



Chapter 13

Development

Management - Standards & Guidelines

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13.1 Introduction

The purpose of development management guidelines and standards is to supplement the policies and objectives cited in the other chapters of the Development Plan regarding the appropriate form of new development and to ensure that new development is of a high quality and satisfactorily relates to the character, scale, layout and form of the area in question.

The following table will guide users of the Development Plan to the most relevant documents in relation to the development/activities outlined below:

All standards and guidelines may be subject to review from time to time in light of alterations to national or other standards. The Planning Authority will adhere to the most recent relevant guidelines/documents in determining all planning applications.

Therefore it is important to consult the most recent documents for your proposed development. A list of available planning guidance documentation is available on the Department of the Environment, Community and Local Government website: www.environ.ie.

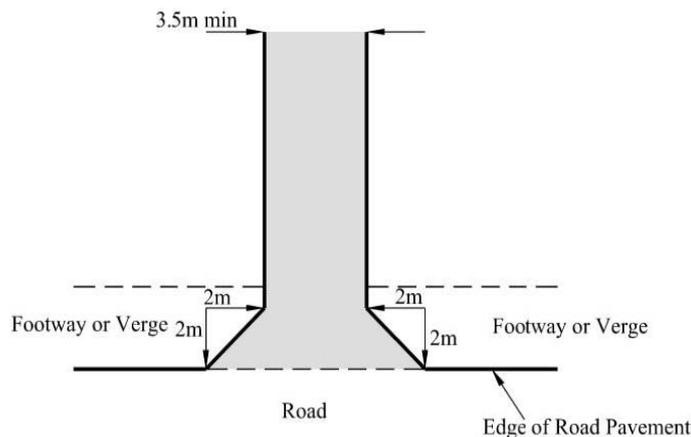
Pre - Planning Meetings

The Council in accordance with Section 247 of the Planning and Development Act, 2000 (as amended) provides an opportunity for applicants to engage in discussions with the Planning Authority prior to making a planning application. Applicants are strongly advised to avail of this service. It should however be noted that such discussions will not prejudice any subsequent decision made by Kerry County Council.

13.2 Development Standards/General

Topic	Standards / Guidelines
<p>Access for People with Disabilities</p>	<p>The Building Regulations (Part M - Access for the Disabled) sets out the needs of persons with disabilities that have to be taken into consideration in the design of new and existing structures that allow public access, for example schools, libraries, shops etc. These needs relate in particular to access, internal circulation, parking, and sanitary facilities.</p> <p>Designated car parking spaces should be reserved for people with disabilities. Their location should be clearly sign posted and bays marked. These spaces should be located closest to the point of entry to the building with no crossing of vehicular routes.</p> <p>Bus stops and other bus parking areas should be designed to accommodate buses equipped with access ramps. The pedestrian route should be defined (e.g. textured surface), non slip and appropriately lit.</p> <p>Footpaths at the junctions of roads in new housing developments should be dished to cater for disabled persons and incorporate tactile paving.</p>

Topic	Standards / Guidelines
<p>Access onto Public Roads</p>	<p>All applications involving access onto public roads or the intensification of the usage of an existing access point will be assessed having regard to the following criteria:-</p> <ul style="list-style-type: none"> • the classification of the public road, • the speed limit which applies at the point of access, • the width and carrying capacity of the road, • the nature, scale and layout of the development, • the volume and nature of traffic likely to be generated by the development, • the design of the access and the sight line visibility available, • the number of access points in the vicinity, • the level of parking required and the provision of on-site parking, • lighting and advertising matter associated with the development, • footpaths and public lighting requirements, • access provisions for people with disabilities, • traffic calming measures. <p>On minor rural roads where road width is inadequate, the Council will consider the provision of well located and constructed passing lay-bys as an alternative to upgrading the entire road width, where the provision of such lay-bys will comply with road safety requirements and provide adequate capacity on the road. No new access onto National Primary and Secondary Roads will generally be permitted.</p> <p>Exceptional circumstances may be considered if they comply with Section 2.6 of <i>Spatial Planning and National Roads- Guidelines for Planning Authorities – Department of the Environment, Community and Local Government (January 2012)</i> the exceptional circumstances, as agreed with the National Roads Authority are detailed in the Transport and Infrastructure chapter of this Plan.</p>



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Topic	Standards / Guidelines
Air Pollution	The main threat to air quality is emissions from road traffic and coal fires. Air pollution can affect the health and well-being of sensitive population groups and eco-systems. The most sensitive areas in relation to air quality are built-up urban areas. The Council will have regard to the EU Framework Directive on Air Quality assessment relating to air quality standards. Regard shall also be had to the EPA document "Air Quality in Ireland" 2012.
Appropriate Assessment	An Appropriate Assessment (AA) shall be undertaken in accordance with Article 6 of the Habitats Directive and <i>Appropriate Assessment of Plans and Projects, Guidance for Planning Authorities</i> , DEHLG, 2009 for any plan or project likely to have adverse effects on the integrity of the Natura 2000 network whether directly (insitu) or indirectly (exsitu) or in combination with other plans or projects.
Archaeological Assessment	A proposed development (due to location, size or nature) which may have implications for the archaeological heritage of the County may be subject to an Archaeological Assessment which may lead to further subsequent archaeological mitigation.
Bonds and Securities	<p>To ensure the satisfactory completion and maintenance of developments undertaken by private developers, the Council will impose, where appropriate, as a condition of permission that a security be lodged with the Council, to achieve that end. The security shall consist of a cash deposit, security bond or other security acceptable to the Planning Authority, which shall be lodged with the Planning Authority prior to the commencement of the development.</p> <p>The amount of the bond and security will be determined on a case by case basis to cater for all types of development.</p>
Broadband	All new buildings should be broadband enabled.



Topic	Standards / Guidelines
<p>Building Line</p>	<p>National routes: National Primary Minimum 50 m National Secondary Minimum 30 m Other roads: Minimum 20 m</p> <p>It is desirable that all developments are set back as far as possible from roads in order to minimise their impact. In certain instances the building line will be established by reference to the adjacent structures.</p> <p>All large agricultural/commercial structures may need to be set back further from the road than the guidance given above. Local surroundings will determine the appropriate building line when dealing with individual planning applications.</p>
<p>Biodiversity</p>	<p>All development proposals shall seek to integrate, protect and enhance biodiversity features on site, and in the vicinity of the site where relevant. Biodiversity features include trees, hedgerows, earth banks, riparian zones etc. Advice in this regard is contained in Chapter 10 of this Plan.</p>
<p>Childcare Facilities</p>	<p>All childcare facilities shall have regard to the Department of the Environment, Heritage and Local Government Publication '<i>Guidelines for Planning Authorities for Childcare facilities</i>', 2001 and the Childcare Regulations 2008.</p>



Topic	Standards / Guidelines
<p>Contributions and Development Charges</p>	<p>Development charges will be levied in accordance with the development contribution schemes adopted by the Planning Authority and in force at the time. Separate charges will also be required for road openings. No road openings shall be carried out without the permission of the roads department.</p> <p>A contribution will be required in relation to the provision of car parking facilities where a proposed development requires the provision of car parking and the applicant/developer is unable to provide this on-site parking to the satisfaction of the Planning Authority. Parking levies will only be acceptable where the Planning Authority considers that the contribution can be spent in the provision of alternative parking serving the development. Where this is not possible planning permission for the proposed development will not be granted.</p> <p>A special contribution will be required where other specific improvements have been provided or are deemed necessary to facilitate a development. These include:-</p> <ul style="list-style-type: none"> • Improvements and/or upgrading of the public road network which are deemed necessary to facilitate a development or to make good the network resulting from deterioration during the construction phase or other aspects of the development, or measures introduced as part of a traffic management scheme. • The extension of the public footpath and public lighting networks. <p>The charge will be calculated as appropriate to the circumstances of the individual development.</p>
<p>Design (General)</p>	<p>The emphasis should be on quality in relation to materials, design and landscaping and these should be clearly outlined in the initial stage of an application or in design statements where required. Simplicity in design, materials and finishes is advised.</p> <p>Modern and innovative designs will be considered where appropriate and where these proposals reflect the scale and form of the landscape.</p> <p>Applicants shall have regard to '<i>Quality Housing for Sustainable Communities-Design Guidelines (2007)</i>' issued by Department of the Environment, Heritage and Local Government and <i>Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (Cities, Towns and Villages) DoEHLG 2009</i>.</p>



Topic	Standards / Guidelines
<p>Design Consideration for Energy Consumption</p>	<p>Positioning of the development to maximise solar gain and to make use of free energy is encouraged.</p> <p>In conceiving design proposals it will be necessary to give consideration to the Buildings Energy Rating (BER) Regulations and to the Building Regulations 2011 (Part L - conservation of fuel and energy).</p>
<p>Environmental Impact Assessment</p>	<p>An EIS will be required as part of a planning application where the thresholds outlined in Schedule 5 of the Planning and Development Regulations 2001 are met. The Planning Authority will also exercise its powers under Section 103(1) to require an EIS for sub-threshold development where it is considered that the development would be likely to have significant effects on the environment.</p>
<p>Extractive Industry</p>	<p>Proposals for development shall have regard to the following:</p> <ul style="list-style-type: none"> • Section 261 and Section 261A of the Planning and Development Acts 2000 – 2013) • The Department of the Environment, Heritage and Local Government <i>Quarries and Ancillary Facilities Guidelines 2004</i>. • The <i>EPA Guidelines for Environmental Management in the Extractive Sector 2006</i>. <p>Where extractive developments may impact on archaeological or architectural heritage, regard shall be had to the DoEHLG <i>Architectural Conservation Guidelines 2004</i> and the <i>Archaeological Code of Practice 2002</i> in the assessment of planning applications.</p> <p>Where extractive development may significantly effect the environment or Natura 2000 sites, regard shall be had to EIA guidelines and <i>Appropriate Assessment of Plans and Projects, Guidance for Planning Authorities</i>, DEHLG, 2009.</p> <p>Reference should also be made to the <i>Geological Heritage Guidelines for the Extractive Industry 2008</i>.</p>

Topic	Standards / Guidelines
Flood Risk Management Standards	<p>All proposals for development shall:-</p> <ul style="list-style-type: none"> • Avoid inappropriate development in areas at risk of flooding unless it is demonstrated that such development is necessary on wider sustainability grounds <u>and</u> the flood risk can be managed to an acceptable level without increasing flood risk elsewhere. • Ensure that new developments do not increase flood risk elsewhere, including that which may arise from surface run-off and / or flow obstruction. • Ensure that all new developments of significance located upstream of flood risk or vulnerable areas, provide stormwater attenuation measures so as to restrict water flows from the proposed development. • Require all urban developments of significance to incorporate and provide the full suite of 'sustainable urban drainage systems' (SUDS) measures in order to minimise the extent of hard surfacing, culverting and surface water run-off. • Ensure that new developments allow access / buffer areas for channel clearing /maintenance, where appropriate. • Ensure effective management of residual risks for development permitted in floodplains and other identified flood risk areas. • Ensure that the requirements of EU and national law in relation to the natural environment and nature conservation are complied with at all stages of flood risk management. • Ensure that flood vulnerable developments in flood risk areas considered necessary in order to meet the objectives of this plan, or otherwise required on wider sustainability grounds, will be subject to the development management justification test as outlined in the <i>Planning System and Flood Risk Management guidelines (DoEHLG 2009)</i>. • Ensure that unnecessary restrictions on national, regional or local economic and social growth are avoided.



Topic	Standards / Guidelines
<p>Flood Risk Assessment (FRA)</p>	<p>The Planning Authority requires all development proposals potentially impacting on flood risk areas to provide a detailed Flood Risk Assessment (FRA). Flood Risk Assessments shall be prepared by suitably qualified persons and shall adhere to the recommendations of the <i>Planning System and Flood Risk Management guidelines (DoEHLG 2009) or any subsequent updates</i>.</p> <p>As part of this the following shall be included:-</p> <ul style="list-style-type: none"> • Description of the existing site and catchment area. • Description of the proposed development and the potential impact of flood risk to and resulting from the development in the absence of mitigation. • Description of existing flood risks. • Summary of the proposed mitigation. • A summary of residual risks. • Supporting information.
<p>Home Composting</p>	<p>Individual dwelling units shall incorporate a home composting unit capable of composting un-cooked organic waste.</p>
<p>Infill Sites</p>	<p>Infill development is development on unoccupied/underutilised land that is generally located between two developed sites.</p> <p>Infill development must have regard to the main adjoining existing uses, design features, building lines and heights, as well as the existence of any features such as trees, built and natural heritage and open spaces on the site or on adjoining sites.</p> <p>Proposals for infill development must demonstrate how they will integrate satisfactorily with the adjoining developments, without any loss of amenity.</p>
<p>Invasive Alien Species</p>	<p>Development sites must be free of invasive alien species prior to the commencement of development – refer to the Birds and Habitat Regulations, 2011 (Section 49).</p>

Topic	Standards / Guidelines
Light Pollution	<p>The limitation of light pollution is important in the interests of nature conservation, residential amenity and energy efficiency. External illumination shall be minimised taking into account the minimum required for security and health and safety; therefore all external lighting:-</p> <ul style="list-style-type: none"> • shall be properly cowled and directed away from the public roadway and shall also not be visible from any point more than 200 metres away from the light, • shall not point upwards, • shall be sensor controlled, • shall be energy efficient, • shall be sensitive to protected species, where applicable. • shall take account of the 'Campaign for Dark Skies' issues where appropriate.
Management Agreements/ Company	<p>For development where there are two or more dwellings that share infrastructure the developer shall be required to establish a management company for the upkeep and maintenance of the development (two or more houses and/or access road is defined as a housing estate). The management company shall remain in place until the development is taken in charge by the Council. Procedures for taking in charge are detailed in Circular letter PD 1/08 issued by the Department of the Environment, Heritage and Local Government and in Kerry County Councils '<i>Policy on taking in charge of housing estates</i>' (2008).</p>
Noise Pollution	<p>Noise pollution has become an increasingly important issue as it affects quality of life and also has health impacts. The Council will require applicants to reduce noise and/or vibration at site boundaries or within adjacent sensitive areas, especially residential areas, by measures such as layout, design and/or attenuation mechanisms.</p>
Peat Extraction	<p>A number of strategies/plans are being prepared nationally in relation to bogs, namely <i>A National Raised Bog SAC Management Plan</i> by the Department of Arts, Heritage and the Gaeltacht and <i>a Peatlands Strategy</i> by The Peatlands Council. The Council will have regard to these strategies/plans.</p>
Playgrounds	<p>Proposals for development for playgrounds will be determined with regard to the Kerry County Councils publication '<i>Developing Play in Kerry</i>' and EN1176 (the European Standard for playground equipment).</p>



Topic	Standards / Guidelines
Pre-Planning Meetings	Applicants are strongly advised to avail of the pre-planning service in order to discuss design, open space provision, carparking requirements and waste management.
Public Realm	<p>The public realm is the term used for all the spaces between buildings in towns to which the public has access. This includes streets, squares, greens, parks and footpaths. The quality of the public realm within urban areas can make a positive contribution to the lives of people who frequent or visit them. Poor public realm contributes to crime and reinforces negative perceptions of a place.</p> <p>All new developments in towns shall demonstrate how the proposed development will contribute to the creation/maintenance of a high quality public realm.</p>
Rain Water Harvesting	Rainwater harvesting systems may be considered on their individual merits.
Recycling & Waste Disposal	Individual dwelling units shall incorporate an area for storage of recyclable material. Adequate provision shall be made for waste storage and disposal.
Renewable Energy	<p>Wind Energy, Geo thermal, Biomass, Combined heat and Power and all other forms of renewable energy will be considered in accordance with the Renewable Energy Strategy adopted by Kerry County Council in 2012.</p> <p>The use of small wind turbines and solar panels shall be encouraged where appropriate. Exemptions for small wind turbines and solar panels are detailed in Statutory Instrument no. 83 of 2007, Planning and Development Regulations 2007.</p>
Retailing	All proposed retail development must have regard to the retail strategy in chapter 6 of this Plan and the Department of the Environment, Community and Local Government, ' <i>Retail Planning Guidelines for Planning Authorities</i> ', and associated ' <i>Retail Design Manual</i> ' (April 2012).



Topic	Standards / Guidelines
Road Safety Audit	<p>Certain development proposals will be required to be accompanied by a road safety audit. The audit must be carried out by suitably qualified personnel in accordance with the recommendations of the National Roads Authority. The following criteria shall be used in determining when a proposed development requires a safety audit:-</p> <ul style="list-style-type: none"> • Where there is any change to the layout to an existing National Primary, National Secondary or Regional road network as a result of the development other than single residential development. • Where there is a new access to the remaining road network as a result of the development and the daily flow is expected to exceed 500 vehicles per day or 50 vehicle movement in the peak hour. • Where there is a change in junction control as a result of the development, e.g. a roundabout to traffic signals. • For those developments where an EIA(Environmental Impact Assessment) or TIA (Traffic Impact Assessment) is required and where traffic growth on the adjacent roads is forecast to increase by over 5%, provided the increase is in excess of 500 vehicle movements per day. • Where there is a change to pedestrian and/or cycle routes as a result of the development, i.e. an increase in pedestrian or cycle flows by at least 5%, provided that the increase is in excess of 50 per hour. • For those developments where there is a significant change in modal split, e.g. an increase in heavy goods vehicles by 20%. • For those developments where there is special consideration of road safety matters, where the development traffic could substantially affect a road with a sensitive existing land use type, e.g. a school or hospital. • Where otherwise deemed necessary by the Planning Authority in the interests of road safety.



Topic	Standards / Guidelines
Sanitary Services	<p>Where public services are available (or likely to be), the development will be required to be connected to these services.</p> <p>Pumping of effluent to the public sewer will generally not be permitted.</p>
Services	<p>All new services including electrical and telecommunications shall be located underground.</p>
Schools	<p>All proposals for schools shall have regard to the Department of Environment, Heritage and Local Government and Department of Education and Science document - <i>Provision of Schools and the Planning System – A Code of Practice for Planning Authorities (2008)</i> and to the Department of Education and Skills <i>Technical Guidance Document (TGD) 025 & 027</i> and all other relevant technical guidance documents.</p>
Smarter Travel	<p>The Council shall be informed by the '<i>Design Manual for Urban Roads and Streets</i>' (March 2013) – Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government when designing urban roads and making provision for both pedestrian and cycle movement.</p>
Surface Water	<p>Surface water shall be disposed of to soak pits on site or watercourse(s) adjoining site and shall not be allowed to flow onto the public road or to adjoining properties.</p> <p>Developments are required to incorporate sustainable storm water management systems for the disposal of surface water arising from the development. A Sustainable Urban Design System (SUDS) will be required for all new developments. Details must be submitted as part of the planning application. Where possible the full suite of SUDS measures should be considered.</p>
Sustainability Assessment Report	<p>All applications for residential and commercial/industrial units shall contain a Sustainability Assessment Report outlining the use of sustainable methods such as energy demand reduction, renewable energy supply, water conservation and recycling, promotion and use of sustainable urban drainage.</p>



Topic	Standards / Guidelines
Traffic and Transport Assessments	<p>All significant development proposals shall be accompanied by a Traffic and Transport Assessment and/or road safety audits and refer to the NRA's Design Manual for Roads and Bridges and to the Traffic Management Guidelines as stated in the <i>Spatial Planning and National Roads- Guidelines for Planning Authorities – Department of the Environment, Community and Local Government – (January 2012)</i>.</p>
Waste Water Treatment Systems	<p>All on-site wastewater treatment systems, for Single houses, shall be designed, installed and maintained in accordance with the EPA Code of Practice: "<i>Wastewater Treatment and Disposal Systems Serving Single Houses</i>" (2009),</p> <p>The EPA Wastewater Treatment Manual "<i>Treatment Systems for Small Communities, Business, Leisure, Centres & Hotels</i>" (EPA, 1999) shall be used for other developments.</p> <p>All on-site wastewater treatment systems shall comply with the relevant part(s) of I.S. EN 12566 and Circular PSSP1/10 and all amended and updated documents/publications.</p>
Water	<p>An adequate supply of potable water is required for every unit. A water meter shall be provided for each individual unit.</p>



13.3 Standards for Residential Developments in Urban Areas

Topic	Standards / Guidelines
Apartments	<ul style="list-style-type: none">• Proposals for the development of apartments shall comply with the minimum size as set out in the <i>'Sustainable Urban Housing: Design Standards for Apartments' 2007 published by the Department of the Environment, Heritage and Local Government.</i>• It would not be in the interests of sustainable development if all apartments were designed to meet the minimum standard. The planning authority therefore, will expect these standards to be exceeded for most apartments particularly when contained in one block.• Adequate private open space shall be provided at 5m.sq. per apartment.• Adequate public/shared open space shall be provided at 10m.sq per bedroom.• Adequate provision shall be made for communal and provide bin storage.

Topic	Standards / Guidelines
Boundaries, Screening and Landscaping	<ul style="list-style-type: none"> • A distance of 2.3 metres shall be provided between dwellings or pairs of dwellings for the full length of their flanks. This distance shall be divided equally between adjoining properties. • Where garages are provided at the side of houses, these may substitute for this required space provided that they incorporate a direct through access from the front to the rear of the premises. • In order to protect the privacy and residential amenity of the dwelling, all residential development shall include screen walls of 2 metres in height around the private rear garden space, which is behind the building line, where the site abuts roads, pedestrian ways and public open space. • Front boundary treatment shall be uniform throughout the development and shall be clearly indicated at planning application stage and agreed with the Planning Authority. • A landscaping plan shall be submitted with a planning application which specifics how plantings will be used to integrate the proposed development into the landscape and screen the development from the public road. • On elevated sites which can be viewed from a number of points the proposed landscaping scheme will demonstrate how plantings will be used to screen the development from the wider area. • Planting schemes shall not include invasive alien species and shall give precedence to locally provenanced native species, boundaries in particular shall be of native plant species. • Prior to occupation the applicant shall submit a certificate of compliance prepared by a suitably qualified person with professional indemnity insurance indicating compliance with all landscaping conditions pertaining to any grant of planning permission. • Fences and boundaries should be durable, maintenance free, permanent ie not timber panels etc. The boundaries shall also be childproof along a hazardous area e.g. a steep slope. A drawing at application stage should clearly identify all proposed boundaries to prevent ambiguity. • Facilitate planting and landscaping for biodiversity, food production and recreational amenity uses and promote the sustainable development of productive green spaces.



Topic	Standards / Guidelines
<p>Building Lines and Private Open Space</p>	<ul style="list-style-type: none"> • Within residential development, the building line shall not be generally less than 7.5 metres as measured from the inside edge of the footpath. A revised building line will be considered where the layout and overall design concept and its relationship to existing adjacent developments warrant such consideration. • On green field sites outside of town centre areas dwellings shall be provided with not less than 48m² of private open space. • A minimum of 22 metres shall be generally provided between directly opposing first floor habitable rooms. This may be reduced subject to good design and the individual design requirements of the site where it can be demonstrated that residential amenity and adequate light is not compromised.
<p>Density</p>	<p>In the consideration of density the Planning Authority shall have regard to '<i>Sustainable Residential Development in Urban Areas</i>' 2009 and the '<i>Urban Design Manual- A Best Practice Guide (2009)</i>' issued by the Department of the Environment, Heritage and Local Government.</p> <p>County Kerry is a rural county and it is felt that imposing high densities more appropriate to large cities is not in keeping with the large urban areas. Therefore a general standard of 10 – 12 dwellings per hectare is usually acceptable. However each application will be looked on its own merits and higher density levels may be applicable to certain urban areas.</p>
<p>Design/ Finishes, Internal Cohesion</p>	<p>A high quality of layout and architectural design can be realised over a wide range of densities and in particular in larger scale developments a range of different dwelling units can be incorporated. Developments should however provide for a degree of overall cohesion in relation to building heights, finishes and boundary treatments.</p> <p>In relation to low-density housing developments and in particular where dwellings are individually constructed, the height of the proposed development should be broadly similar. A design statement is required which in addition to other particulars will examine the relationship and integration of the proposed development to adjacent developments.</p>

Topic	Standards / Guidelines
Holiday Home Developments	<p>Where it is intended to build a holiday home development in which the individual units are for sale the standards set out above are required. In circumstances where it is intended that the development remain in the one ownership under a management company, the Planning Authority will in certain circumstances, consider proposals by the applicant to vary these standards.</p>
Names of Residential Developments	<p>The names of residential developments and roads shall reflect local place names, particularly townlands or local names which reflect the landscape, its features, culture and/or history within which developments are located, including names of historical persons who have some association with the area.</p> <ul style="list-style-type: none"> • The name of the development may be displayed in Irish or both English as well as the Irish language. • Kerry County Council shall approve the names chosen prior to the launching of any advertising campaign for a development. • Name plates should be durable and maintenance free and fixed to walls and buildings where they are clearly visible to the motorist, cyclist or pedestrian on approaching, from both directions. • This signage shall be approved by the Local Authority and shall be assessed on the basis of design and durability. • In Gaeltacht areas the name shall be in Irish only.
Parking	<p>A minimum of two car-parking spaces shall be provided within the curtilage of each dwelling house or in clusters/housing estates within ease of access to the dwelling unit. Additional car parking spaces for visitor shall also be provided in clusters within the proposed development.</p> <p>There shall be a presumption against the parking of trucks and commercial vehicles in residential areas. Any trucks or commercial vehicles whose engine is running during the night will be prohibited in residential areas.</p> <p>For other developments see the parking guidelines in this section 13.5 (pg. 221).</p>



Topic	Standards / Guidelines
<p>Public Open Space in Residential Developments</p>	<ul style="list-style-type: none"> ● Public open space is one of the key elements in defining the quality of the residential environment. ● Usable public open space shall be provided at a suitable location and an agreed amount. ● Well designed open space is even more important in higher density residential developments. In the assessment of the qualitative and quantitative open space provisions proposed in any development the Planning Authority shall adhere to the <i>Sustainable Residential Development in Urban Areas (2009)</i>. ● The provision of public open space shall include proposals for the drainage and landscaping of the public open space area. ● In residential developments being built in one phase, if it is proposed to sell and occupy any dwelling prior to the completion of the remaining dwellings within the estate, the open space, footpaths and road surface shall be completed as far as these dwellings. ● For larger developments the applicant shall submit proposals for the phasing of development. ● Green areas shall not be made into mounds where spoil and site rubbish are disposed of on site and then grassed over. These mounds are difficult/dangerous to mow and can be unplayable for children – they are not utilisable. The applicant shall submit a number of cross sections of the open space with any planning application. ● Public green areas should be available for the use of all residents and shall not be held in private ownership which excludes the enjoyment of the space by all residents.
<p>Service Roads</p>	<ul style="list-style-type: none"> ● Where a road is provided to service the development it shall be to the satisfaction of the Planning Department and Roads Department of Kerry County Council. ● At a minimum it shall be 5.5m for 2 way traffic. Gates/piers at entrance can reduce this locally. ● Stop signs and thermoplastic stop lines are required at the entrance onto the public road and at all internal junctions in accordance with the NRA'S Roads Signs Manual.

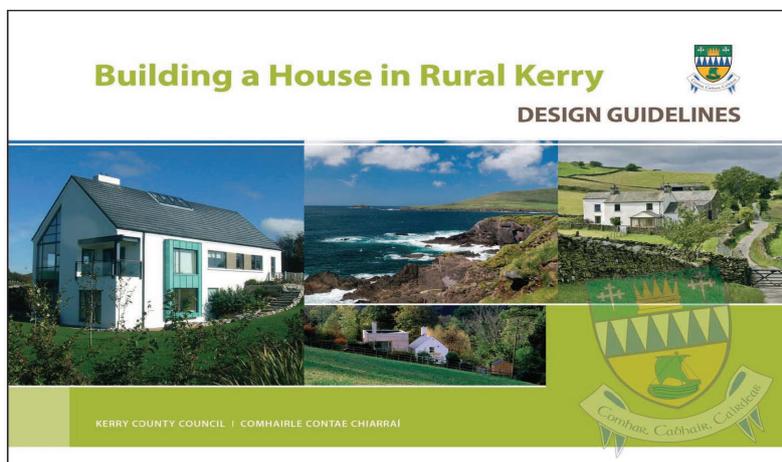


Topic	Standards / Guidelines
Site Development Standards	<p>The construction standards of all services, including roads and footpaths, shall be provided in accordance with Department of the Environment and Local Government publication “<i>Recommendations for Site Development Works for Housing Areas</i>” (1998).</p> <p>All site development works shall be agreed with the Housing Estates Unit of Kerry County Council.</p> <p>Planning applications for major housing developments will require that the developer indicates a suitable location for use as a Bring Bank. The local authority will in all instances determine whether a site for a Bring Bank is required. The location and size of the area allocated shall be agreed with the Environment Section of Kerry County Council prior to the submission of a planning application. The Bring Bank shall be developed at a time, to an extent and for periods to be determined by the Local Authority. Bring Banks will be managed by the Local Authority or their agents.</p>
Street Design in Urban Areas	<p>Developments in urban areas shall have regard to the ‘<i>Design Manual for Urban Roads and Streets</i>’ (March 2013)– Department of Transport, Tourism and Sport and the Department of the Environment, Community and Local Government.</p>
Urban Design Statements	<p>The Planning Authority shall require that all applications for new development in excess of four dwellings (less than four dwellings if it is deemed appropriate) and commercial developments, should be accompanied by a design statement. The criteria above and the criteria listed in the <i>Guidelines for Planning Authorities on Sustainable Residential Development in Urban Areas (cities, towns and villages)</i> (May 2009) - Department of Environment, Heritage and Local Government, shall be used as a guide for any design statements. Design statements shall also include details and calculation of plot ratio and site coverage for the site.</p>

13.4 Residential Development in Rural and Non-Serviced Sites

The standards hereunder apply generally to residential development in non-serviced areas i.e. where no public wastewater scheme and/or water are available.

Topic	Standards / Guidelines
Boundary Treatment	<p>The line of existing roadside boundaries in rural areas should be retained where possible, particularly along scenic roads, subject to traffic safety considerations, whereby setback may be required.</p> <p>The area between the new and old roadside boundary shall be levelled, drained and surfaced in a suitable material and kept free of any obstruction. If the front boundary or a section of the front boundary is removed it shall be reinstated with the use of indigenous locally sourced planting and materials.</p> <p>Existing sod and stone boundaries should be reinstated as existing.</p>
Design	<p>The need to preserve outstanding scenic landscapes and views of special importance should be recognised.</p> <p>Dwelling houses should respect their location in terms of height, scale, materials used and finishes. They should be sited and designed to ensure minimal visual intrusion.</p> <p>Preferred Materials: local stone, neutral painted plaster finishes, dark coloured slates or flat tiles.</p> <p>Regard shall be had to <i>'Building a House in Rural Kerry – Design Guidelines'</i>, Kerry County Council(2009).</p>



Topic	Standards / Guidelines
Entrance	<p>Entrance gates shall be recessed 4.5 metres behind the line of roadside hedgerow with side boundaries wing walls splayed at an angle of 45 degrees to the public road carriageway.</p> <p>Opportunities for shared use of access or combining access points should be availed of.</p> <p>The opening of an access shall not interfere with existing roadside drainage. Where an existing drain requires culverting a pipe of a diameter specified by the Roads Authority shall be laid.</p>
Parking	<p>Minimum 3 spaces required within curtilage of the site.</p>
Renovation	<p>Renovation of derelict houses should, in certain instances, be encouraged as a more sustainable option than the construction of a new dwelling.</p>
Screening and Integration	<p>The design and location of the dwelling shall be influenced by the existing screening on the site. Additional screening and planting may be required to integrate the dwelling into the site and to screen the development from the public road; this shall be clearly demonstrated on a landscaping plan.</p> <p>On elevated sites which can be viewed from a number of points the proposed landscaping scheme will demonstrate how plantings will be used to screen the development from the wider area.</p> <p>Particular attention shall be paid to landscaping in seaside areas which can be problematic. The correct choice of planting is crucial in order for them to survive and landscaping to be of any benefit.</p> <p>Planting schemes shall not include invasive alien species and shall give precedence to locally provenanced native species, boundaries in particular shall be of native plant species.</p> <p>Regard shall be had to <i>'Building a House in Rural Kerry – Design Guidelines'</i>, Kerry County Council (2009) in relation to guidance on the most suitable position of the site for the dwelling.</p>



Topic	Standards / Guidelines
<p>Sewage</p>	<p>Where a connection to the public sewerage system is not available, sewage shall be adequately treated on-site in such a manner that it will not cause environmental pollution, be prejudicial to public health, or cause residential amenity problems such as odour or ponding of effluent.</p>
<p>Septic Tank and Proprietary Treatment Systems</p>	<p>Treatment systems shall be designed, installed and maintained in accordance with the Environmental Protection Agency Code of Practice “<i>Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)</i>”, (2009) or any amending or replacement Code of Practice, standard or legislation.</p> <p>Only one dwelling unit shall be connected to a single septic tank.</p> <p>All areas within 1km of a public drinking water source will be regarded as Nutrient Sensitive Areas and the effluent from any onsite waste water treatment system proposed within these areas must comply with all the parameters listed in Table 5.1 of the EPA Code of Practice.</p>
<p>Site Curtilage</p>	<p>The site curtilage required to accommodate dwellings should reflect the size and scale of the proposed development bearing in mind its integration into the landscape, its proximity to public roads and adjoining dwellings as well as the standard environmental requirements and shall be a minimum of 0.2 hectares. In the case of the following:</p> <ul style="list-style-type: none"> • renovation of existing dwellings, • where the renovation of a dwelling requires the retention within revised site boundaries of an adjacent dwelling, the retention of this dwelling, • an infill site, <p>site areas which fall below this threshold will be considered, where the applicant can satisfactorily demonstrate that adequate provision can be made for the disposal of effluent and the other provisions of the Plan with regard to development.</p>

13.5 Parking

The parking standards below shall be applied to all developments whether new construction, additions or change in the use of existing buildings. In relation to a land use not specifically included in Table 1 below the car parking provision will be determined by the Planning Authority having regard to the particular circumstances.

Car parking and service facilities shall be provided entirely within the curtilage of the development or convenient to the principal use served and access to parking shall meet the minimum sight distances specified. They should be sited so as to ensure minimum interference with the amenity of adjoining premises.

Table 1

Land Use	Units	Parking Space
Dwelling House		
Rural detached	1 Dwelling	3
Town/village	1 Dwelling	2
Housing Estate	1 Dwelling plus visitor space/ per dwelling	2 0.5
Apartment	Per bedroom	1
Clinics, Surgeries	Per Staff member Per Consultancy room	1 4
Schools	Per Staff member Bus set down / 200 pupils Car set down/ 30 pupils Schools shall also provide an over-flow car park on the site the can be used for parking on parent/teacher nights and other such occasions but can also be used for recreation by the pupils during school time. All applications for new schools and extensions to schools shall provide a traffic management plan, including safe drop off/collection points, appropriate car parking/bus spaces/ bus parking and an over-flow car park as indicated above. Other relevant traffic information shall also be included.	1 2 1
Offices	Per 100 sq. m.	3



Land Use	Units	Parking Space
Shops, Retail Stores etc.	Per 100 sq. m.	5
Convenience Retail Shops	Per 100 sq. m. Per staff member	7 1
Banks and Libraries	Per 100 sq. m.	4
Hotels and Guesthouses	Double bedroom or two single bedrooms In the case of hotels a space for a bus shall also be provided.	1
Hostels	Per Staff Member Per 5 Bed Spaces	1 1
Bars, Lounges and Function Rooms (including hotel facilities)	Per 10 sq. m. (public area)	2
Restaurants, Cafés (including hotel facilities)	Per 10 sq. m. (dining area)	2
Church, Cinema, Theatre	Per 3 seats	2
Dance Hall, Private Dance Club	Per 10 sq. m. (dance floor and sitting space)	1



Land Use	Units	
Manufacturing Industry	Per 100 sq. m.	3
Warehousing	Per 100 sq. m.	2
Golf, Pitch and Putt	Per Hole	3
	Per staff member	1
Sports Ground / Club	Per pitch An application for playing pitch/sports ground/club shall provide an off road over-flow car park to be used for matches. All applications for new playing pitch/sports ground/club schools and extensions to same shall provide a traffic management plan, including, appropriate car parking/bus spaces/parking and an over-flow car park as indicated above. Other relevant traffic information shall also be included.	25
Funeral Homes	Per Unit	60
	Per Staff Member	1
Nursing Homes	Per Bed space	1
	Per Staff Member	1
Childcare Facilities	Per 4 Children	1
	Per Staff Member	1
Playgrounds	Per 40 sq. m.	1



13.5.1 Bus Parking

Large retail developments and developments serving the public directly such as recreational facilities shall make provision for the parking and turning of buses. Such provision shall allow for the requirements of buses equipped to meet the needs of the disabled such as access ramps. The level of bus parking required will be determined by the Planning Authority, if it is not outlined in the table above.

13.5.2 Bike Stands

In order to support a modal shift in transport in urban areas, secure bicycle parking facilities shall be provided within the site curtilage of developments incorporating apartments, schools, offices, retail stores, libraries, manufacturing industry, warehousing and sports grounds. Bicycle parking stands shall be well protected. **The number of bike stands shall constitute 1/10 of the parking spaces provided.**

13.6 Signage

Kerry County Council recognises the role of well located and sympathetically designed signage, whether attached to a building or free standing, to contribute to the character and vitality of commercial areas. However, whether by design, scale, location, proliferation or ancillary issues such as manner of lighting, advertising has the capacity to seriously injure the visual qualities of an area and on occasion, pose a hazard to motorists through distraction.

Kerry County Council will seek the removal of such advertisements and permit only advertisements which are designed sensitively and sympathetically and which enhance the appearance and vitality of an area. Under the Roads Act 1993 the consent of the Road Authority is required for any sign or structure erected on a public road.

Planning permission is required where the sign is on private property unless deemed exempt under the Planning and Development

Regulations 2001-2013. Under the 1997 Litter Pollution Act, the Local Authority has powers to remove any sign that is not exempted development or does not have permission under the Planning Acts.

It should be noted that there are certain planning exemptions for signage under Part 2, Article 6 of the Planning and Development Regulations 2001-2013.

In general the sign should be an integral part of the elevational design of the building. The following criteria shall be used in assessing applications for signage.

13.6.1 Signage - In General

All signage proposals, shall:-

- Not compromise road safety.
- Not be internally illuminated and shall be hand-written where appropriate.
- Be of a high visual quality in terms of design, colour and materials.
- Be, as appropriate, of a scale/character suitable to the subject building and the host environment.
- Not interfere with windows or other façade features or project above the skyline.
- Not detract from built or natural heritage.
- Comply with shop front policies set out in the urban design policies.
- Abide by the provisions of The Official Languages Act 2003, An tOrdú Logainmneacha (Ceantair Ghaeltachta) 2004, Signage Regulations S.I. No. 391 of 2008 and the Road Traffic Manual in relation to the use of Irish and English on various types of signage and the NRA Road Signage Guidelines.
- Be attached to a wall/pole, i.e. free standing signs will generally not be permitted.
- Limit advertising to commercial areas where it is already a feature.

- Prevent an impression of clutter in any location.
 - Ensure that the use of electronic variable messaging signs commonly known as “VMS signs”, shall be reserved strictly for use in roadwork activities, hazard information and or as part of an approved event traffic management plan. Advanced written consent of Kerry County Council will be required prior to installation and usage of such signage.
 - Promote the use of multi-media and mobile media i.e. smartphone ‘apps’ and social networking (facebook, twitter, etc) instead of traditional road signs for directional and advertising information.
 - Restrain the use of corporate image advertising in chain outlets where these are considered to be too dominant.
- are not acceptable on or near buildings of architectural or historical importance, in parks, Architectural Conservation Areas and in areas of high amenity.
- Only permit general advertising signage on the subject business/development.
 - Encourage the use of grouped advertising signs in industrial estates/enterprise centres.
 - Permit on-site advertisements, small in scale, where they are considered not to detract from the environment.

13.6.2 Advertising Signage

All proposed advertising signage shall meet the following criteria:-

- All signs will only be considered where an advertising “need” can be demonstrated. In this context the term “need” relates to the requirements of the travelling public and not the desire of the applicant to advertise as widely as possible.
- In general advertisement structures will not be permitted at roundabouts, at traffic signalised junctions, at locations where they obstruct sight lines, compete with other traffic signs, give rise to confusion for road users or endanger traffic safety.
- Applications for road side signage along national routes and along approach roads to towns and villages will generally not be permitted, in accordance with the provisions of Section 3.8 of the DoECLG Spatial Planning and National Roads Guidelines (2012).
- Large scale commercial advertisements

13.6.3 Directional Signage

Direction Signs for local premises distant from the main traffic routes may be permitted under an annual licence provided:-

- They are finger post signs only.
- The maximum area of the sign shall be 0.7 sq.m.
- The information contained on the sign shall be of a directional nature only.
- The premises shall not be located greater than 2 kms from the sign.
- The maximum number of signs shall generally not exceed two.
- The signs shall not give rise to a traffic hazard.
- In relation to public institutions, Kerry County Council will determine the necessity for directional signs.

13.6.4 Tourism Signage

All proposed tourism related signage shall meet the following criteria:-

- Signage for key tourism attractions, tourism routes, community facilities or other key public or infrastructural facilities will only be permitted on the subject development,

at the entry points to the host town/village, or in the immediate vicinity of key junctions leading to the subject development. At such locations signage for multiple facilities/attractions shall be grouped on a single sign.

- Applications for signage shall comply with the requirements of the “Policy on the Provision of Tourist and Leisure Signage on National Roads” March 2011 published by the National Roads Authority (or any such other relevant standards and legislation that may be enacted). All lettering, logos and symbols are subject to the approval of Kerry County Council.

13.6.5 Signage in the Gaeltacht

All proposed signage in the Gaeltacht shall meet the following criteria:-

- All signs in the Gaeltacht including finger post signs, shop-fronts and roadside signs, business/community signage shall be in Irish or bilingual with priority given to the Irish text. In all instances where new signage on shop-fronts in the Gaeltacht are proposed, the profession/type of business shall be in Irish, the applicant may contact the Irish office in relation to this.

13.6.6 Advertising Hoardings

Advertising hoardings, including tri-vision and three-dimensional signs, inappropriately located can constitute one of the most obtrusive elements of all forms of outdoor advertisement. They rely for their impact on size, scale and location and are thus usually detrimental to the character of the area in and in some cases contribute to a traffic hazard. Generally they are used to advertise a single product. The space is usually leased from the advertising company for a period of time as little as two weeks.

The practice of parking trailers or other mobile objects bearing advertisements in fields

adjoining roads has become a feature of Irish roads over the past number of years. Such advertisements can be harmful to the visual amenities of the area, represent a traffic hazard by virtue of distracting motorists and could have impacts on biodiversity.

In relation to large advertising hoardings the Council will:-

- Prohibit such advertisements in the open countryside, in architectural conservation areas and where they would detract from the visual quality of the setting of protected structures.
- In all other cases have regard to the visual impact of a proposed advertising hoarding and potential of traffic hazard arising from same.
- Consider advertising hoardings, of artistic merit on a temporary basis where they would screen a derelict building or other eyesore or where construction works are ongoing.
- Consider hoardings in industrial area where their presence by reason of scale and design is not out of character with the existing environment.

13.6.7 Temporary Construction Hoarding/Safety Netting along the Main Streets of towns and villages

Where construction hoardings/safety nets are required to be erected for periods in excess of 4 weeks along the main streets of towns and villages in the County, these shall be designed and maintained so as to screen the construction site and to contribute in a positive manner to the overall streetscape, pending completion of the development works.

The design of these hoardings may reflect some aspect of the area’s rich heritage (using local scenes) and/or inform pedestrians about the proposed development in a visually pleasing manner. The creative use of art, colour, images and graphics is encouraged

and an element of advertising may also be incorporated, subject to the agreement of the Planning Authority. All graphics, designs etc shall be submitted to the Planning Authority and written agreement shall be obtained prior to the erection of any such construction hoardings. It should be noted that a licence may be required for scaffolding/hoarding in certain instances e.g. on footpaths; the applicant shall inquire with the Council to see if a licence is required in each case.

13.6.8 Signage at Petrol Stations

- Minimal advertising will be permitted at petrol stations and shall generally be restricted to a single main pillar type sign structure, which shall not exceed 4.5 metres in height.
- Canopies should be appropriate to their setting in terms of height and design. They shall not be internally illuminated. A maximum of two signs shall be permitted on the canopy which shall be externally or halo lit. Where it is considered appropriate, the canopy shall be finished in slate or another approved material.
- The forecourt and adjacent footpath shall not be used for advertising whether for permanent or temporary structures.

13.6.9 Shop-Fronts

There has been a welcome trend in shop-front improvement as shop owners realise that a well-designed shop-front can contribute significantly to the attractiveness of the business. The Planning Authority will encourage good shop-front design, maintaining traditional shop fronts where appropriate, controlling advertising (particularly projecting signs) and generally improving the appearance of retail premises.

A well designed shop-front forms an integral part of the overall building relating to scale, proportion and vertical alignment as well as to adjoining buildings. Advertising should be an integral (not dominant) part of the facade and should be so designed. To achieve this,

the Planning Authority will assess a planning application having regard to: -

- Materials: the use of natural materials such as timber, stone and plaster which compliment the architectural character of the building itself and reflect existing finishes in the streetscape will be favoured.
- Advertising Matter: ground floor level advertising will be permitted while restricting advertising above this level. Advertising should be in scale with and not dominate or interfere with features of the shop-front. The numbers of projecting signs (particularly brand projecting signs) will be restricted. The use of traditional hand painted signs is preferable. The Planning Authority will not favour the use of (a) plastic (uPVC, Perspex) or (b) internally illuminated signage.



- Shutters: Applications involving roller shutters unless of the open grille or demountable type painted to match the existing shop-front will not be permitted. If shutters are to be used they should be placed internally behind the window display.

- Box shutters will not be permitted on shop fronts.
- Corporate Image: Developments involving the use of corporate logos/ advertising matter on shop fronts should be in accordance with good civic design and with existing streetscape.
- Applications for retail outlets should provide full details of the proposed shop-front. The proposed shop-front and the structure shall be considered in their entirety. The use of pastiche shop-front design on modern structures can be inappropriate and this should be borne in mind in preparation of the shop-front design.

13.6.10 Street Furniture

The footpath is primarily for pedestrian traffic, however the Council will consider the placing of tables and chairs on the footpath where they will not negatively affect pedestrian flows. A licence is required for this from Kerry County Council.

13.7 Family/GrannyFlat Extensions

- The creation of a family flat, generically referred to as *granny flats*, to be occupied by a member of the occupant family, is generally acceptable, provided it is not a separate detached unit and it is possible to provide direct access to the remainder of the house.
- There shall be no permanent sub division of the garden/private amenity space.
- The flat shall not be let, sold or otherwise transferred, other than as part of the overall property and shall revert to being part of the original house when no longer occupied by the 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 and from public view and retains the appearance of a single dwelling unit.

13.8 Home Based Economic Activity

In determining applications for developments involving working from home, the Council will have regard to the following considerations:-

- The number of persons operating in the proposed development shall be limited to only one person (generally).
- The nature and extent of the work proposed.
- The proposal should not negatively affect the amenities of adjoining occupiers, particularly in relation to hours of work, noise and general disturbance.
- Anticipated levels of traffic generated by the proposed development and the potential increased demand for parking.



- Arrangements for the storage of refuse and collection of waste.
- Effluent loading.
- There shall be a presumption against the parking of trucks and commercial vehicles in built-up areas. Any trucks or commercial vehicles whose engine is running during the night will be prohibited in residential areas.
- Light industrial uses/repair and storage of vehicles and trucks will not be permitted unless the Planning Authority is satisfied

that the residential amenity of adjacent properties is not affected.

13.9 Nursing Homes

In general, these facilities should be located close to a range of easily accessible facilities in towns and villages where the residents can more easily access local services.

In determining planning applications for change of use of a residential dwelling or other building to nursing/older persons care home, the following factors should be considered:

- Compliance with the standards as laid down in Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2009 and the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) (Amendment) Regulations 2010 (or any such other relevant standards and legislation that may be enacted).
- The affect on the amenities of adjoining properties.
- Adequacy of off street car parking.
- Suitable private open space
- Proximity to local services and facilities.
- The size and scale of the proposed facility must be appropriate to the area.
- Comprehensive landscaping plans must be prepared by a fully qualified landscape architect and shall be submitted at application stage.

13.10 Industrial and Commercial Developments

In general, these facilities should be located in appropriately zoned land in towns and villages or existing Industrial estates.

In determining planning applications for industrial and commercial developments, the following factors should be considered:-

- Adequate provision shall be made on the site for parking of vehicles, storage and stacking space. Storage and stacking areas shall be located to the rear of the building or where such facilities are located at the side, provision for screening shall be made. The building should not encroach within 4.5 metres of the side party boundaries.
- The front building line shall be determined in consultation with the Planning Authority and where required, the existing roadside boundary shall be set back.
- Any industrial or commercial development shall not by way of noise, odors, pollution and traffic or in any other way, be injurious to the residential amenity of neighboring properties.
- The expansion of industrial and commercial developments in rural areas will not be permitted where the new scale of the extended/new structure and commercial activity can not be accommodated by virtue of infrastructural limits or through any adverse impact on the environment.
- The Zoning matrix in the Local Area Plans (LAPs) shall be used as a guide to permitted uses in industrial estate/enterprise centres/business parks.

13.11 Camping/Glamping and Caravan Parks

The provision of tourist caravan parks to facilitate the expanding tourist industry is encouraged by the Planning Authority. Planning applications for new caravan parks will be required to submit a masterplan for the entire site to which the application relates indicating compliance with the provisions of this plan and adherence to Fáilte Ireland's publication entitled '*Model Standards for Caravan and Camping Parks*' updated in 2008. Proposal will also be assessed with regard to the following matters:-

- Caravan parks will not generally be permitted in proximity to the coastline.
- Location of the development relative to existing services including retail and social facilities.
- Availability of services to cater for the development.
- Impact on existing residential amenities - overlooking, increased traffic and general disturbance will be taken into account.
- Capacity of road to cater for the development - direct access onto national primary or national secondary roads will not be permitted.
- Landscaping - every application for a caravan park will be accompanied by a comprehensive landscaping plan both proposed and existing which in addition to creating an attractive residential environment effectively screens the development.
- An appropriate assessment under Article 6 of the Habitats Directive, where applicable, shall be carried out in consultation with the National Parks and Wildlife Service.
- Where a proposal relates to the extension of an existing caravan park, a master plan demonstrating how the proposal relates to, and integrates with, the existing park. Where the existing and proposed caravan park will share amenities the application will also be required to show the sufficient provision of amenities required to serve the enlarged population.
- Utilisation of natural landscape and land cover as screening.
- Waste management in terms of storage and disposal.
- Environmental carrying capacity.
- It is a requirement that agricultural buildings are designed, located and orientated in a manner that will minimise their environmental impacts. A number of exemptions apply to farm buildings as set out in Part 3 of the Planning and Development Regulations 2001 - 2013. These exemptions will generally only apply to farms in rural locations.
- All agricultural development that results in manure, soiled water and slurry etc shall comply with the *European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2010 [S.I. No. 610 of 2010], as amended by European Communities (Good Agricultural Practice for Protection of Waters)(Amendment) Regulations 2011 [S.I. No. 125 of 2011], and/or any substituting or amending regulations.*



13.12 Agricultural Buildings

The following will be taken into account in all proposals for new agricultural buildings:

- Proximity to adjacent dwellings.
- The rural character of the area.

13.13 Extractive Industry Standards and Guidelines

Extractive industries are resource and location based and the resource is often located in visually and environmentally sensitive areas and in close proximity to residential areas.

It is however a necessary and vital resource for the future development of the County. Consideration of this form of development is a difficult issue where environmental, heritage and visual considerations have to be weighed against economic, employment and development considerations.

Developments will therefore be assessed on the potential impact of the development on the designation/zoning. Particular constraints will be exercised in areas of archaeological importance, areas where views and prospects are listed, recorded monuments and environmental designated areas such as Designated Tourism Areas, Natura 2000 sites and Natural Heritage Areas (NHAs)/proposed Natural Heritage Areas (pNHA).

In the assessment of any application, the recommendations of the relevant statutory body will be sought and considered by the Planning Authority. Proposals shall comply with the provisions of the following guidelines / legislation:

- Section 261 and Section 261A of the Planning and Development Acts 2000 – 2013)
- The DoEHLG Quarries and Ancillary Facilities Guidelines 2004.
- The EPA Guidelines for Environmental Management in the Extractive Sector 2006.
- DoEHLG Architectural Conservation Guidelines 2004 and the Archaeological Code of Practice 2002.
- Geological Heritage Guidelines for the Extractive Industry 2008.

The visual impact of a quarry or a mine is likely to extend beyond the boundaries of the primary visual unit within which the development lies. A detailed landscape and visual assessment must be submitted with any proposal and used to determine the extent of the area of visual influence. This assessment shall be used in

the assessment of any proposal.

A scheme of rehabilitation and after care for the site upon abandonment / exhaustion of resource shall be submitted. Details to be submitted should include a report with plans and section drawings, detailing the following:

- Anticipated finished landform and surface/ landscape treatments (both of each phase and the whole excavation),
- Quality and condition of topsoil and overburden,
- Rehabilitation works proposed,
- Type and location of any vegetation proposed,
- Proposed method of funding and delivery of restoration/reinstatement works etc.

In addition a bond will be required to ensure the adequate restoration of the site. This bond shall be index linked.

Of paramount importance is the need to ensure that any proposal does not significantly adversely impact on any stated designation and the onus is therefore on the applicant/ developer to submit the relevant documentary information in this regard. An EIS will be required as part of a planning application where the thresholds outlined in Schedule 5 of the Planning and Development Regulations 2001 are met. The Planning Authority will also exercise its powers under Section 103 (1) to require an EIS for sub-threshold development where it is considered that the development would be likely to have significant effects on the environment. Where a development proposal is likely to have an adverse affect on the site integrity of a Natura 2000 site, an Appropriate Assessment under Article 6 of the Habitats Directive will be required.



13.14 Telecommunication Masts Standards and Guidelines

Telecommunications Antennae and Support Infrastructure shall have regard to the following Standards.

Topic	Standards / Guidelines
Access Roads	Access roads will be permitted only where they are absolutely necessary.
Design	<p>Due to the physical size of mast structures and the materials used to construct them, they can severely impact on both rural and urban landscapes. When dealing with applications, great care will have to be taken to minimise damage through discreet siting and good design.</p> <p>The design of the antennae support structures and of the antennae should be simple and well finished. They should employ the latest technology in order to minimise their size and visual impact. The mast antennae and equipment container should be a dull, neutral colour appropriate to the surroundings. White or bright colours will not be permitted.</p>
Landscape Consideration/ Amenity Areas and Natural Environment	<p>Applications for permission shall, where possible avoid the following areas:-</p> <ul style="list-style-type: none"> • Nationally, European or Internationally designated sites, • Primary and Secondary Special Amenity Areas, • Protected views and prospects, • Archaeological/geological sites, • Listed structures and monuments. <p>Notwithstanding the importance of these designations, the nature of the telecommunications network is that there is a requirement for elevated sites and the most suitable sites for antennae support structures are in upland areas.</p> <p>Any proposals for development in the areas referred to above will require the applicant to outline in detail the need to locate at this specific location and the alternatives considered.</p> <p>The Planning Authority will show due deference to individuals, residents, communities, institutions and amenities in dealing with telecommunication masts.</p>



Topic	Standards / Guidelines
Obsolete Structures	When antennae and their support structures are no longer being used and no new use has been identified, they should be removed and the site re-instated at the operator's expense.
Permanent Telecommunications Exchange and Radio Station Containers	In order to regulate the use of the facility the equipment housed in such containers shall be used exclusively for the purposes of concentrating and re-routing calls and the container shall not have on it, or within it, any antennae for the direct transmission or reception of mobile telephony or other telecommunications signals in such a way that the container would act as an antennae support structure.
Sharing Facilities and Clustering	<p>Due to their visual impact, it is desirable to limit the number of telecommunication masts. It is also necessary, however to provide adequate coverage throughout the County. The Planning Authority will seek to utilise existing masts through a policy of sharing.</p> <p>In order to promote the sharing of masts within the County the following requirements shall apply:-</p> <ul style="list-style-type: none"> • The applicant shall submit either a Discovery Series Map (OSI) or similar map type (to be agreed with Planning Authority) to the scale of 1:50,000 indicating the coverage area of the proposed facility. • The applicant shall submit details of correspondence with other telecommunications operators addressing the sharing of mast facilities in the area. • All new applications for telecommunication masts and associated facilities will be required where possible to share existing masts where there is an existing mast within the locality which will offer a similar level of coverage and is capable of hosting additional antennae. • Where it is not possible to share a support structure, the applicant will be encouraged to share a site or to locate adjacent to an existing structure so that masts and antennae may be clustered. • The applicant shall indicate in the application whether they are willing to share the proposed masts with other telecommunication operators.

