noise Action Plan 2018 – 2023'), where a noise-sensitive use is proposed in an area that may have high pre-existing environmental sound levels.
- To ensure that future developments are designed and constructed in such a way as to minimise noise disturbances and prevent noise nuisance.
- Placing acoustic barriers between the noise source and residential units.
- Locating bedrooms as far away from noise sources as possible without compromising passive design principles.
- Locating windows away from noise sources if possible.
- Avoid hard exterior surfaces such as concrete paving that reflect sound rather than absorbing it.
- Locating noise sources away from property boundaries and noise sensitive areas.
- To incorporate 'Shared Spaces' / 'Home Zones' / or 'Streets for People' in new developments, which recognize that residential streets have multi- function uses for pedestrians, cyclists and vehicles - in that priority order.
- To interposing less-sensitive uses between noise sources and sensitive uses.

Where noise barriers are provided at the boundaries of large developments, access routes must be provided to allow for the ongoing maintenance of the barriers.

### 12.9.3 Noise, Odour and Vibration Generating Uses

In considering applications for development where the proposed use may cause noise, vibrations and air emissions (for example, gyms, public houses, leisure facilities, restaurants and retail) applicants will be required to demonstrate that consideration has been given to the ventilation strategy for buildings at the design stage, to prevent noise, to minimise the causing of any noise or vibration that might give reasonable cause for annoyance to persons in any premises in the neighbourhood, as per Section 34(4)(c) of the Planning Act, and air emissions that may cause nuisance from equipment and ducting. The design of buildings and services should consider and incorporate acoustic attenuation and mitigation as required, to ensure that the operational phase of the development does

not generate unacceptable noise levels or odour nuisance within the receiving environment.

Evidence of same by way of a noise assessment and/or any mitigation measures should be provided in any planning application. Assessments and mitigation measures should meet the requirements of the Environmental Health Officer and will be designed to prevent a Noise Nuisance. All sound measurement should be carried out in accordance with ISO Recommendation 1996:2008: Acoustics - Description and Measurement of Environmental Noise, or any subsequent superseding standards.

In terms of the visual impact of positioning plant associated with mechanical extract ventilation/ ducting on the exterior of a building, such plant shall be detailed, as relevant, in the planning application, including any screening proposals.

### 12.9.4 Construction Management Plans

Construction Management Plans (CMP) for developments generating construction activity - containing measures to mitigate against the effects of the construction - shall accompany planning applications for development of 3 residential units or more and for all other developments measuring more than 500 sq.m. gross floor area. The requirement to submit a CMP is very much dependent on the location, scale, nature, and characteristics of the proposed development. Consequently, the stated thresholds above may be increased or relaxed at the discretion of the Planning Authority during pre-planning stage discussions.

The CMP will address issues such as traffic management, hours of working, delivery times, prevention of noise and dust, reinstatement of roadway lining and signing, repair of damage to footways and grass verges and the accommodation of worker parking within the development curtilage. Hours of construction and deliveries should normally be in accordance with the guidance set out in Section 12.9.5 below. Refer to Section 12.9.6 below for more detailed requirements of the CMP. Construction in the vicinity of the Luas needs to appropriately take the light rail infrastructure into consideration. In this regard construction management should be guided by the TII's 'Light Rail Environment – Technical Guidelines for Development PE-PDV-00001', December 2020 and any subsequent updates of same.

### 12.9.5 Hours of Construction

In the absence of a Construction Management Plan approved by the Planning Authority hours of

construction shall be as follows:

- Site development and building works shall be restricted to 7.00am to 7.00pm Monday to Friday and 8.00am to 2.00pm Saturdays. Deviations from these times will only be allowed in exceptional circumstances. No works shall take place on site on Sundays or Bank Holidays.
- There shall be no access onto the site before 7am or after 7pm in the absence of an approved deviation.
- In certain instances, in order to address site specific issues of impact on residential or other sensitive amenity a later start time and/or different hours may be conditioned.

### 12.9.6 New Development/Change of Use - Environmental Impacts

The Development Management Thresholds Information Document 2022 - 2028 (Appendix 3), a tool to assist in the preparation of Planning Applications, identifies thresholds for both residential and commercial development and outlines the package of environmental information that will be required at application stage.<sup>1</sup>

Applications for developments with a site area measuring 0.5ha, or greater and above 50+ residential units shall include a Stormwater Audit in accordance with the Council's Stormwater Management Policy. (See Appendix 7.1 Stormwater Management Policy)

Applications for developments of 10+ residential units or <500sq.m. commercial shall include:

- A Construction Management Plan that includes the following elements (which can be standalone documents):
  - i. A Construction Waste Management Plan.
  - ii. A Construction Environmental Management Plan.
  - iii. A Construction Traffic Management Plan.
- An Operational Waste Management Plan.

The formulation of the above plans shall take account of the following:

- i. DLR Guidance Notes for Environmental Management of Construction Projects.
- ii. DLR Guidance Notes for Waste Management in Residential and Commercial Developments (see relevant excerpt in Appendix 6).

<sup>1</sup> While construction management plans may be submitted at application stage the final Construction Management Plan is usually agreed by way of compliance condition as details such as location of compounds, construction traffic flow etc. are only finalised upon appointment of a contractor.

*Sustainable Drainage Measures*

Applications for developments of 20+ residential units or  $\geq 500$ sq.m. commercial shall (in addition to the above):

- Submit, prior to commencement of development, details of a Sediment and Water Pollution Control Plan in relation to the construction phase of such developments.
- Implement an appropriate rodent/pest control plan.

Applications for developments of 50+ residential units or  $\geq 1000$ sq.m. commercial shall (in addition to the above):

- Incorporate where appropriate land for the development of local 'Bring Centres' for recyclable materials, accessible to the general public. The location of "bring centres" shall have regard to the impact on surrounding residential areas.
- Include an assessment of the impacts of climate change on their development and make provision for these impacts - particularly relating to drainage design, waste management, and energy use.
- Be designed and constructed in accordance with the provisions of the Greater Dublin Strategic Drainage Study policy document titled 'New Development'.

All developments shall incorporate:

- Designs and layouts for basements and underground car parks that do not result in any potential for them to flood from within or

without with particular emphasis on venting arrangements and access ramps.

- Sustainable Drainage Systems (SuDS) that balances the impact of urban drainage through the achievement of control of run-off quantity and quality and enhances amenity and habitat. The requirements of the UK's Construction Industry Research and Information Association (CIRIA) 'SuDS Manual', shall be followed unless specifically exempted by the Planning Authority.
- Waste storage facilities that are suitably located and designed and shall meet accessibility requirements in accordance with Part M of the Building Regulations and the provisions of Appendix 6 Waste Storage Facilities.

The Planning Authority will:

- Not permit culverting of streams unless considered absolutely necessary by the Council's Water Services Section.
- Encourage the opening up of existing culverts where practicable (in accordance with the recommendations of the GDSDS).
- Require in developments adjacent to watercourses, that any structure be set back a minimum distance of 10 metres from the top of the bank to allow access for channel cleaning and maintenance, unless otherwise agreed with the Planning Authority.
- Only permit development when satisfied that new and existing developments are not exposed to increased risk of flooding and that any loss of flood storage is compensated for elsewhere in the catchment. Where required, a site-specific

Flood Risk Assessment and Management Plan, shall be prepared for the site. This shall be carried out by appropriately qualified engineers with significant experience in flood modelling and mapping.

- When considering planning applications which include significant hard surfacing, attach conditions which seek to minimise and limit the extent of hard surfacing and paving as well as requiring the use of sustainable drainage techniques, including in particular permeable paving or surfaces such as gravel or slate chippings. The aim generally being to reduce run-off rates and flow volumes from parking areas as well as access roads. For all developments where existing grass or planted areas are being removed to install hard surfacing (for parking or other uses), compensatory soft surfacing shall be provided, or a reinforced grass area used instead of a hard surface.
- Ensure that the ongoing development of the County is undertaken in such a way in order not to compromise the quality of surface water (and associated habitats and species) and groundwater. Developments shall not give rise to the pollution of ground or surface waters both during construction and subsequent operation. 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 or treatment of all surface water and effluents.
- Where brownfield redevelopment is proposed, require adequate and appropriate investigations to be carried out into the nature and extent of any soil and groundwater contamination and

the risks associated with site development work.

### 12.9.7 Waste Management Infrastructure facilities and refuse transfer stations

In considering planning applications for privately operated Waste Management Infrastructure facilities and refuse transfer stations the Council will have regard to the provisions of the appropriate European Council Directives together with appropriate national legislation, regulations and guidance documents in respect of disposal of waste and disposal of toxic and dangerous waste. The Irish Aviation Authority will be consulted regarding potential interference to aviation through bird hazard in relation to such facilities. Where permission is granted, stringent conditions will be imposed in the interest of health, safety, and preservation of amenities.

The provision of Waste Management Infrastructure facilities shall adhere to the Waste Regional Offices 'Waste Management Infrastructure Siting Guidelines'.

Waste Management Infrastructure facilities and refuse transfer stations will only be permitted where it does not materially detract from the relevant Land Use Zoning Objective and is at a scale appropriate to its surrounding environment and adjoining amenities.

### 12.9.8 Telecommunications

In the consideration of proposals for telecommunications antennae and support structures, applicants will be required to demonstrate:





- Compliance with the Planning Guidelines for ‘Telecommunications Antennae and Support Structures’ (1996), and Circular Letter PL 08/12 issued by the Department of the Environment and Local Government (as may be amended from time to time), and to other publications and material as may be relevant in the circumstances.
- On a map the location of all existing telecommunications structures within a 1km radius of the proposed site, stating reasons why (if not proposed) it is not feasible to share existing facilities having regard to the ‘Code of Practice on Sharing of Radio Sites’, issued by the Commission for Communications Regulation.
- To what degree the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area - e.g. visual impacts of masts and associated equipment cabinets, security fencing treatment etc. – and the potential for mitigating visual impacts including low and mid – level landscape screening, tree-type masts being provided where appropriate, colouring, or painting of masts and antennae, and considered access arrangements.
- Any impacts on rights-of-way and walking routes.
- That the proposal shall not have a significant negative visual impact.

### 12.9.9 Development and Overhead Power Lines

In relation to high voltage overhead electricity lines, development proposals within the distances specified below should contact the ESB in advance of completing or finalising designs etc. (i.e. prior to pre planning stage), so as to ensure that the relevant clearances are maintained from any High Voltage Overhead Electricity (HV OHL) Infrastructure.

- For buildings in proximity to a 110kv overhead line, 23 metres either side of the centre line of a pylon.
- For buildings in proximity to a 220kv overhead line, 30 metres either side of the centre line or around a pylon.
- For buildings in proximity to a 400KV line, distance of 35 metres either side of the centre line or around a pylon.

For buildings in proximity to a 10kv or a 38kv overhead line, no specific distance is specified. However, a site specific clearance may be required.

Clearances are Site and Transmission Line Span Specific. Clearance are sperate to construction safety clearances to be adhered to and maintained from the Overhead Line (OHL), which are specified

in the ESB publication, ‘Code of Practice for avoiding danger from overhead electricity lines’ [https://www.hsa.ie/eng/publications\\_and\\_forms/publications/codes\\_of\\_practice/code\\_of\\_practice\\_for\\_avoiding\\_danger\\_from\\_overhead\\_electricity\\_lines.html](https://www.hsa.ie/eng/publications_and_forms/publications/codes_of_practice/code_of_practice_for_avoiding_danger_from_overhead_electricity_lines.html).

### 12.9.10 Public lighting

#### 12.9.10.1 Light Pollution

Lighting columns and other fixtures can have a significant effect on the appearance of buildings and the environment and where proposals for new lighting require planning permission, the Planning Authority will ensure that they are carefully and sensitively designed. Lighting fixtures should provide only the amount of light necessary for the task in hand and shield the light given out in order to avoid creating glare or emitting light above a horizontal plane. (Refer also to Section 8.2.4.4 and Section 5.1.3.2) For further guidance refer to the Institution of Lighting Professions (ILP) ‘Guidance Notes for the Reduction of Obtrusive Light’.

#### 12.9.10.2 Street Lighting

The lighting of roads and public amenity areas shall be provided in accordance with the requirements of Public Lighting Standards BS5489-1 EN 13201:2015, and further updates.

In general, for security and road safety reasons, street lighting may be provided for car and cycle parking areas, new access roads and along cycle/pedestrian routes within new developments, all as per the Council requirements. Details of the column height and spacing, and lantern type, lighting class and lux levels and energy efficiencies shall be provided. Low pedestrian lighting bollards (1 metre to 2 metre height), under rail lighting and low-level wall mounted lighting (below 4m) are not recommended along pedestrian routes on electrical safety and maintenance grounds. Where new junctions are created as a result of new developments, additional lighting poles may be required on the public roads opposite the junction. In such cases an assessment of the adequacy of the street lighting should be undertaken with details of light intensity/ lux levels provided.

Street Lighting shall also be considered having regard to any signage, associated lighting or any other structure along roads running parallel to or buildings alongside the railways. In this regard reference, to and requirements of TII’s ‘Code of engineering practice for works on, near, or adjacent the Luas light rail system’ and TII’s Light Rail Environment - Technical Guidelines for Development PE-PDV-00001 December 2020 (or any superseding document) should be made.

## 12.10 Drainage, Flood Risk and Coastal Erosion

All planning applications submitted shall clearly show existing and proposed water supply arrangements and surface and wastewater drainage proposals having due regard to SuDS (Refer also to Section 10.2.2.6).

### 12.10.1 Flood Risk Management

Applications shall adhere to the policies and objectives set out in Appendix 15 Strategic Flood Risk Assessment and Section 10.7 Flood Risk while having regard to ‘the ‘Planning System and Flood Risk Management’ Guidelines for Planning Authorities’ DEHLG (2009) and DECLG Circular PL2/2014.

The Flood Zone maps accompanying this Plan and Appendix 15 should be consulted at pre-planning stage and/or prior to lodgement of planning applications.

### 12.10.2 Coastal Issues - Erosion/ Flooding/ Recreation

#### 12.10.2.1 Erosion and Flooding

The Planning Authority will refer to the Coastal Defence Strategy or any review in the assessment of planning applications in the areas identified within

the strategy as being at risk from erosion and/or coastal flooding.

Where possible, the landward migration of coastal features, such as cliffs and marshes, shall be facilitated as these features form an integral part of the coastal system – both physically and ecologically – and provide protection against wave energy through dissipation.

#### 12.10.2.2 Water Sports and Development

The Planning Authority will normally only permit proposals for development associated with water sports where all the following criteria are satisfied:

- Proposed facilities are fully compatible with any existing use of water, including non-recreational use.
- Will not result in damage to sites of nature conservation importance or features of archaeological and built heritage.
- Can be satisfactorily integrated into its seascape, landscape or townscape surroundings.
- Will not have an unacceptable impact on visual amenity especially in Areas of Special Amenity,



*Search by Ciarán Taylor & Carpet  
Theatre, Culture Night 2019  
Photo: Peter Cavanagh*

or other locally important scenic areas.

- Will not result in over intensification of use leading to pollution, excessive noise and nuisance.
- Will not unduly restrict access to the water.
- Development complies with the Habitats Directive.

See also Policy Objective GIB7: National Marine Planning Framework (NMPPF).

### 12.10.3 Waste Water Treatment Systems

#### 12.10.3.1 Single dwelling domestic wastewater treatment systems

Consideration of single dwelling domestic wastewater treatment systems in those areas not served by a public foul sewerage system will be subject to full compliance with the EPA Code of Practice Domestic Wastewater Treatment Systems (Population Equivalent  $\leq 10$ ) (March 2021), as may be amended or updated.

A site suitability assessment shall be undertaken in accordance with the EPA Code of Practice Domestic Wastewater Treatment Systems (Population Equivalent  $\leq 10$ ) (March 2021), for new systems or upgrades of a system on an existing house.

In addition, for new development(s) located in areas of “high” to “extreme” groundwater vulnerability (this includes areas in Rathmichael, Kiltiernan and Glencullen and may include other areas in the County) and where the provision of a single wastewater density of Domestic Wastewater Treatment Systems (DWWTS) results in a density of higher than 6 per hectare further assessment is required including:

- The potential impact of the proposed system should be further assessed to show that the accumulative loading would not have a negative impact on groundwater quality, particularly with respect to E. coli and nitrate.
- In such cases, more detailed hydrogeological investigations should be carried out by a competent and experienced hydrogeologist to demonstrate that the site is suitable for a DWWTS.
- Particular attention should also be paid to the potential impact that the proposed DWWTSs may have on watercourses, drains/ditches, ponds/lakes and foreshore, depending on the location of the site.
- In larger scale residential developments within areas of “high” to “extreme” groundwater vulnerability, the hydrogeological assessment should be conservative and take into consideration the potential impact that the overall proposed development may have on

groundwater and surface water.

- For clarity in determining the 6 per hectare density, only the areas within the immediate site boundaries of dwellings in close proximity to prospective sites shall be calculable.

#### 12.10.3.2 Non-domestic wastewater treatment systems

Consideration of non-domestic wastewater treatment systems in those areas not served by a public foul sewerage system will be subject to full compliance with EPA Wastewater Treatment Manuals (‘Treatment Systems for Small Communities, Business, Leisure Centres and Hotels’).

In areas of high to extreme groundwater vulnerability (this includes areas in Rathmichael, Kiltiernan and Glencullen and may include other areas in the County), further hydrogeological assessment shall be undertaken by a competent and experienced hydrogeologist, which assessment should demonstrate to the satisfaction of Dún Laoghaire-Rathdown County Council that the proposed treatment system serving the proposed development will not have any detrimental effect on surface water or groundwater quality.

- Should the proposed discharge be greater than 5m<sup>3</sup>/d, a discharge licence to groundwater will be required and a successful assimilative capacity assessment will have to be undertaken in line with the EPA (2011) “Guidance on the Authorisation of Discharges to Groundwater”. The tier of assessment (i.e. 2 or 3) required will be dependent on the potential risk of impact and the proposed daily discharge.
- Should a discharge to surface water be considered or should surface water be considered as a receptor at risk, the assimilative capacity should follow the technical rules established in the “Guidance, Procedures and Training on the Licensing of Discharges to Surface Waters” (Water Services National Training Group, 2011”).

Information on Groundwater data mapping and Groundwater protection responses are available on the GSI website (<https://www.gsi.ie>) and Appendix E of the EPA Code of Practice Domestic Wastewater Treatment Systems (Population Equivalent  $\leq 10$ ) (March 2021) and should be used as a resource tool.

Wastewater treatment systems shall be located entirely within the site boundary.

The Council will liaise with Irish Water to ensure compliance with existing licenses, the Urban Waste water Directive and the EU Habitats Directive.



Marlay House

## 12.11 Heritage

### 12.11.1 Archaeological Heritage

All development proposals that may (due to their location, size, or nature) have implications for archaeological heritage shall be accompanied by an Archaeological Impact Assessment and Method Statement. This assessment will require the applicant to:

- Clarify the significance of the site - in accordance with Section 3.6 of the Government's 'Framework and Principles for the Protection of the Archaeological Heritage'.
- Define the buffer area or area contiguous with the monument which will preserve the setting and visual amenity of the site.
- Address measures that will be taken to protect the significance of the site.
- Identify the likely impact of the proposed development on any archaeological fabric and suggested mitigation measures to address these impacts.
- Pre-development archaeological testing, surveying, monitoring and recording, where appropriate, shall be carried out and submitted by a qualified archaeologist. In addition to the Government's 'Frameworks and Principles for the Protection of the Archaeological Heritage', regard should be had to the Heritage Council's guidance document 'Archaeology and Development: Guidelines for Good Practice for Developers', (2000).
- If a monument included in the Record of Monuments and Places (RMP) lies within the open space requirement of any development, a Conservation Plan for that monument may be requested as part of the overall Landscape Plan for that proposed open space.

All planning applications and other development proposals which are in, or might affect, sites and features of historical and archaeological interest, shall be referred to the Minister through the Department of Arts, Heritage and the Gaeltacht and to the Heritage Council. In considering such planning applications, the Planning Authority will have regard to the views and recommendations of the National Monuments Service, Department of Arts, Heritage and the Gaeltacht and other interested bodies.

### 12.11.2 Architectural Heritage - Protected Structures

The inclusion of a structure in the Record of Protected Structures does not prevent a change of use of the structure, and/or development of, and/or extension to, provided that the impact of any proposed development does not negatively affect the character of the Protected Structure and its setting (Refer also to Section 11.4.1).

Any works which materially affect the character of a Protected Structure requires planning permission.

Owners and occupiers proposing to carry out any works to a Protected Structure can seek a declaration under the provisions of Section 57 of the Planning and Development Act, 2000, as amended. Section 57 declaration sets out the type of works which would or would not materially affect the character of the structure or any element of the structure which contributes to its special interest.

All development proposals potentially impacting on Protected Structures shall have regard to the Department of the Arts, Heritage and the Gaeltacht 'Architectural Heritage Protection Guidelines for

Planning Authorities' (2011).

The refurbishment, re-use and, where appropriate, redevelopment of Protected Structures, and their setting, shall not adversely affect the character and special interest of the building.

International guidance on the protection of places of cultural heritage significance is provided by ICOMOS (International Council on Monuments and Sites). ICOMOS Charters set a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers, and custodians. The ICOMOS Burra Charter 2013, also provides guidance on new works and changes to places of cultural significance, all guidance herein has regard to this charter.

All planning applications for works to a Protected Structure must include an Architectural Heritage Impact Assessment in accordance with Appendix B of the DAHG 'Architectural Heritage Protection Guidelines for Planning Authorities', to assist in the assessment of proposals. This report should be prepared by an accredited conservation architect or equivalent (a list of suitably qualified professionals is available on the Irish Georgian Society and RIAI websites). The report should:

- Outline the significance of the building(s).
- Include a detailed survey of the building identifying all surviving original/early features and associated photographic survey.
- Include a method statement and specification of works.
- Details of proposed works should be clearly identified on the accompanying survey drawings by way of colour coding and/or annotated notes to distinguish clearly between the existing structure and the proposed work.

The detail required to be submitted will be dependent on the significance of the building and the nature and extent of works proposed. It may be of benefit to discuss specific requirements, with the Conservation Officer, at pre-planning stage.

#### 12.11.2.1 Works to a Protected Structure

In assessing works (inclusive of extensions/ alterations/ change of use etc.) to a Protected Structure, the Planning Authority will seek to ensure that:

- Alterations and interventions to Protected Structures shall be executed to the highest conservation standards and shall not detract from their significance or value. Interventions should be kept to a minimum and all new work should relate sensitively to the fabric, scale, proportions, and design of the Protected Structure. Works should follow a cautious

approach of changing as much as necessary but as little as possible.

- Original features of architectural and historic interest will be retained. Lost features where evidence exists should be reinstated.
- The legibility of the original plan form should be retained and not compromised by any unsympathetic works. Where the original plan form has been lost or heavily modified, it should be reinstated, where possible.
- New work should be readily identifiable as such, and must respect, and have minimal impact on the architectural character and interest of the Protected Structure.
- New additions/extensions should respect the significance of the building/structure, through consideration of its siting, bulk, form, scale, character, colour, textures and material. Imitation/replications should generally be avoided.
- Works should consider the evolution of the structure and later phases of work, which may also contribute to its special character. Evidence of additions, alterations, and earlier treatments to the fabric of the Protected Structure are traces of its history and use(s), which may be part of the building's historical significance.
- Works to the interior shall be sensitive to the original fabric including the hierarchy of spaces, materials and fixtures and fittings. Where bathrooms, en-suites and kitchens are proposed to be introduced/relocated within the Protected Structure, they should avoid principal rooms and not impact on the spatial character and volume of the room.
- All works should be carried out to the highest possible standard, under supervision of a qualified professional with specialised conservation expertise. On-site operatives/ contractors should have experience dealing with historic buildings.
- Appropriately scaled extensions should complement, and be subsidiary to, the main structure be positioned generally to the rear elevation or less prominent elevation. Full width extensions will not normally be permitted, particularly where the composition and form of the elevation is negatively impacted upon.
- Good conservation practice recommends that extensions should be legible i.e. clearly distinguishable from the original so as not to confuse the historical record, be to a high standard of design, and using material that both respect and are complementary to the existing building.
- Demolition, partial demolition, or significant removal of structural fabric of rear returns is not generally acceptable. Where a rear return forms part of a unified terrace and/or contributes to its architectural character, any

works that will disrupt or distort the uniformity should be avoided.

- The use of traditional and compatible materials will be used for any repairs to ensure the historic fabric is not negatively impacted by any proposed works.
- External fittings (such as meter boxes, ventilation grilles, security cameras, burglar alarms, cables) should be sited to minimise their visual impact and should not be affixed to the principal elevation. Where this is unavoidable, fixtures and associated fittings should utilise any vertical or horizontal lines, i.e. channelling the wires along rainwater goods and mouldings.
- All planning applications will be referred to the Department of the Arts, Heritage and the Gaeltacht and the prescribed bodies. The Planning Authority will have regard to the advice and recommendations received from the prescribed bodies, both in respect of whether or not to grant planning permission and in respect of the conditions to which permission, if granted, should be subject.
- The special interest of the structure is not compromised when meeting the requirements of Building Regulations. Those that are particularly relevant to works in relation to historic buildings are Part B 'Fire Safety' and Part M 'Access and Use'. Applications for works to meet the requirements of the Building Regulations shall be guided by the principles of minimum intervention to the historic fabric.
- In considering proposals to meet Part M regard should be had to the Department of Art, Heritage, and the Gaeltacht advice series 'Access: Improving the Accessibility of Historic Buildings and Places', (2011).

### 12.11.2.2 Change of Use of a Protected Structure

In most instances the original use for which a structure was built will be the most appropriate. However, in certain cases a change of use may be considered appropriate and may help to safeguard the Protected Structure status of a building.

In assessing a proposed change of usage, or the reuse of a redundant building, regard should be had to the compatibility of such use, in terms of its impact on the character, and special interest of the structure. All proposed changes of use must comply with the zoning objectives for the site.

Any interventions that are necessitated by such works, should seek to cause minimum interference with the floor plan, and fabric of the building when complying with relevant Building Regulations. Matters such as, fire protection, sound proofing, servicing and access will require detailed consideration at initial design stage.

### 12.11.2.3 Development within the Grounds of a Protected Structure

Any proposed development within the curtilage, attendant grounds, or in close proximity to a Protected Structure, has the potential to adversely affect its setting and amenity. The overall guiding principle will be an insistence on high quality in both materials, and design, which both respects and complement the Protected Structure, and its setting.

Any development must be consistent with conservation policies and the proper planning and sustainable development of the area. Considering recent changes to National Policy, (including the



*Sandyford House and new dwelling adjacent to the Protected Structure*

20128 DHPLG, 'Urban Development and Building Heights Guidelines for Planning Authorities', a balance must be struck between allowing compact development, while protecting the Architectural heritage and historic building stock within the County.

The Historic Environment and Architectural Heritage are addressed in the following Sections:

- Section 2.8, states, "*Historic environments can be sensitive to large scale and tall buildings. In that context, Planning Authorities must determine if increased height buildings are an appropriate typology or not in particular settings*".
- Section 2.10, states, "*Notwithstanding the above, the provisions contained within Part (IV) Planning and Development Acts 2000, as amended, regarding architectural heritage and associated character/setting remain in place. Planning Authorities are the primary consent authority in establishing if proposals align with best practice in this area and which design standards are to be used in certain circumstances. Planning Authorities can reference Architectural Heritage Protection – Guidelines for Planning Authorities (DEHLG) and Shaping the Future – Case Studies in Adaptation and Reuse in Historic Urban Environments (DAHG) 2012*".

The role of the Planning Authority is to have regard to National Policy, however, this must be done in tandem with other guidance and Policy, such as protection of the built heritage, which is enshrined in Part IV of the Planning and Development Act, 2000, as amended, and the Ministerial Guidelines that were issued to complement the Act in the form of the Department of Culture, Heritage and the Gaeltacht's, 'Architectural Heritage Protection Guidelines for Planning Authorities', 2011.

Any proposal for development within the grounds of a Protected Structure will be assessed in terms of the following:

- The proximity and potential impact in terms of scale, height, massing and alignment on the Protected Structure, impact on existing features and important landscape elements including trees, hedgerows, and boundary treatments. Any development should be sensitive of the relationship between the principal residence and its adjoining lands and should not sever this.
- Where a Protected Structure is part of a larger development then the phasing of the works needs to ensure that those relating to the Protected Structure take place early on, preferably first, or in tandem (as agreed by the Planning Authority), so that the conservation,

and use of the Protected Structure is secured at the start of the project.

- Development proposals within historic landscapes and gardens shall include an appraisal of the existing landscape character to include identification and description of the structures, features, planting, and boundaries. This appraisal should be undertaken prior to the initial design of any development, as it will provide an understanding of the essential character of the site and help to inform the appropriate location for any development.
- Have regard to the development management criteria as set out in Chapter 3 of the Department of Housing, Planning and Local Government, (DHPLG), 'Urban Development and Building Height Guidelines'; and shall indicate how the proposed development responds to its overall natural and built environment, and make a positive contribution to the urban neighbourhood and streetscape; ensure the proposal is not monolithic and avoids long, uninterrupted walls of building in the form of slab blocks with materials/building fabric well considered; ensure the proposal positively contributes to the mix of uses, and/or building/dwelling typologies available in the neighbourhood.
- The retention of an appropriate setting for the Protected Structure to ensure the relationship between the building, associated structures, amenity value, and/or landscape features remain unaffected by the development.
- Impact of associated works including street furniture, car parking, hard landscaping finishes, lighting, and services. These should be designed using appropriate mitigation measures, such as careful choice of palette of materials, and finishes, and use of screen planting.

All planning applications for development in proximity to a Protected Structure must be accompanied by a design statement, with supporting illustrative material, demonstrating how it has been developed having regard to the built heritage, topography, and landscape character of the site. An accredited conservation architect or equivalent should be engaged at the outset of the design process to assist in determining the appropriate siting of the development in order to minimise the impact on the Protected Structure. It may be of benefit to discuss specific requirements, at pre-planning stage.

### 12.11.3 Architectural Conservation Areas (ACAs)

The guiding principle of ACAs is to protect the special external expression of the buildings and the unique qualities of the area to ensure future development is carried out in a manner sympathetic

to its distinctive character.

The objective of each ACA is to:

- Identify the special character of the area.
- Set out conservation and planning policies which protect its special character and guide future development.
- Inform owners/occupiers and developers of the type of work(s) that would require planning permission.

The boundary of each ACA is delineated and accompanied by a detailed description of the architectural character and special interest with policies and objectives to assist in the preservation and management of the area. These can be viewed online at <https://www.dlrcoco.ie/en/conservation/architectural-conservation-areas>.

Owners, occupiers or developers proposing to carry out works within an ACA should be aware that the normal exemptions from seeking planning permission will no longer apply if the Planning Authority considers the works will materially affect the character of the ACA.

In order to preserve and enhance the character of ACAs the Planning Authority seeks to:

- Retain original features including windows, doors, roof coverings, boundary treatments (such as stone walls, hedges, and railing) and other features of interest that contribute to the streetscape character.
- Encourage the reinstatement of lost architectural features and boundary treatments detailing (where there is physical or documentary evidence) to buildings of interest and townscape value.
- Retain any surviving kerbing/paving and items of street furniture that contributes to the character of the ACA in line with HER16, Section 11.4.2.4.

#### 12.11.4 New Development within an ACA

A sensitive design approach is required for any development proposals in order to respect the established character and urban morphology. Where development is appropriate, the Planning Authority are supportive of contemporary design that is complementary and sympathetic to the surrounding context and scale.

All planning applications for development within an ACA shall have regard to the following criteria:

- All developments within an ACA should be site specific and take account of their context without imitating earlier styles. New developments should be to a high standard of design and should have a positive contribution to the character of the ACA.

- Demolition of structures that contribute to the streetscape character will not normally be permitted. Where demolition is proposed a key consideration is the quality of any replacement structure and whether it enhances/contributes to the ACA.
- Where proposals include modifications and/or alterations, extensions, or roof alterations affecting structures within an ACA, these should be sensitively designed and sited appropriately, generally subsidiary to the main structure, and not constitute a visually obtrusive or dominant form of development, which would be detrimental to the character of either the structure, or its setting and context, within the ACA.
- When considering development of a site within an ACA (including backland sites), proposals should be sympathetic to the existing character of the area and reflect or refer to the established environment in terms of design, massing, scale, established plot layouts and their relationship to historic streetscape pattern.
- Where development proposals seek to amalgamate one or more sites, the scheme will be required to demonstrate sensitive planning and design treatment. The onus will be on the applicant to demonstrate that the special character of the ACA will not be adversely affected.
- The Council will seek to encourage the retention of original features where appropriate, including windows, doors, renders, roof coverings, and other significant features of buildings and structures or otherwise whilst simultaneously encouraging a continued diversity of sensitively scaled contemporary and energy efficient designs.
- Ensure that any proposed advertising material/signage is of high quality and visually responds to the existing character of the ACA.
- Works to improve the public realm such as new surfaces, dished pavements, traffic control measures including signage and ramps shall respect and enhance the essential character of the ACA.
- Any new street furniture (such as bins, lighting, signage-poles etc.) shall be of a high quality with consideration given to their siting and location. Street furniture should be kept to a minimum and any redundant street furniture removed.

In some instances, development adjacent or immediately outside the boundary of an ACA may also have an impact of their setting and context. An assessment of the impact on the character and appearance of the area may be required.