10 Requirements for New Development

The purpose of this section of the Plan is to encourage the creation of living and working environments of the highest quality by ensuring a high standard of design, layout and function for all development under the Planning Acts and Regulations, to conserve and build upon positive elements in the built and natural environment, and to protect amenities.

Development Control will be exercised by the Councils in a positive manner, having regard to the provisions of the Local Government (Planning and Development) Act 2000, and to the proper planning and sustainable development of the City & Environs, its amenities and the Councils’ policies and objectives.

It is intended that reference to these standards will provide guidance and assistance to those who seek permission for development. However, it should not be assumed that compliance with the standards contained herein will automatically or necessarily result in a granting of planning permission, since the standards are merely a statement of general principles. Decisions regarding individual applications for development rest with the relevant planning authority and will be determined on a case-by-case basis in accordance with circumstances at the time an application is submitted. Developers are advised to consult with the Planning Authority prior to the preparation of detailed plans.

There may be instances where a conflict will arise between various policy objectives, and in such cases all issues will be assessed in the interests of the proper planning and sustainable development of the city and environs.

NOTE: “City Centre” is defined by the City Centre Local Area Plan

10.1 Access for Persons with Disabilities and the Mobility Impaired

All new developments shall have access for persons with disabilities and those who are mobility impaired, incorporated into the design of the building as an integral part of the proposal. The Council, in all its developments, will make provision for accessibility for all persons with particular regard for measures to enhance access for persons with mobility and visual impairment.

10.2 Urban Design

Sustainable communities have a high quality natural and built environment. They are places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, are sensitive to their environment and contribute to a high quality of life. They are safe and inclusive, well-planned, built and run, offer equality of opportunity and good services for all.

Planning for future housing must take account of the needs of a modern, dynamic and multi-cultural society, reflecting a diversity of housing needs.

Sustainability involves the construction of homes that are structurally sound, energy efficient, environmentally friendly and adaptable over time to changing household needs. Best use must be made of the County’s and City’s land resources in the construction of
new housing schemes by integrating housing provision with necessary transport and other physical infrastructure, social infrastructure and amenities.

**It is the policy of the Councils to encourage the establishment and maintenance of high quality sustainable residential communities.**

**It is an aspiration of the Councils to carry out an Urban Design Guide for the City and Environs over the course of this Plan.**

**10.2.1 Qualities of Urban Design**

Design is a creative, intuitive and subjective process. For planning to promote good design, it needs to guide and control the physical form of development. By guiding the physical form of development, the planning authority seeks to achieve quality defined by the attributes listed below.

Good urban design is rarely brought about by a local authority prescribing physical solutions, or by setting rigid or empirical design standards but by approaches which emphasise design objectives or principles.

The physical form of development can be described under the following headings:

<table>
<thead>
<tr>
<th>Layout: urban structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>The framework of routes and spaces that connect locally and more widely, and the way developments, routes and open spaces relate to one other.</td>
</tr>
<tr>
<td>The layout provides the basic plan on which all other aspects of the form and uses of a development depend.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Layout: urban grain</th>
</tr>
</thead>
<tbody>
<tr>
<td>The degree to which an area’s pattern of blocks and plot subdivisions is respectively small and frequent (fine grain), or large and infrequent (coarse grain).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Landscape</th>
</tr>
</thead>
<tbody>
<tr>
<td>The character and appearance of land, including its shape, form, ecology, natural features, colours and elements, and the way these components combine.</td>
</tr>
<tr>
<td>This includes all open space, including its planting, boundaries and treatment.</td>
</tr>
</tbody>
</table>
### Density and mix
The amount of development on a given piece of land and the range of uses. Density influences the intensity of development, and in combination with the mix of uses can affect a place’s vitality and viability.

The density of a development can be expressed in a number of ways. This could be in terms of plot ratio (particularly for commercial developments), number of dwellings, or the number of habitable rooms (for residential developments).

### Scale: height
Scale is the size of a building in relation to its surroundings, or the size of parts of a building or its details, particularly in relation to the size of a person. Height determines the impact of development on views, vistas and skylines.

Height can be expressed in terms of the number of floors; height of parapet or ridge; overall height; any of these in combination; a ratio of building height to street or space width; height relative to particular landmarks or background buildings; or strategic views.

### Scale: massing
The combined effect of the arrangement, volume and shape of a building or group of buildings in relation to other buildings and spaces.

Massing is the three-dimensional expression of the amount of development on a given piece of land.

### Appearance: details
The craftsmanship, building techniques, decoration, styles and lighting of a building or structure.

This includes all building elements such as openings and bays; entrances and colonnades; balconies and roofscape; and the rhythm of the facade.

### Appearance: materials
The texture, colour, pattern and durability of materials, and how they are used.

The richness of a building lies in its use of materials which contribute to the attractiveness of its appearance and the character of an area.

Successful streets, spaces, villages, towns and cities tend to have characteristics in common. There is considerable overlap between the objectives and they are mutually reinforcing. The planning authorities wish to guide and control development in order to achieve the following qualities in the design:
Aspects of quality

<table>
<thead>
<tr>
<th>Aspect</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Character</strong></td>
<td>To promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, landscape and culture.</td>
</tr>
<tr>
<td>A place with its own identity</td>
<td></td>
</tr>
<tr>
<td><strong>Continuity and enclosure</strong></td>
<td>To promote the continuity of street frontages and the enclosure of space by development which clearly defines private and public areas.</td>
</tr>
<tr>
<td>A place where public and private spaces are clearly distinguished</td>
<td></td>
</tr>
<tr>
<td><strong>Quality of the public realm</strong></td>
<td>To promote public spaces and routes that are attractive, safe, uncluttered and work effectively for all in society, including disabled and elderly people.</td>
</tr>
<tr>
<td>A place with attractive and successful outdoor areas</td>
<td></td>
</tr>
<tr>
<td><strong>Ease of movement</strong></td>
<td>To promote accessibility and local permeability by making places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport.</td>
</tr>
<tr>
<td><strong>Legibility</strong></td>
<td>To promote legibility through development that provides recognisable routes, intersections and landmarks to help people find their way around.</td>
</tr>
<tr>
<td>A place that has a clear image and is easy to understand</td>
<td></td>
</tr>
<tr>
<td><strong>Adaptability</strong></td>
<td>To promote adaptability through development that can respond to changing social, technological and economic conditions.</td>
</tr>
<tr>
<td>A place that can change easily</td>
<td></td>
</tr>
<tr>
<td><strong>Diversity</strong></td>
<td>To promote diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.</td>
</tr>
<tr>
<td>A place with variety and choice</td>
<td></td>
</tr>
</tbody>
</table>
10.3 Residential Development Standards

Policy
It is the policy of the Planning Authority to encourage the well-planned and economic provision of residential accommodation on serviced lands.

Planning applications for residential development shall have regard to the following standards and guidelines and policies of the Development Plan.

10.3.1 Housing Layout and Design
In new residential areas, it is the sense of place which should have priority. It is not the road layout, but the relationship of buildings to each other to create elegant spaces, which is paramount. It should be the aim of all involved in providing housing that new developments be based on a network of spaces rather than a hierarchy of roads, and a layout in which roads play their part but are not dominant.

The Planning Authority will require a high level of residential amenity conducive to a good quality living environment in new residential developments.

In all significant (the definition of significant being dependent on the particular local context) residential schemes a framework plan should be prepared at the outset and will be required as part of the application documents. The principal functions of the framework plan are:

- To establish that key characteristics are taken into account at the outset
- To establish the overall form of development based on the density and layout of the buildings and spaces
- To illustrate the contribution of the roads and streets network to the spatial hierarchy, as well as linking the development to the rest of the locality,
- To create a place of distinction, drawing inspiration from a neighbourhood’s character,
- To harness intrinsic site assets and resources.

10.3.2 Density
As in the preceding Development Plan it is not intended to prescribe maximum residential density standards. The emphasis will be on providing quality-housing environments based on innovation and a design led approach.

A high standard of architectural design and layout will be required. The Planning Authority will seek to ensure that new developments have individuality and a sense of place, which is generated by the interaction between the physical characteristics and features of the site and its surroundings and the layout, landscaping and design of the new housing.
Residential density will be determined in principle by reference to the good urban design referred to above in conjunction with the following factors:

- Existing densities in adjoining residential areas
- Compliance with quantitative and qualitative standards
- Capacity of the infrastructure to absorb the demands created by the development
- Existing features on the site
- Specified rear garden sizes.

In assessing applications for residential development the Planning Authority will have regard to the policies and objectives outlined in the *Guidelines for Planning Authorities on Residential Density*.

The appropriate residential density in any particular location will be determined by the following:

i) The extent to which the design and layout follows a coherent design brief resulting in a high quality residential environment;
ii) Compliance with qualitative and quantitative criteria set out;
iii) Proximity to points of access to the public transport network;
iv) The extent to which the site may, due to its size, scale and location, propose its own density and character, having regard to the need to protect the established character and amenities of existing adjoining residential areas;
v) Existing topographical, landscape or other features on the site, and;
vii) The capacity of the infrastructure, including social and community facilities, to absorb the demands created by the development.

The same criteria will be applied to development proposals involving an increase in density on existing housing sites.

### 10.3.3 Bin Storage Standards

Each residential unit shall have adequate storage for three wheeled bins. Residential units with no rear access shall provided adequate storage for the bins to the front of the development, in contained units. In apartment schemes, bin storage shall generally be on the ground floor level of development, be adequately ventilated, screened from public view and adjacent to the block it serves. Where appropriate, the bin storage area shall be a separate structure to the apartment building.

### 10.3.4 Separation Distance between Houses

A minimum of 2.3 metres shall be provided between the side walls of detached, semi-detached and end of terrace dwellings to ensure privacy and ease of access. A property boundary should ideally occur mid-way along this dimension.

### 10.3.5 Boundary Treatment of House Sites

Where the flank or rear boundaries of house sites abut roads, pedestrian ways or public open space, suitably designed screen walls 1.8 metres in height shall be provided. Where concrete screen walls are proposed they shall be suitably rendered and capped in an acceptable manner.
10.3.6 Naming of Housing Developments

It is the policy of the Councils that the naming of new residential development should reflect the local and historical context of its siting as far as possible such as local names which reflect the landscape, its features, culture or history of the area in which the development is located. Also considered will be the names of historical persons associated with the area. The use of Irish names will be encouraged. The naming of residential developments shall be approved by the Planning Authority prior to the launching of any advertising campaign for a development.

10.4 Apartments

The design and layout of new apartments should provide satisfactory accommodation for a variety of household types and sizes – including families with children - over the medium to long term. Regard should be given to relevant Government Guidelines on this, including *Sustainable Urban Housing: Design Standards for Apartments*.

In general, apartments will be required to have the following minimum floor areas measured internal wall to wall:

<table>
<thead>
<tr>
<th>Apartment Type</th>
<th>Minimum Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>One bedroom</td>
<td>46 sq.m</td>
</tr>
<tr>
<td>Two bedrooms</td>
<td>65 sq.m</td>
</tr>
<tr>
<td>Three bedrooms</td>
<td>93 sq.m</td>
</tr>
</tbody>
</table>

The standards apply to units on one floor; duplexes should provide the additional floor area required to provide for stairways and landings in accordance with the Building Regulations (approximately 10 sq. metres). All apartment schemes should provide for a mix of units; comprising of one-bedroom, two-bedroom and family units.

All living rooms, kitchens and bedrooms should minimise overlooking of adjoining/adjacent residences and should be so located so to avoid facing towards nearby high boundary or gable walls.

10.4.1.1 Apartments Open Space

Private open space can be provided in the form of rear gardens or patios for ground floor units, and balconies at upper levels. It is important that in the latter case adequate semi-private or communal open space, in the form of landscaped areas, should also be provided. Roof gardens offer only limited potential in this regard, due to climatic and safety factors, and should not form the major share of such space. Private open space at ground floor level should receive some sunlight, but also needs some form of screening to ensure privacy.

Balconies (or glass-screened “winter gardens”) need to be of a certain minimum width to be useful from an amenity viewpoint, being able to accommodate chairs and a small table. A minimum width of 1.5 metres for one-bedroom units, and 1.8 metres for apartments with 2 or more bedrooms, is recommended, generally extending for the full length of the external living room wall. While wider balconies might be desirable in
certain cases, this has to be balanced against the need to avoid overshadowing the living room.

Site conditions, such as elevations facing north or overlooking busy streets, or tall buildings, may diminish the amenity value of balconies. Balconies may not be appropriate in historic areas. In such cases, it will be the designer’s responsibility to provide some form of compensating amenity for the occupants. This might take the form, for instance, of above-average sized living rooms and generous landscaped communal open spaces.

Balustrading to balconies should be safe for children. Vertical privacy screens should generally be provided between adjoining balconies.

10.4.1.2 Daylight and sunlight
The amount of sunlight reaching an apartment significantly affects the amenity of the occupants. Dual-aspect apartments are likely to maximise the availability of sunlight, but this solution may not always be possible (e.g. with corner units). Single-aspect apartments should allow the main living rooms to face south or west; north-facing units should be excluded. Particular care is needed where windows are located on lower floors which may be overshadowed by adjoining buildings. The orientation of buildings within the site should maximise energy efficiency.

10.4.1.3 Storage Areas and Communal Facilities
Provision should be made in apartments for general storage areas (additional to minimum kitchen presses and bedroom furniture) for bulky items not in daily use, in the range of 3 sqm.

<table>
<thead>
<tr>
<th>Apartment</th>
<th>Storage Space Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>One bedroom</td>
<td>3 sq m</td>
</tr>
<tr>
<td>Two bedrooms / 3 persons</td>
<td>5 sq m</td>
</tr>
<tr>
<td>Two bedrooms / 4 persons</td>
<td>7 sq m</td>
</tr>
<tr>
<td>Three or more bedrooms</td>
<td>9 sq m</td>
</tr>
</tbody>
</table>

Lifts should be provided for all apartment blocks of three or more storeys. There is a need to provide two lifts where the apartment building has more than six storeys and serve more than 60 apartments, where it would be unreasonable to expect people to climb stairs in the event of a lift breakdown. Lifts should provide access to basement car parks.

10.5 Open Space Requirements
Public open space is one of the key elements in defining the quality of the residential environment. It provides passive as well as active amenity and has important ecological and environmental aspects. In calculating the area of the open space, the area of roads,
10. Requirements for new Development

grass margins, roundabouts, footpaths and visibility splays shall not be taken into account.

10.5.1 Design of Open Space

Integrated pleasant, attractive and landscaped open space should form an intrinsic element of new residential development. The precise location, type and design of open space provision will be negotiated with developers according to the specific characteristics of the development, the site and its context. All open spaces proposed by developers should be designed and set out by suitably qualified landscape architects or similar design professionals so as to ensure a high standard and consistency with good design and layout practice.

Developers should consider providing a variety of open spaces both formal and informal semi-natural areas should be provided such as wetlands, woodlands, meadows, green corridors as well as formal gardens, and seating areas. These elements work best as part of a structure to the provision of open space.

The Planning Authority will normally expect all public open space provision to take account of the following general principles:

- Public open space should be provided in a comprehensive and linked way and designed as an integral part of the development, rather than as an afterthought.
- Wherever possible the majority of open space should be multi-functional. Areas providing for informal amenity and children’s play can often successfully be combined.
- Public open space should be well designed from a visual perspective as well as functionally accessible to the maximum number of dwellings within the residential area.
- Attractive natural features should be protected and incorporated into open space areas.
- Public open space areas should be provided with a maximum amount of surveillance from dwellings within the estate.
- Open space should be suitably proportioned and narrow tracts, which are difficult to manage, should not be acceptable.
- The use of hard landscaping elements such as paving or cobbled areas should play an increasingly important role in the design and presentation of open space concepts.
- The provision of open space to serve new residential developments should be on a hierarchical basis varying in size from large regional parks to small children’s play area and passive recreation spaces close to peoples’ homes.

To ensure implementation of open space provision the Councils will attach appropriate planning conditions to permissions, and where necessary will enter into agreements with developers. These will provide for the laying out and landscaping of open space areas in accordance with a details scheme to be agreed with the Councils.
10.5.1.1 Open Space in New Residential Development.
The Borough and County Councils will not normally permit new residential development unless open space is provided within the development to a minimum standard of 2.4 hectares per 1,000 population or greater. Where a proposed development is located in close proximity to an established park area or zoned open space this may be relaxed depending on the nature and quality of existing provision. This relaxation will only be considered where the development pays a financial contribution towards the improvement of the open space so as to improve its quality and carrying capacity.

Developers will be required to make suitable provision for the future management and maintenance of open space required under this policy where spaces and facilities are not taken in charge by the Local Authority.

Reduced provisions may only be acceptable in urban locations where there are more sustainable patterns of development and maximum use can be made of urban land or redevelopment schemes where open space is already available. With relatively high densities such as townhouses or apartments, good quality landscaped open space should be provided.

Open space provision for smaller residential developments and schemes catering for special needs such as accommodation for the elderly will be considered more flexibly on its merits and having regard to the requirements of likely future residents.

Adequate areas of open space should be an integral part of any new residential development to meet the needs generated by that development. The overall standard of 2.4 hectares per 1000 population is recognised in the Residential Density Guidelines for Local Authorities and will normally be applied in assessing proposals for open space for children's play and informal amenity. In developments, which are adjacent to and provide for easy access to significant areas of existing public open space a lesser standard of provision may be acceptable.

Policy
To secure a high quality of design layout and landscaping in all new residential developments consistent with the Residential Density Guidelines.

10.5.1.2 Provision of sports and Recreation Facilities.
Developers will be required to make provision for sports and recreational infrastructure commensurate with the needs generated by that development and the capacity of existing facilities in the area to cater for existing and future needs. Residential planning applications in excess of 200 units will require a recreational needs assessment. This assessment should have regard to the Kilkenny Open Space, Sport and Recreation Study for the City and County and any future developer contribution scheme. Recreation provision should form an integral element of development proposals. Where provision is not provided on-site it may be directly provided off-site.

The Council will apply Table 6.2 as guidelines.
10.5.2 Public Open Space

10.5.2.1 Play Space

A standard of a minimum of 10 sq. m. of dedicated playable space per residential unit is to be provided as an integral part of each new development. This playable space can form part of the overall open space provision of a development but must be dedicated to play.

This space is to be distributed throughout the development and should take into account the presence or lack of existing off-site provision. The total space requirement should be broken down into the relevant typologies taking account of the maximum walking distances from residential units given below. All children and young people should have access to play space which should be within a reasonable and safe walking distance from home.

To ensure that children and young people are guaranteed this access to play space the following standards should be observed when new residential developments are being laid out:

<table>
<thead>
<tr>
<th>Play Space Type</th>
<th>Maximum walking distance from residential unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doorstep Playable Space</td>
<td>100m</td>
</tr>
<tr>
<td>Local Playable Space</td>
<td>400m</td>
</tr>
<tr>
<td>Neighbourhood Playable Space</td>
<td>800m</td>
</tr>
<tr>
<td>Youth Space</td>
<td>800m</td>
</tr>
</tbody>
</table>

Doorstep playable space suitable for younger children can be included in smaller areas while the other play spaces will require larger areas. The doorstep playable space should be laid out to include a mixture of fixed equipment such as rockers, cradle swings, carousels, slides and junior multi units together with the use of sand, water and other materials for creative play. The use and manipulation of a site’s topography and existing features such as trees, rocks, water courses etc. should be an integral part of the creation of the play space.

The local playable space should include a mixture of rockers, swings, carousels, multi units, space nets and balance beams among other items of fixed equipment suitable for children up to 12 years of age together with the use of sand, water and other materials for creative play. The use and manipulation of a site’s topography and existing features such as trees, rocks, water courses etc. should be an integral part of the creation of the play space.

A neighbourhood playable space should be an extension of both the doorstep and local playable space with a wider range of play equipment and range of play opportunities providing a challenging, stimulating play environment.

Youth space should include detailed proposals to provide for the recreational requirements of young people over 12 of an area. Any set of proposals shall take into account the existing level of provision in the surrounding area and will attempt to deal with existing deficiencies.
The provision of playable space will be required as part of the overall Framework plan for any new residential development, see Section 10.2.1. It should be included in the proposed development from the outset to ensure that there is clarity about the location, size and function of facilities. The Parks Department of the Council should be consulted at the earliest possible opportunity during the preparation of a development proposal to ensure that the best possible outcome is achieved.

10.5.3 Private Open Space

An adequate amount of private open space should be provided within the curtilage of each dwelling. In general the requirement will be 60 to 75 sq.m minimum for 3/4/5 bedroomed houses in order to ensure that most household activities are accommodated and at the same time offers visual delight, receive some sunshine and encourage plant growth.

The boundaries of rear gardens should generally be provided with a permanent durable barrier with a minimum height of 1.4 metres. Where rear gardens back onto public areas, excluding a public roadway, this height should be increased to 1.8 metres.

It should be noted that in the case of apartments and duplex apartments private open space will be provided in the form of landscaped areas, courtyards, terraces/patios and balconies. Roof gardens will also be considered provided they are easily accessible, secure and attractively landscaped. The following open space requirements apply:

<table>
<thead>
<tr>
<th>Type of Unit</th>
<th>Required Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4/5 bedroom houses</td>
<td>60-75 sq.m</td>
</tr>
<tr>
<td>1/2 bedroom houses</td>
<td>48 sq.m</td>
</tr>
<tr>
<td>1 bedroom apartment</td>
<td>10 sq.m</td>
</tr>
<tr>
<td>2/3 bedroom apartment</td>
<td>15-20 sq.m</td>
</tr>
</tbody>
</table>

10.6 Home-Based Economic Activities

Home-based activities are defined as small-scale commercial activities, which are secondary to the use of the premises as a residence. They are permitted where the primary use of the dwelling remains residential and where the amenity of surrounding residences is not adversely affected. The planning authority, in considering applications for such uses, will consider the following:

- The nature and extent of the work;
- The effects on the amenities of adjoining properties particularly as regards hours of operation, noise and general disturbance;
- The anticipated levels of traffic generation; and
- The generation, storage and collection of waste.

Over the counter services, business signage, advertising hoardings, security gates/grills and excessive security lights are not normally appropriate in a residential area and should be subject to appropriate restrictions. The local authority may grant a temporary
permission of two/three years for home-based economic activities to facilitate on-going monitoring of the activity.

10.6.1 Plot Ratio

Plot ratio is the relationship between site area and the total floor area of the buildings erected on it. The plot ratio is calculated by dividing the gross floor area of the building by the site area.

\[ \text{Plot ratio} = \frac{\text{Gross Floor Area}}{\text{Gross site area}}. \]

The purpose of plot ratio is to prevent adverse effects of both over-development and under-development on the amenity and the layout of buildings, to achieve desirable massing and height of buildings, to balance the capacity of the site and street frontages. It is recommended that a maximum plot ratio of 2.0 be set for the city centre and 1.0 for all other areas. The Planning Authority will permit higher plot ratios only in cases where exceptional standards of design are achieved.

10.6.2 Site Coverage

The purpose of site coverage control is to prevent over-development, to avoid overshadowing and to protect rights to light of adjoining properties. The maximum normal site coverage for uses in all areas is 65%. In the city centre, site coverage may be allowed to increase up to 85% or up to the existing site coverage. In some cases, a higher percentage may be allowed, subject to the proper planning and sustainable development of the site.

\[ \text{Site coverage} = \frac{\text{Ground floor area}}{\text{Gross site area}}. \]

10.7 Archaeology

It is the policy of the local authorities to ensure that archaeological material is not disturbed so that an opportunity will be given to investigate and record any material of archaeological value that may be found or to protect them in-situ on sites.

In areas designated of Archaeological Interest in the Sites and Monument Record or the Urban Archaeological Survey by the Office of Public Works, developers shall consult with the Planning Authority at the earliest possible stage prior to development works, including the digging of trenches or foundations. Where development is permitted on or in the vicinity of a listed archaeological site, or within an area of known archaeological interest, it shall be normal to require the developer to make provision for archaeological remains to be retained in situ below new development.

In cases where permitted works will impinge on known archaeology, the developer will be required to:

- Employ a licensed archaeologist at the applicant’s expense to carry out trial excavations in advance of development;
- To liaise and consult with the Department of the Environment, Heritage and Local Government on all matters affecting the sites and monuments in its charge;
10. Requirements for new Development

- Adjust building lines and construction methods to avoid damage to remains so far as practicable.

Developers may be required to contribute to and to allow a reasonable time for excavation, monitoring, recording and/or removal of any features prior to the commencement of development. Important sites shall be left physically intact wherever feasible.

10.8 Construction Standards

Standards for site development works and, in particular, footpaths, sewers, drains and water supply shall be in accordance with the Building Regulations and the Recommendations for Site Development Works for Housing Areas (1998) published by the Department of the Environment and Local Government.

In addition the following are the requirements of the Planning Authority:

- Road carriageway construction shall be of flexible type with bituminous surface or other approved paving.
- All pavement kerbs shall be ramped at pedestrian crossing points to facilitate ease of access.
- Grids on gullies shall be of lockable type and shall be set at right angles to the roadway.
- Nameplates to streets and estates to a standard satisfactory to the Planning Authority shall be provided and erected. The proposed name of the housing estate should be lodged with the planning application. All nameplates shall be bilingual, preferably making use of established local places names.
- Street furniture should be carefully located so as not to obstruct footpath users with prams or wheelchairs.
- Traffic signs shall be provided as required by the Planning Authority.
- All sewers to be taken in charge by the Planning Authority shall have a minimum diameter of 225mm.

The Planning Authority will normally require that all wires and cables for the provision of public utility services shall be ducted underground to preserve the amenity and visual character of an area, and in the interests of public safety.

10.9 Sustainable Building

10.9.1 Daylighting and Solar Gain

The creation of a satisfactory microclimate for a housing scheme requires a balance between the provision of wind shelter and optimising the availability of daylight, sunlight and solar gain. The orientation of the dwelling on site, the internal layout of the dwelling and window orientation, can affect significantly the level of daylighting within the dwelling and the impact of solar gain on internal temperature. Where feasible, the main habitable rooms should have south and/or west facades. It is also desirable that bedrooms have a southerly or easterly aspect. Circulation and ancillary areas may be located on the north side. For all dwellings, including apartments, at least one main living room should be facing within 90o of due south. As high a proportion as practicable of
the glazed areas of the dwelling should be facing within 30° of due south so as to
maximise solar gain. The amount of north facing glazing should be minimised.
Depending on site layout and degree of over shading by trees or other buildings in
summertime, it may be necessary to make provision for shading against excessive solar
gain. For rooms likely to experience high levels of solar gain, at least some elements of
the room enclosure should have high thermal capacity, e.g., masonry or concrete
components.

10.9.1.2 Fuels and Heating
Efficiency, affordability and environmental impact, e.g., emissions of CO2 and other
harmful gasses, are particularly important in the context of sustainability. It is recognised
that natural gas is the most efficient non-renewable source of fuel for space heating.
However, where this is not available, designers may wish to consider the possibility of
utilising renewable sources of energy such as solar collectors, photo-voltaic, hydropower,
wind power, wood pellets, biogas, geothermal sources, or where available local source of
waste heat energy etc.

For apartment buildings over 1000m², the Energy Performance of Buildings Directive,
requires designers to carry out a feasibility assessment of alternative energy systems
before construction. The preferred methodology for assessing the feasibility of such
sustainable energy systems shall be the Sustainable Energy Ireland software tool or other
acceptable methodology. This shall also be applied to residential developments of more
than 10 units.

The Council will assess alternative methods for heating County Hall.

10.9.1.3 Construction Materials
The design should ensure that, as far as possible, standard sizes of materials and
components can be used, with minimum need for on-site modification and associated
construction waste. In addition, in relation to materials for internal finishes and fittings,
designers should choose non-toxic materials. Care should be taken to limit emissions of
pollutants such as formaldehyde, solvent vapours and other volatile organic compounds
that can adversely affect indoor air quality.

External finishes should be durable and maintenance free, as far as possible, particularly
in inaccessible areas or areas which cannot easily be reached for maintenance purposes.

10.9.1.4 Water
The design should aim to conserve potable water, insofar as practicable. Water saving
fittings, e.g., showerheads, taps, toilet cisterns and other appliances should be used,
where feasible and acceptable. Consideration should be given to the collection and safe
storage of rainwater and its use for purposes other than human consumption.

10.9.2 Green Public Procurement
Green Public Procurement is the approach by which Public Authorities integrate
environmental criteria into all stages of their procurement process, thus encouraging the
spread of environmental technologies and the development of environmentally sound
products, by seeking and choosing outcomes and solutions that have the least possible impact on the environment throughout their whole life-cycle.

**POLICY**

The Councils will endeavour to use green public procurement where possible and will liaise with and seek support from ICLEI (Local Governments for Sustainability) to develop a procurement policy in line with National Guidelines and International Best Practice.

### 10.9.3 Building Height Control

The following considerations will be taken into account in deciding an application for high buildings and other high structures:

- Overshadowing and consequent loss of light caused to surrounding property
- Overlooking (particularly of residential property) and consequent loss of privacy to surrounding premises
- Disruption of scale of the streetscape
- Does it detract from historic buildings or spaces or important landmarks?
- Effect on existing buildings having special value (for example, a spire, dome, tower or other high building)
- Views obscured
- Obtrusion on the skyline
- Scale of the building in relation to its open spaces and buildings
- Is site large enough to give visual transition
- Purpose or civic importance of the building
- Effect on micro-climate
- The need to create a positive urban design
- Analyse impact at city wide and at a local scale

Where in the opinion of the Planning Authority, a location for a high building is acceptable the building itself should be of outstanding architectural quality, creating a building which is elegant, contemporary, stylish, and in terms of form and profile, makes a positive contribution to the existing skyline.

### 10.10 Building Lines

The Planning Authority will normally seek to ensure that development is not carried out in front of established building lines. Generally, it will be an aim to create a continuous building line along a street edge. Consistent building lines will also be encouraged in the design of neighbourhood centres and in new industrial/business park developments, where buildings will have a clear relationship with each other. In built up areas development, which would infringe on an existing building line and would be prejudicial to residential amenity, or orderly development will not be allowed.

Building lines may be relaxed in the following cases:

- to incorporate key landscape features into the development layout,
- to incorporate key landmark buildings,
- for innovative designs which can positively enhance the townscape,
10. Requirements for new Development

- for innovative housing layouts, where the traditional set back from the public footpath is flexible due to new designs, with a decreasing emphasis on the minimum required space to the front of dwellings,
- to provide important areas of public open space, i.e. squares.

10.11 Parking and Loading

All new development will normally be required by the Planning Authority to provide adequate off-street car parking facilities. Such facilities shall cater for the immediate and anticipated future demands of the development, and shall be located within the site or in close proximity to such development.

In the city centre where car parking cannot be provided on site, a development contribution towards the provision of public car parking will be required.

Car parking facilities shall generally be provided behind established building lines in each development and shall be screened. The dimension of car parking bays shall be 4.8m by 2.4m. Car parking areas shall be constructed having regard to drainage, surfacing and ancillary matters. They should be provided with proper public lighting facilities and shall be clearly demarcated. All car parking areas should be properly landscaped by the provision of trees, shrubs and grassed areas in order to ensure that damage to the visual amenities is avoided.

Underground car parking facilities may be an alternative solution to the provision of car parking for inner city developments, subject to archaeological investigations.

In all developments of an industrial or commercial nature, developers will be required to provide loading or unloading facilities sufficient to meet the demand of such development. Off-street loading facilities shall conform to the following requirements:

- Each required space shall not be less than 3.75m in width, 6.0m in length and 4.25m in height, exclusive of drives and manoeuvring space and located entirely on the site being served.
- There shall be appropriate means of access to a street or road as well as adequate manoeuvring space.
- The maximum width of the driveway opening onto the street boundary will be 6m and the minimum width shall be 3.75m.

The Planning Authority may modify the requirements of loading and unloading facilities in any particular case where it considers it would be in the interests of proper planning and sustainable development of the area to do so. Parking and service spaces must be located on site so as to prevent street obstruction and should be located where possible to the rear and side of the buildings and in such a manner to ensure minimal impact on the amenity of adjoining properties.

During the period of the last Plan the City Centre Local Area Plan was adopted and car parking provision for the City Centre Area was set out in that document. The table below incorporates the provisions of the City Centre Local Area Plan.
Table 10.3 Car Parking Standards

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Parking Spaces per Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling House</td>
<td>2 car parking space per unit and 0.25 per dwelling for visitor parking in suburban areas</td>
</tr>
<tr>
<td></td>
<td>1 space per unit in city centre with visitor parking to be provided from off-site public parking provision</td>
</tr>
<tr>
<td>Apartments</td>
<td>1.25 spaces per unit in suburban areas</td>
</tr>
<tr>
<td></td>
<td>1 space per unit with visitor parking to be provided from off-site public parking provision</td>
</tr>
<tr>
<td>Schools</td>
<td>1 space for every classroom plus 4 additional spaces</td>
</tr>
<tr>
<td>Churches, theatres, public halls</td>
<td>1 car space per 10 seats in suburban areas.</td>
</tr>
<tr>
<td></td>
<td>1 space per 15 seats in the city centre</td>
</tr>
<tr>
<td>Hotels, hostels and guesthouses</td>
<td>1 car space per bedroom</td>
</tr>
<tr>
<td></td>
<td>In the city centre 1 space per bedroom</td>
</tr>
<tr>
<td></td>
<td>Smaller developments can be facilitated by public parking in the vicinity of the development</td>
</tr>
<tr>
<td>Public houses, inc hotel bar</td>
<td>1 car space for every 20 m² of bar and lounge floor area in the City Centre and 1 car space per 10 m² of bar and lounge floor area in all other locations.</td>
</tr>
<tr>
<td>Hotel function rooms</td>
<td>1 space per 10 m²</td>
</tr>
<tr>
<td></td>
<td>1 space per 20 m² gross floor area in the City Centre.</td>
</tr>
<tr>
<td>Shopping centres, supermarkets, Department stores</td>
<td>1 space per 25 m² gross floor area</td>
</tr>
<tr>
<td>Shops</td>
<td>1 car space per 30 m² gross floor area in City Centre</td>
</tr>
<tr>
<td></td>
<td>1 space per 20 m² gross floor area in suburban areas</td>
</tr>
<tr>
<td>Restaurants, cafes</td>
<td>1 car space per 20 m² gross floor area in both City Centre and suburban areas.</td>
</tr>
<tr>
<td>Banks and offices</td>
<td>1 car space per 15 m² of gross floor area in suburban areas</td>
</tr>
<tr>
<td></td>
<td>1 space per 25 m² gross floor area in the City Centre.</td>
</tr>
<tr>
<td>Industry</td>
<td>1 car space for every 60 m² of gross industrial floor area</td>
</tr>
<tr>
<td>Warehousing</td>
<td>Each application will be determined by the Planning Authority</td>
</tr>
<tr>
<td>Retail Warehousing</td>
<td>1 car space for every 35 m² of net retail floor space.</td>
</tr>
<tr>
<td>Golf</td>
<td>4 car spaces per hole</td>
</tr>
<tr>
<td>Par 3 golf courses or Pitch and Putt courses</td>
<td>2 spaces per hole</td>
</tr>
<tr>
<td>Sports grounds and sports club</td>
<td>Each application to be determined by the Planning Authority</td>
</tr>
<tr>
<td>Golf driving ranges, Shooting ranges</td>
<td>1 space per bay/ trap plus 3 spaces</td>
</tr>
<tr>
<td>Clinics and Medical Practices</td>
<td>3 car spaces per consulting room plus staff</td>
</tr>
<tr>
<td></td>
<td>1 per consultant + 1 per public room in the city centre</td>
</tr>
<tr>
<td>Hospital</td>
<td>1.50 spaces per bed</td>
</tr>
<tr>
<td>Nursing Home</td>
<td>1 space per 4 bedrooms plus staff</td>
</tr>
</tbody>
</table>
Predominantly night-time land uses within the City Centre will not provide any parking spaces exclusive to that development unless a specific need can be demonstrated. A financial contribution will be levied for the provision of public parking facilities within the vicinity of the development. This levy will be based on a defined parking standard for such developments as detailed in Table 10.3.

In the case of any use not specified above, the Planning Authority will determine the parking requirements, having regard to the traffic levels likely to be generated as a result of the development. Where a number of uses are contained within one development, the various uses shall be separated and the overall parking requirements for the development shall be assessed relative to each separate use in order to compute the overall parking requirement for the development (e.g. in a hotel the function rooms, bars etc. shall be assessed as separate from the bedroom provision).

However, where a developer can demonstrate to the satisfaction of the Planning Authority that parking spaces will be utilised throughout the day by a number of different users, availing of different facilities within a proposed development, the Planning Authority may, in the interest of sustainability, take this multi use into account when assessing parking needs. In addition to the above requirements, developers will be required to provide and maintain loading and circulation facilities sufficient to meet the likely demand of each development.

### 10.12 Infill Development

Within the city infill development and refurbishment schemes will be required to pay particular attention to the local architectural character and materials in use and the requirements of any Architectural Conservation Area within which the site is located. In the wider City and suburban areas infill and backland development will also have to pay particular attention to the local character of the area in terms of blocks, plots and buildings. Development will only be considered if it:

- Will not detract from the character of the area,
- Will not be detrimental to the residential amenities of the area,
- Will not be prejudicial to the proper planning and development of the area.

Contemporary infill proposals will be considered on their own merits.

### 10.13 Shopfronts

In order to conserve the distinctive character of Kilkenny City, it is the policy of the Planning Authority to encourage the maintenance of original shopfronts, or the reinstatement of traditional shopfronts where poor replacements have been installed. In the maintenance and reinstatement of traditional shopfronts, the Planning Authority will in particular encourage the use of local craftsmanship such as hand-painted signage and carpentry.

In new buildings the proposed shopfronts should have regard to the existing shopfronts on the street and should complement both the building and the street. In existing buildings the original fascia line should be maintained and not excessively enlarged or lowered.
Modern ‘multiple’ formats which have adopted a ‘corporate image’ will not necessarily be allowed to use their standardised shopfront design, corporate colours and materials. Such companies should be encouraged to ensure that their particular fascia takes account of the character of the street and local area. The construction of nameplate fascias linking two or more buildings of different architectural design and character is generally unacceptable. The removal of street doors giving separate access to upper floors will not be permitted unless alternative separate access is provided.

10.14 Security Shutters

The installation of security shutters can visually destroy and deaden the shopping street at night and thereby detract from the environment of the city. The erection of a security shutter and its associated screening requires planning permission. The Planning Authority will discourage the use of such shutters.

Where security shutters are considered to be essential because of the type of business transacted or goods stored the Planning Authority may permit them provided that they meet the following criteria:

- They must be open grille type (not perforated or solid)
- They must be painted or coloured to match the shopfront colour scheme
- Where possible they must be located, together with their associated housing behind the window display.

Alternatives to roller shutters such as the use of demountable open grilles will be preferred where security needs are involved.

10.15 Canopies and Blinds

Blinds were traditionally incorporated into the shop front fascia and designed to retract into it when not required. This is still the best way to handle a blind where one is required. The curved or Dutch canopy is unsympathetic to the traditional streetscape. They also obscure the shopfront detail neighbouring advertising and they deteriorate with age. These will not be permitted. The use of plastic canopies will be discouraged.

10.16 Lighting

Internally illuminated fascias or projecting box signs will not be permitted. Concealed strip or flood lighting of fascias and traditional hand painted signs lit by spotlight may be an acceptable alternative.

10.17 Advertising and Signposting

Advertising signs, separately, or more particularly in groups, can often cause injury to visual amenities, and can detract from the appearance of an area or a building; this is especially so when they are out of scale and character with their surroundings. They can also be a major distraction to road users and frequently result in traffic hazard. It is the policy of the Planning Authority to strictly control all advertising signs in relation to their location, design, materials and function.
Specific policies in relation to signage are referred to in Section 7.7, Architectural Conservation Areas.

Advertising in the City and Environs shall be controlled as follows:

- Signs will not be permitted where they interfere with the safety of pedestrians, the safety and free flow of traffic or if they obscure road signs.
- Signs shall be sympathetic in design and colouring, both to the building on which it will be displayed and its surroundings.
- Signs shall not obscure architectural features or details.
- Signs will not be permitted above eaves or parapet levels.
- Traditional painted sign writing or solid block individual lettering will be encouraged as will traditional or wrought iron hanging signs. The use of neon, plastic, PVC, Perspex flashing, reflectorised or glitter type signs on the exterior of buildings or where they are located internally but visible from the outside will be prohibited.
- Projecting signs, banners and flagpoles will be restricted in size and number to prevent clutter.
- Temporary hoardings may be approved where they can be used for the screening of building sites or land, which is unsightly.
- Signs attached to buildings are preferable to those on freestanding hoardings.
- Signs shall not be permitted to project above the roofline of buildings.
- Favourable consideration may be given, in consultation with business groups, to the erection of composite advance signs on which the facilities available in the city will be declared. Due to the damage which a proliferation of large, competitive advance signs can cause to the appearance and image of the important entrance routes into the city, the local authorities will seek to phase out individual advance signage as the opportunity arises.
- ‘B&B’ signage will be restricted to one sign per premises and no directional finger post signs will be permitted.

10.18 Telecommunication Antennae

Telecommunications antennae should be located so as to minimise any negative visual intrusion on the surrounding area, especially on landscapes or streetscapes of a sensitive nature. The preferred location for telecommunication antennae is in industrial estates or areas zoned for industry or in areas already developed for utilities.

The use of tall buildings or other existing structures is always preferable to the construction of an independent antennae support structure. Sharing of installations (antennae support structures) will be encouraged where it is deemed to lead to a reduction in the visual impact on the landscape or townscape. All applicants must satisfy the Planning Authority that a reasonable effort to share the installations has been made.

10.19 Automatic Teller Machines

The planning authority will strictly control the location of Automatic Teller Machines (ATMs) having regard to the following:
• The need to protect the character of the street, building or shop front into which they are to be incorporated into especially buildings on the Record of Protected Structures.
• The design and location must be such that they are safe and easily accessible.
• Canopies, signs and logos shall be discreetly incorporated into the overall design
• The avoidance of a traffic hazard
• Satisfactory arrangements are made in relation to litter control.

The provision of ATMs at petrol stations will be encouraged to facilitate drivers wishing to use them. In general, ATMs will not be provided where customers queuing may cause disruption to pedestrians.

10.20 Fast food take-aways
The policy in the previous Plan was to actively discourage and prohibit take-away/fast-food outlets. However the reality is that there are several such facilities within the City & Environs and the prohibition was restricting market operators. The prohibition of the hot food take-aways resulted from the impacts of noise, odour, litter and anti-social behaviour late at night.

In this Plan it is intended to relax the prohibition on take-away food outlets but to restrict their development. A proliferation of hot food take-aways will not be permitted in any particular area. The location of a fast food take-away in neighbourhood centres, with complementary uses such as the convenience shop, chemist, video/DVD rental unit etc., would cut down on multiple trip generation in an area.

Planning applications for new fast food take-away uses will be considered on their own merits. Regard will be had to the impact of the take-away on the amenities of the area, including noise, odour and litter. The Planning Authority may impose restrictions on opening hours of such uses as a condition of a planning permission. Full shopfront details will be required at application stage to assess the visual suitability of proposals in the area.

10.21 Night Clubs/Public Houses
In order to maintain an appropriate mix of uses and protect night-time amenities in Kilkenny City & Environs the local authority will, through the appropriate use of its development management powers, prevent an excessive concentration of pubs, bars, nightclubs and hot-food take-aways in any one area. The Councils will ensure that the intensity of any proposed use is in keeping with both the character of the area (i.e. residential, mixed use, etc.) and with adjoining businesses, when development proposals are being considered. Along with general planning issues such as traffic, waste etc., the following issues will also be considered in the assessment of applications for new premises and extensions to premises:

• The amenity of nearby residents, i.e. general disturbance, hours of operation, car parking, litter and fumes.
• New buildings must be designed to prevent noise escaping and with adequate provision for refuse disposal, storage and collection.
• The need to retain a suitable diversity of uses in the city centre throughout the day and evening to maintain the vitality and viability of the City.
10. Requirements for new Development

- An important consideration for the local authority will be the number and frequency of such facilities and events in such facilities.
- Facade design will be carefully controlled by the planning authority and in particular the type and degree of advertising signage and lighting. The design shall respect the character of the street and the buildings.

10.22 Childcare Facilities

Kilkenny Local Authorities recognise the social, educational and economic important of encouraging the development of a broad range of childcare facilities within the City and Environs. They also recognise that childcare must be conveniently located.

Childcare is taken to mean full day-care and sessional facilities and services for pre-school children and school-going children out of school hours. It includes services involving care, education and socialisation opportunities for children and therefore includes pre-schools, day-care services, crèches, playgroups and after-school groups. The provision of amenable and accessible childcare is an important aspect in the proper planning and sustainable development of new and existing communities.

It is the policy of the Councils to implement the Childcare Facilities – Guidelines for Planning Authorities as published by the DOELG in 2001. Where a large housing development is proposed, i.e. seventy five houses or more the planning authority will require the provision of a purpose built unit for childcare on the site which shall have regard to the existing level of childcare provision in the area. The Council will operate this requirement in a flexible manner.

In general childcare facilities will be assessed on the following:

- The suitability of the site/premises for the type and size of facility proposed, taking into consideration the effects on the existing amenities of the area.
- Adequacy of vehicular and pedestrian access and parking provisions, which may be required to include satisfactory and safe collection/drop-off areas where appropriate, for both customers and staff where it is merited by the scale of the development and the resultant intensity of vehicular movements.
- Provision of an adequate outdoor play area within the curtilage of all full day care facilities. This outdoor play area shall be so located to have minimum impact on the amenity of surrounding properties, particularly in residential areas and should also be separate from car parking and service areas.
- The design of the structure and capability of it being assimilated satisfactorily in to the built environment.
- Ease of accessibility for all.

Applications for crèches, playschools and pre school facilities shall be accompanied with information in relation to details of the proposed opening times, proposed number and age range of children, proposed number of staff, internal floor areas devoted to crèche, excluding areas such as kitchens, toilets, sleeping and other ancillary areas, details of external play areas and car parking arrangements for both parents and staff. Developers are advised to refer to the Department of the Environment and Local Government Guidelines on Childcare Facilities.
10.23 Nursing Homes
The need for nursing homes and residential care homes in the City & Environs is anticipated to grow into the future and these facilities should be integrated wherever possible into the established or planned residential areas of the City & Environs where their residents can avail of reasonable access to local services.

In determining planning applications for a change of use from a residential dwelling or other building to a nursing home the following will be considered:

- Whether such a use would not give rise to a traffic hazard and off-street car parking,
- The proximity to local services and facilities,
- Whether the size and scale is appropriate to the area.

10.24 Granny Flats/Extensions
A ‘family’ flat refers to a sub-division or extension of a single dwelling unit to accommodate a member of the immediate family and is generally acceptable, provided it is not a separate detached unit and that it is possible to provide direct access to the remainder of the house. There shall be no permanent subdivision of the garden. The flat shall not be let or sold, other than as part of the overall property and shall revert to being part of the original house when no longer occupied by a family member. The design should ensure that the flat forms an integral part of the main dwelling unit capable of reintegration for single family use.

The principal requirement for any proposed domestic extension is that the design should have regard to the need for light and privacy of adjoining properties. The form and design of the existing building should be followed and the extension should integrate fully with the existing building by using similar detailing and window proportions. The character and form of the existing building should be respected and external finishes and window types should match the existing.

10.25 Petrol and Gas Filling Stations
A petrol station may include the following: petrol pumps, diesel pumps, gas dispenser, storage tanks, hose pipes and other vehicle services i.e. car washing, oil, water and air. It may also include the sale of goods related to motor trade, a cash kiosk, and a canopy over the pumps and provision of minor repairs, oil and tyre changes.

Ancillary retail uses may be permitted such as small convenience type shops with a floor area generally not exceeding 100 sq metres of sales space. However, planning applications for the provision of such shops shall be applied for specifically. The layout of the station forecourt should be arranged to allow dedicated parking for those shopping at the shop.

The most suitable location for petrol filling stations and associated commercial developments is on the outskirts of the city and within urban speed limits. They will not be permitted at locations where because of their appearance, noise, fumes etc. they would be injurious to the amenities of the area, nor will they be permitted in areas where there are traffic hazards or where hazards might be likely to arise.
Any application for a new petrol filling station should provide sufficient road frontage, clear visibility, two points of access, sanitary convenience for public use, and the surface of the forecourt shall be graded, surfaced with bitumen macadam or other suitable material and drained to the satisfaction of the planning authority. A petrol/oil interceptor trap shall be fitted to the surface water drainage system.

10.26 Control of Major Accident Hazards Directive (Seveso II Directive)
This EU Directive 96/82/EC seeks to prevent major industrial accidents involving dangerous substances and to limit the consequences of accidents on people and the environment.

It is an objective of the Planning Authority to control, having regard to the provisions of the EU Directive, and any regulations giving effect to that Directive the following:

- Developments within the vicinity of existing Seveso site areas;
- The proposed development of a new Seveso establishment; and
- The modification of an existing establishment.

It is an objective of the local authorities to reduce the risk and limit the consequences of major industrial accidents by, where appropriate, taking into account the advice of the Health and Safety Authority when proposals for development as outlined above are considered.

10.27 Cycle Facilities
Kilkenny Borough Council and Kilkenny County Council shall require cycle facilities to be provided with any new development proposals. Bicycle parking stands should be provided in a secure and safe location, which is overlooked and provides easy access to entrances and exits.

The number of stands required will be one quarter the number of car parking spaces required for the development, subject to a minimum of one stand.

10.28 Multi-storey Car Parks
All applications for multi-storey car parks must be accompanied by a report consisting of recent quantitative data, which illustrates the need for parking spaces in the area proposed. The report should contain an assessment of this data by a competent consultant on the likely impact of the car park on the city. Each application for a multi-storey car park will be considered on its own merits. The height and design of multi-storey car parks should be sensitive to the receiving environment. It is preferable that the street edges of the multi-storey car park be wrapped in active commercial uses, such as retail, office etc. wherever feasible.

10.29 Housing on lands Zoned for Agriculture
On lands zoned for agriculture within the development boundary for Kilkenny City and Environs, Waterford City Environs, Callan, Castlecomer, Thomastown, and Graiguenamanagh housing will be restricted to the following categories of persons:
- Immediate members of farmer’s families (sons & daughters) and/or
- Persons who primary employment is in agriculture, horticulture, forestry or bloodstock,
or other rural based activity in the area which they wish to build.

The basis of this policy is to preserve the existing agricultural use of the areas zoned for this purpose, to prevent speculation in land and to prevent urban generated development which would interfere with the operation of farming and prejudice the future planning and development of the area.

It is not the intention of the Council that all land within a development boundary designated would be zoned for development in the short term but that the lands would be released on a phased basis over a medium to longer term. The mere inclusion within the boundary confers no additional rights to development and landowners should have no expectation that building development will be allowed.

10.30 Tree and Hedgerow Preservation
The Councils will encourage the protection of all mature trees and hedgerows which occur on development sites and roads, and as part of the application process may require the submission of tree and hedgerow surveys to accompany applications for development. All trees with a diameter of 75mm and above (measured at a height of 1.4m above ground level) should be included in the survey. Hedgerows should be surveyed by reference to species, branch canopy, spread, shape, height and condition. Remedial works should also be indicated where appropriate and trees should be identified on site with suitable tags. Provision should be made in the site layout for incorporating specimen trees that are in good condition.

In any new development new planting may be required in the interests of the protection of residential amenity, particularly where industrial and/or commercial uses adjoin residential areas.

10.30.1 Prevention of Damage and Protection of Trees/Hedgerows during site development
Where trees or hedgerows are to be preserved on a development site, it is essential that the trees and hedgerows be protected by the erection of secure fencing prior to any site or engineering works commencing and that no materials be stored within the fenced area and that no vehicles have access to the fenced area. To ensure that trees and hedgerows are protected on a site which has been the subject of a grant of planning permission, a cash lodgement may be required, the amount of which shall be determined by the Planning Authority.

Development will not generally be permitted where there is likely damage or destruction either to trees protected by a Tree Preservation Order or those which have a particular local amenity or nature conservation value. Development that requires the felling of mature trees of amenity value, conservation value or special interest, even though they may not be listed in the Development Plan, will be discouraged.

The Council will have regard to BS 5837 1991 ‘Guide for Trees in relation to Construction’ and BS 3998 ‘Tree Works’ in the assessment of any planning application.
Where felling of trees is unavoidable, new planting will be required using native species. Trees of local provenance, (i.e. grown from seed from plants growing locally) are preferable if available because they will be best adapted to growing in County Kilkenny.

Kilkenny local authorities will promote the planting of native tree and shrub species, by committing to using native species (of local provenance wherever possible) in its landscaping work and on Council property. (A list of native trees and shrubs is included in the Appendix F) It is important that new planting serves not just to contribute to tree regeneration generally, but ensure that the age mix of trees guarantees that there is always replacement stock at differing stages of growth.

10.31 Development Contributions
The Local Authorities, taking into consideration the capital expenditure necessary for the provision of infrastructure, will require financial contributions by way of conditions attached to planning permissions in relation to drainage, water supply, roads, open space and car parking which facilitate the proposed development. The amount of financial charge will be in accordance with the relevant development contribution scheme.

10.32 Bonds
To ensure that developments undertaken by the private developers are satisfactorily completed developers will be required to provide cash deposits or submit a bond from an insurance company or other financial institution acceptable to the Planning Authority for the satisfactory completion of developments and their ancillary services. This bond or surety is to be submitted before development is commenced.

10.33 Future Publications of Standards and Guidelines
The Planning Authority will continue, during the course of the Plan period, to prepare and make available to the public, technical and design guidelines on matters affecting planning and sustainable development of the City and Environ.