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## Section 3: Development Management

### 3.1 Reasons for Development Management

In order to ensure a high standard of design, layout and function in future developments, this plan contains a number of development standards. 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 Planning Authority (in the case of the plan area, this is Kilkenny County Council) 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 area.

### 3.2 New Residential Development

#### 3.2.1 Density

In assessing applications for residential development, the Planning Authority will have regard to the Sustainable Residential Development in Urban Areas – Consultation Draft Guidelines for Planning Authorities, DoEHLG, February 2008, (herein referred to as the Draft Sustainable Residential Development Guidelines). Given the plan area's proximity to Waterford City - a designated Gateway City under the NSS - higher densities at this location are deemed appropriate by the Draft Sustainable Residential Development Guidelines. However, due to the fact that the plan area is not particularly well served by public transport corridors at present, and due to the sensitive environmental character of the area, low and medium densities are also encouraged at various locations.

Table 7 outlines five types of acceptable density standards for residentially zoned land. It is important to note that these are not prescribed residential density standards; rather they are indicative of what densities would be acceptable at various locations in the plan area. Higher densities must not be achieved at an unacceptable amenity cost to surrounding dwellings and to residents of the proposed development.

Table 7: Density Categories

Density Category	Hectares	Acres
<b>C1</b> Urban Village	40 - 50+	16 - 20+
<b>C2</b> Commercial and Mixed Use	40 - 50+	16 - 20+
<b>R3</b> Residential Medium	30 - 40	12 – 16
<b>R2</b> Residential Low to Medium	20 – 30	8 – 12
<b>R1</b> Residential Low Density	15 – 20	6 - 8
<b>R0</b> Residential Arcadian	1 - 5	0.4 - 2

### 3.2.2 Apartments

In considering applications for apartment developments, the Planning Authority will refer to Sustainable Urban Housing: Design Standards for New Apartments – Guidelines for Planning Authorities, DOEHLG, September 2007 (herein referred to as the Design Standards for New Apartments). While there is not a large amount of apartment buildings in the plan area at present, this plan aims to ensure that any provision of such housing types in the future conforms to a high standard of design and layout.

The primary aim of Design Standards for New Apartments is to ensure that future apartment developments provide satisfactory accommodation for all household types, and in particular for families with children. They also aim to ensure a high standard of internal design and layout, and generous provision of storage areas and communal facilities.

The recommended minimum floor areas and standards for apartments are set out in Table 8:

Table 8: Recommended Minimum Floor Areas

Minimum overall apartment floor areas:
One bedroom 45 sq m ( 46)
Two bedrooms 73 sq m ( 65)
Three bedrooms 90 sq m ( 93)

*The figures in the County Development Plan are in brackets*

#### Refuse Storage

Adequate provision needs to be made for refuse storage and collection, with appropriate reference to the projected level of waste generation, collection frequencies, and types and quantities of container required. Developers should therefore ascertain the relevant Planning Authority requirements for refuse storage and collection.

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## Open Space

Communal open space should be provided within landscaped courtyards of perimeter blocks; designers need to ensure that the heights and orientation of adjoining blocks permit adequate levels of sunlight to reach such space throughout the year (i.e. no less than 25% of the space should receive sunlight throughout the year and at least 5% in winter months). In relation to private open space, this should take the form of rear gardens or patios for ground floor units, and balconies at upper levels. Balconies need to be of a certain minimum depth to be useful from an amenity viewpoint, for example, to allow for outside seating at a table, i.e. 1.8m minimum depth. They should also be safe for children. It is important to be aware that balconies will not be suitable in all circumstances, e.g. in historic areas, north facing sites. In such cases there will be a requirement to provide an alternative type of amenity, for instance above-average sized living rooms and generous landscaped communal open spaces. It is also crucial that adequate play space for children is provided within apartment developments.

### Private Open Space Requirements

**Table 9:** Private Open Space – Urban

<b>Inner Urban/Town Centres:</b>	
1 bedroom apartment:	min. of 10 sqm
2-3 bedroom apartment:	min. of 15-20 sqm

The shortfall in provision shall be made up in the form of communal space.

### Daylight and Sunlight:

Dual-aspect apartments that maximise the availability of sunlight should be the norm in apartment developments. In the case of single-aspect apartments, the main living rooms should face south, west or east; single-aspect north-facing units should be excluded. All developments, in particular residential developments, will be required to demonstrate good standards of daylight and sunlight access.

For further information on all apartment development standards, consultation of the Design Standards for New Apartments is recommended.

## **3.2.3 Housing on Lands Zoned for Agriculture**

On lands zoned for agriculture within the development boundary for the Ferrybank-Belview LAP, housing will be restricted to the following categories of persons:

- Immediate members of farmer's families (sons & daughters) and/or
- Persons whose primary employment is in agriculture, horticulture, forestry or bloodstock, or other rural based activity in the area which they wish to build.

This 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.

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## 3.3 Design and Layout of Residential Developments

### 3.3.1 Urban Design

It is important to note that good urban design is rarely brought about by the Planning Authority prescribing physical solutions or by setting rigid design standards, but by approaches which emphasise design objectives or principles. In this regard, it is recommended that the Urban Design Manual – A best practice guide: companion document to the Draft Sustainable Residential Development Guidelines, DOEHLG, February 2008, (herein referred to as the Companion Urban Design Manual) be consulted at the pre-application stage. This best practice guide describes good urban design as the creation of successful places. The defining qualities of successful urban places include a sense of place, ease of movement, legibility, quality of the public realm, variety, efficiency, inclusivity and adaptability. The Companion Urban Design Manual also sets out a series of 12 criteria which can be used at pre-application meetings (See Table 10).

Table 10: Design Guide Criteria

#### **Design Guide Criteria**

1. Context: How does the development respond to its surroundings?
2. Connections: How well is the new neighbourhood / site connected?
3. Inclusivity: How easily can people use and access the development?
4. Variety: How does the development promote a good mix of activities?
5. Efficiency: How does the development make appropriate use of resources, including land?
6. Distinctiveness: How do the proposals create a sense of place?
7. Layout: How does the proposal create people-friendly streets and spaces?
8. Public realm: How safe, secure and enjoyable are the public areas?
9. Adaptability: How will the buildings cope with change?
10. Privacy/amenity: How do the buildings provide a decent standard of amenity?
11. Parking: How will the parking be secure and attractive?
12. Detailed design: How well thought through is the building and landscape design?

The Design Guide Criteria provide a robust framework in which proposals for the design of the development can be discussed between the developer's design team and the Planning Authority at pre-application consultations. In the case of large-scale or sensitively located developments, the Planning Authority may require the applicant to prepare a design statement. A design statement is a short document which enables the applicant to explain why a particular design solution is considered the most suitable for a particular site. It should demonstrate how the scheme addresses all relevant design policies and objectives, and relate them to the site. The Design Guide Criteria will assist in the preparation of a coherent and comprehensive design

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statement. Further guidance on the contents of design statements is provided in the Companion Urban Design Manual.

With regard to the development management of the plan area, there are a number of urban designs issues that warrant particular emphasis:

#### Connectivity

Compliance with the following elements is desirable:

- There are attractive routes in and out for pedestrians and cyclists
- The development is located in or close to a mixed-use centre
- The development's layout makes it easy for a bus to serve the scheme
- The layout links to existing movement routes and the places people will want to get to

#### Sense of Place

Attentiveness to the following issues is strongly encouraged:

- The place has recognisable features so that people can describe where they live and form an emotional attachment to the place
- The scheme is a positive addition to the identity of the locality
- The layout makes the most of the opportunities presented by existing buildings, landform and ecological features to create a memorable layout
- The proposal successfully exploits views into and out of the site
- There is a discernable focal point to the scheme, or the proposals reinforce the role of an existing centre

#### Amenity

Compliance with the following elements is desirable:

- Each home has access to an area of useable private outdoor space
- The design maximises the number of homes enjoying dual aspect
- Homes are designed to prevent sound transmission by appropriate acoustic insulation or layout
- Windows are sited to avoid views into the home from other houses or the street
- The homes are designed to provide adequate storage including space within the home for the sorting and storage of recyclables

This LAP seeks to generate housing developments which have a high design quality. It also seeks to create developments which are sustainable in terms of energy efficiency, adaptability, and access to transport corridors. In this regard, the Planning Authority recommends that prospective development applicants consult both the Draft Sustainable Residential Development Guidelines and the Companion Urban Design Manual.

### **3.3.2 Building Height Control**

Tall buildings are defined as buildings that are significantly higher than their surroundings and/or have a considerable impact on the skyline. Appropriately managed, they can create fine landmarks and can mark points of significant activity in an area. On the other hand, they can overshadow and overlook and can have harmful effects on residential amenity in the surrounding locale, and in historic areas and natural heritage areas. Inappropriately managed, tall buildings can seriously detract from significant views, dominating the skyline in an obtrusive manner. It therefore follows that their location needs to be carefully managed.

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The following considerations will therefore 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

In addition to the normal requirements, the Planning Authority may require that applications for tall buildings contain a design statement. A design statement is a short document which enables the applicant to explain why a particular design solution is considered the most suitable for a particular site (refer to the Companion Urban Design Manual). In the case of tall buildings, the following issues should receive particular emphasis:

- The impact of the building(s) on the local and wider urban context
- The impact of the building(s) on conservation areas and significant views
- The benefits to the public
- Its contribution to regeneration, sustainability and transport

The Planning Authority may also require an application for tall buildings to be supported by photomontages or three-dimensional computer models. Proposals should be shown in daylight and nightlight conditions. Impacts on privacy and overlooking of existing properties should be tested with the help of section analysis and three dimensional computer models.

### **3.3.3 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. 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 urban form,
- 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, pocket parks.

In assessing building lines, the Planning Authority will have regard to the Companion Urban Design Manual, particularly Chapter 7 - Layout: 'How does the proposal create people friendly streets and spaces?'

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### 3.3.4 Infill Development

The infilling of “gap” sites will contribute to the improvement of an area’s architectural form. Infill development will be required to maintain established building and rooflines and proportions. Infill within existing terraces will also be required to take cognisance of roof pitch, fascia level, parapet, eaves and cornice lines, the line of window heads and string courses. As a general principle the numbers of facing materials used on a building should be kept to a minimum.

### 3.3.5 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 of County Kilkenny is 65%. In more central or urban locations, an increase up to 85% may be allowed, subject to the proper planning and sustainable development of the site.

Site coverage = Ground floor area divided by gross site area.

### 3.3.6 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.

Plot ratio = Gross Floor Area divided by 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. A maximum plot ratio of 1.0 is set for County Kilkenny. However, in more central or urban locations, a higher plot ratio of 2.0 may be deemed acceptable. The Planning Authority will permit higher plot ratios only in cases where exceptional standards of design are achieved.

### 3.3.7 Overlooking

Every effort should be made to ensure that housing developments engender privacy and a sense of security. There should be adequate separation at the rear of buildings (traditionally about 22m between 2-storey dwellings). However, innovative dwelling types which incorporate the careful positioning of opposing windows can prevent overlooking, and hence could be located closer together. Windows serving halls and landings do not require the same degree of privacy as balconies and living rooms. Any window proposed at ground floor level shall not be less than 1m from the boundary it faces.

In the proposed urban village (C1), and also in the Commercial and Mixed Use Zone (C2), where higher densities are promoted, a decrease in separation between buildings may be considered, depending on the angles of views, innovative nature of the design, etc, and subject to a minimum distance of 15m being achieved.

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### 3.3.8 Overshadowing

Overshadowing will generally only cause problems in the case of significantly high buildings or where new buildings are located close to adjoining structures. Daylight and shadow projection diagrams should be submitted for such proposals.

### 3.3.9 Naming of Residential Developments

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. The Planning Authority shall approve the residential estate names chosen. The names should be fixed to walls and buildings where they can be clearly seen.

## 3.4 Open Space and Natural Environment

### 3.4.1 Public Open Space

Public open space performs a wide range of functions. It enhances the liveability of residential areas, adds a sense of identity to a neighbourhood, and helps create a community spirit. The benefits of open space in terms of amenity, ecology, and education are now well established. In calculating the area of the open space, the area of roads, grass margins, roundabouts, footpaths and visibility splays shall not be taken into account.

The Kilkenny Open Space, Sports and Recreation Study was commissioned by Kilkenny County Council and Kilkenny Borough Council to provide guidance on the future development of open space, sports and amenity policies in Co. Kilkenny. Applicants for residential developments should be aware of the findings of this study, particularly as it identifies land/areas which are strategically suitable for recreation development, and then correlates this to areas of need. A number of sites were identified within the Ferrybank-Belview area, with a number of recommendations were outlined for the Ferrybank area. The advantage of this study to prospective development applicants is that such sites could be obtained as a 'planning gain' \* to housing developments.

\* *i.e. a financial contribution per residential unit towards the provision of an open space by the Planning Authority elsewhere, as may be provided for under Section 48, Planning & Development Act 2000.*

#### Quantitative standards

The Planning Authority 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. In general, the following standards are recommended:

- In green-field sites, public open space should be provided at a minimum rate of 15% of the total site area. This allocation should be in the form of useful open spaces within residential developments and, where appropriate, large neighbourhood parks to serve the wider community.
- In other cases, public open space should generally be provided at a minimum rate of 10% of the total site area.
- In the case of institutional lands, a minimum requirement of compliance with the standards set out above or 20% of site area whichever is greater, should be specified; however, this

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should be assessed in the context of the quality and provision of existing or proposed open space in the wider area.

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. 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. 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.

With relatively high densities such as townhouses or apartments, good quality landscaped open space should be provided

#### Qualitative standards

The Draft Sustainable Residential Development Guidelines outline the importance of focusing on the quality of public open space as well as the quantitative standards. Applicants should strive to meet as many as of the following qualitative standards as possible:

- **Design:** The layout and facilities should be designed to meet a range of user needs, including both active and passive recreation. Users should feel safe at all times within parks; adequate supervision, passive surveillance, boundary treatment and public lighting contribute to creating a sense of security. Public open spaces should be suitably proportioned; narrow tracts which are difficult to manage should not be acceptable. Materials should be chosen for their durability. It is important that public open space is provided in a comprehensive and linked way and designed as an integral part of the development, rather than as an afterthought.
- **Facilities:** The provision of facilities, such as seating, bins, lighting, and planting must be addressed and incidental areas should not be regarded as fulfilling the open space requirement for such a development. Hard landscaped surfaces should also be considered within residential developments, such as a tennis court or basketball court, as well as the laying out of small green pitches as part of the required open space provision.
- **Accessibility:** Local parks should be located to be within not more than 10 minutes' walk of the majority of homes in the area; district parks should be on public transport routes as well as pedestrian/cycle paths. Play grounds should be carefully sited within residential areas so that they are both easily accessible and overlooked by dwellings, while not causing a nuisance to nearby residents.
- **Shared use:** the sharing of facilities between schools and community groups should be encouraged. The potential for maximising the use of open space facilities (such as all-weather pitches) should be explored, for example, by sharing them with nearby schools.
- **Biodiversity:** Public open spaces, especially larger ones, can provide for a range of natural habitats and can facilitate the preservation of flora and fauna. Where existing features include wetlands, woodlands, meadows, green corridors, these should be retained.
- **Maintenance:** The developer will be required to demonstrate that effective arrangements exist for the maintenance of such open spaces, to the satisfaction of the planning authority.

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- **Sustainable Urban Drainage Systems** are often used to reduce the impact of urban runoff on the aquatic environment.

### 3.4.2 Provision of space for children and young people

A standard minimum of 10sqm 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.

The Kilkenny Open Space, Sports and Recreation Study should be consulted to ascertain suitable locations for the provision of play and amenity space for children and young people. The Planning Authority will require playable space to be provided as part of any new residential development. 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.

#### Local Areas for Play (LAP)

- A small area of unsupervised open space specifically designated for young children for play activities close to where they live. The target user is mainly 4-6 year olds. Equipment will normally be low key with small toys and games.
- LAPs should be located within the development so that no home is located more than 100 metres by foot from the sites.

#### Locally Equipped Play Areas (LEAP)

- A mainly for accompanied children from 4 to 8 although consideration is given to the needs of supervised children from 4 years, and unaccompanied children older than 8. Equipment will include swings, play units, seesaws and climbing units.
- LEAPs should be located within the development so that no home is located more than 400 metres by foot from the sites

#### Neighbourhood Equipped Areas for Play (NEAP)

- An unsupervised site servicing a substantial residential area, equipped mainly for older children but with opportunities for play for younger children. Equipment will be similar to that of LEAPs but on a larger scale and may well include facilities for teenagers.
- NEAPs should be located within the development so that no home is located more than 1000 metres by foot from the sites.

These typologies are currently being adopted by many local authorities in the UK and in Ireland. At the very least, the Local Areas for Play (LAP) should be included in all new housing developments and the Neighbourhood Equipped Area for Play (NEAP) should be developed in each of the main neighbourhood districts. In addition, children's play areas should meet the following criteria:

- a. be located and designed to enable supervision from the surrounding area; and
- b. be conveniently situated and landscaped to provide a good and safe environment for play; and
- c. be located so as not to cause nuisance to residents of properties not designed for occupation by families; and
- d. be located where access and traffic do not cause safety problems.

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### 3.4.3 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, Sports and Recreation Study 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. Development proposals may require a scheme to be levied to facilitate the development of such facilities.

### 3.4.4 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 sqm minimum for 3/4/5 bed roomed 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. These barriers should be appropriately landscaped and screened if necessary.

Table 11: Minimum Private Open Space Requirements

Minimum Private Open Space Requirements	
Type of Unit	Required Open Space
1/2 bedroom houses	48 sqm
3/4/5 bedroom houses	60-75 sqm

### 3.4.5 Landscaping

Planning application for larger developments should include a landscaping plan and a planting schedule that will provide an attractive and varied environment. Such information should be detailed as part of a design statement. A design statement is a short document which enables the applicant to explain why a particular design solution is considered the most suitable for a particular site (refer to the Companion Urban Design Manual).

Applicants should also refer to Council Publications in this regard. The Landscape Appraisal for County Kilkenny (October 2003) identifies and describes the landscape character of each part of the County, and its capacity to accept change (or to absorb development without disproportionate effects). It also contains polices to guide development in each type of landscape. Of similar importance is Appendix C: Trees of Local Provenance of the County Kilkenny Development Plan 2008 – 2001. This contains guidance on choosing the right species of tree and shrubs, and advice on the locations to which they are suited. This is particularly relevant in urban areas where there are restrictions on space.

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### 3.4.5 Trees and Hedgerow Preservation

Trees, hedgerows and shrubs help blend new houses and buildings into the landscape and enhance the amenity, aesthetic quality and wildlife value of a development. The Planning Authority 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.

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 lodgment 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 Planning Authority 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.

## 3.5 Changes of Use and Alterations to Dwellings

### 3.5.1 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 Planning Authority may grant a temporary permission of

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two/three years for home-based economic activities to facilitate on-going monitoring of the activity.

#### Extensions/Granny Flats and Alterations to Dwellings

Extensions/Granny Flats to existing dwellings will be assessed in terms of impact on existing adjacent residential amenity and the design approach. Impact to residential amenity can result from over-shadowing, loss of light and loss of outlook or from loss of privacy resulting from over looking. The character and form of the existing buildings should be respected and external finishes and window types should match existing. For more detailed information, the planning leaflets published by the Department of the Environment, Heritage and Local Government (DOEHLG), particularly *Planning Leaflet 4 – Doing Work around the House – the Planning Issues (2003)* should be consulted.

### **3.6 Heritage Issues**

#### **3.6.1 Architectural Conservation**

The level of documentation required to accompany a planning application for works to a protected structure or proposed protected structure will depend on the scale, extent or complexity of the works involved. However, planning applications for works to a protected structure or proposed protected structure must include (in addition to the normal requirements to supply maps and drawings) photographs, plans and other particulars, necessary to show how the development would affect the character of the structure. Applicants should consult the Architectural Heritage Protection - for Planning Authorities, DoEHLG, 2004). For complex works with a potential to have a major impact on the architectural heritage, the Planning Authority may require an applicant to submit a more detailed impact statement, which should be prepared by a suitably qualified conservation architect (see Appendix B, Architectural Heritage Protection Guidelines).

#### **3.6.2 Archaeology**

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;
- 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.

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## 3.7 Environmental Issues

### 3.7.1 Environmental Impact Statements

In compliance with EU Directives, Environmental Impact Statements (EIS) are required for projects which are likely to have significant effects on the environment. EISs are obligatory for certain major developments and may be required for a wide range of other developments. The purpose of an EIA is to ensure that the environmental effects of a development and threshold levels for which EIS are required. Referral to the EPA's Advice Notes on Current Practice in the Preparation of Environmental Impact Statements will enable the developer/applicant to establish whether there is a need for an EIS. Ultimately, the need for a full EIS shall be investigated by the Applicant/Developer's legal advisors with direct consultation with the Planning Authority.

### 3.7.2 Control of Major Accidents 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.

## 3.8 Sustainability / Energy Efficiency

In response to the need to inform professionals in the construction industry on the design and construction of energy efficient houses, Sustainable Energy Ireland (SEI) commissioned Guidelines for the Design and Construction of Passive House Dwellings in Ireland (2007). These detailed guidelines focus on new build houses and cover both conventional block construction and timber frame construction methods. In addition, SEI has produced a number of information leaflets for home builders which cover all aspects of sustainable energy.

In light of the Building Energy Rating (BER) regulations, the Planning Authority recommends consultation of the aforementioned guidelines and publications. Building Energy Ratings (BERs) are required for new dwellings that applied for planning permission after 1st January 2007 under the European Communities Energy Performance of Buildings Regulations (EPBD) 2006 (S.I. No. 666 of 2006). They will also be required for existing buildings (dwellings and other buildings) when offered for sale or letting on or after 1st January 2009. It is the responsibility of all building owners to produce a BER for inspection by prospective purchasers.

### 3.8.1 Building Energy Rating (BER) – New dwellings:

A BER certificate is effectively an energy label, will be required at point of sale or rental of a building, or on completion of a new building. Over time it can be expected to contribute to a change in market behaviour, which will ultimately improve the energy efficiency of the national housing stock and collectively, over time, these market activities could result in an

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environmental protection benefit in terms of a reduction in CO<sub>2</sub> emissions from Ireland's national building stock. Only Registered BER Assessors can carry out an official BER assessment and it must be submitted to SEI for publication on the national Register of BER Assessments. Further information on BER certificates can be obtained from Sustainable Energy Ireland (website: [www.sei.ie](http://www.sei.ie)).

It is a policy of the County Kilkenny Development Plan to encourage 'A' energy ratings for all new dwellings and non-residential buildings, in conjunction with the Carlow-Kilkenny Energy Agency. The Planning Authority will also require that as part of any planning application, applicants demonstrate compliance with Part L of the Building Regulations, in relation to the CO<sub>2</sub> emission rate.

### **3.8.2 Alternative Energy Systems**

For apartment buildings over 1,000 sqm, the EPBD 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 SEI software tool or other acceptable methodology. This shall also be applied to residential developments of more than 10 units.

### **3.8.3 Site Selection**

By selecting a location sheltered from the wind, heat loss from a dwelling can be reduced. Shelter can be provided by nearby trees, adjacent buildings or surrounding hills. If no such shelter exists, it can be provided in time through planting trees or shrubs. In the case of larger housing developments, which will most likely be constructed on lands zoned for residential development, the site selection process may not be as relevant. In such developments, it is critical that a balance be struck between the provision of wind shelter and optimising the availability of daylight, sunlight and solar gain. By identifying the wind direction and sun's path throughout the year, the dwelling(s) can be orientated to reduce exposure to the wind and take advantage of a natural source of light and heat maximising from passive solar gain.

### **3.8.4 Internal standards**

The internal layout of a dwelling and window orientation can significantly affect the level of daylighting within the dwelling and the 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 90° 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. It may also 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.

### **3.8.5 Fuels and Heating**

Many decisions affecting the energy performance of a house should be taken early in the design process. A method of calculating annual heating energy consumption should be used to compare alternatives at the preliminary design stage. 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. SEI has produced a number of publications such as:

### **3.8.6 Construction Materials**

Construction materials should have minimum environmental impact during their entire life cycle, including manufacture, use and disposal. Building components should be designed for long life and durability, and ideally should be recyclable at the end of their operating lives. 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, designers should choose non-toxic materials for internal finishes and fittings. In so far as possible, Irish produced materials should be used, e.g. Irish grown timber will incur lower transport energy use than timber imported from overseas.

### **3.8.7 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.

### **3.8.8 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.

### **3.8.9 Sustainable Energy Zone**

This plan proposes the creation of a Sustainable Energy Zone (SEZ) at the C2: Commercial and Mixed Use Zone at Christendom. In addition to conforming to the regulations outlined above, this SEZ will seek the introduction of specific energy targets for homes and businesses in the area

### **3.8.10 Sustainability / Energy Efficiency Policy**

SP1 The Council 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.

## **3.9 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.

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- All pavement kerbs shall be dished 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.

## **3.10 Car Parking and Cycling facilities**

### **3.10.1 Car parking**

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. Please refer to Table 12 for Car Parking Standards.

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.

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.

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### **3.10.2 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 plan area. Each application for a multistorey car park will be considered on its own merits. The height and design of multistorey 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, particularly at ground floor level(s).

### **3.10.3 Cycle facilities**

The Planning Authority will require cycle facilities to be provided with any new development proposals. Stands should be of an approved type (for example, Sheffield stands) and should be in a secure location, which is overlooked. 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.

Table 12: Kilkenny County Council Car Parking Standards

Land Use	Parking Spaces per Unit
Dwelling House	2 car parking space per unit
Apartments	1.25 spaces per unit
Schools	1 space for every classroom plus 4 additional spaces
Churches, theatres, public halls	1 car space per 10 seats
Hotels, hostels and guesthouses	1 car space per bedroom
Public houses, inc hotel bar	1 car space per 10 m2 of bar and lounge floor area
Hotel function rooms	1 space per 10 m2
Shopping centres, supermarkets, Department stores	1 space per 25 m2 gross floor area
Shops	1 space per 20 m2 gross floor area
Restaurants, cafes	1 car space per 20 m2 gross floor area
Banks and offices	1 car space per 15 m2 of gross floor area and additional space to be determined by the Planning Authority
Industry	Industry 1 car space for every 60m2 of gross industrial floor area and operational space to be determined by the Planning Authority.
Warehousing	Each application will be determined by the Planning Authority
Retail Warehousing	1 car space for every 35 m2 of net retail floor space.
Golf	4 car spaces per hole
Par 3 golf courses or Pitch and Putt courses	2 spaces per hole
Sports grounds and sports clubs	Each application to be determined by the Planning Authority
Golf driving ranges, Shooting ranges	1 space per bay/ trap plus 3 spaces
Clinics and Medical Practices	3 car spaces per consulting room plus staff
Hospital	1.50 spaces per bed

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).

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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.

## **3.11 Retail**

### **3.11.1 Retail Impact Statement**

Applications for retail developments which the Planning Authority considers to be large scale in relation to existing retail services, will generally require the preparation of a Retail Impact Statement. The onus is on the applicant to demonstrate that there will not be a material adverse impact on the vitality and viability of any existing urban centre. For more detailed information the Kilkenny City and County Retail Strategy (June 2007) and the Retail Planning Guidelines for Planning Authorities (Government of Ireland, January 2005) should be consulted.

### **3.11.2 Neighbourhood Centres**

Local neighbourhood centres can provide a valuable service, catering for the daily or casual needs of nearby residents, or of those passing by. They offer a particularly important service for those who are less mobile, especially elderly and disabled people, families with small children, and those without access to a car.

The most suitable locations for neighbourhood centres in the plan area are identified on the objectives map. In general, these centres are recommended to be located on the boundaries of existing developed areas. The supporting population should reside within at least 500 metres walking distance of the neighbourhood centre. The neighbourhood centre should be located along or just off key distributor routes, and be readily accessible by a range of transport options including private car, public transport, walking and cycling. Neighbourhood centres should not be located within areas that have restricted access to the surrounding streetscape, for example within cul-de-sac routes.

In principle, the appropriate uses at neighbourhood centres are as follows: general stores, foodstores, newsagents, pharmacies, post offices, restaurants, take away, video/DVD rental, laundry facilities, hairdressers/barbers, public houses, dental/ medical surgery, place of worship, credit union, crèche or childcare facilities. An emphasis on quality urban design will be sought in neighbourhood centres.

### **3.11.3 Retail Development**

#### Shopfronts

The Planning Authority will:

- Discourage the use of modern 'multiple' formats which adopt a 'corporate image' and to use standardised shop front, design, 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.
- Ensure shopfront signage and nameplates to be in keeping with the scale of the building and the façade.
- Ensure, as a guide, that nameplates do not exceed 10% of the façade area.

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### Security 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.

### Canopies and Blinds

The Planning Authority will discourage the use of curved or Dutch canopies and plastic canopies will be discouraged. 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.

### Lighting

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

### Advertising and Signposting

Advertising signs can often cause injury to visual amenities, and can detract from the appearance of an area or a building. 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.

Advertising 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 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. The use of neon type-signs will only be permitted where the Planning Authority deems its use appropriate.
- 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, towns and villages 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

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- into the towns and villages, individual advance signage will be phased out and well-designed and located composite signage will be sought as the opportunity arises.
- B&B' signage will be restricted to 1 sign per premises and no directional finger post signs will be permitted.

### **3.12 Telecommunications 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.

### **3.13 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.

### **3.14 Entertainment / Dining facilities**

#### **3.14.1 Fast food takeaways**

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. In considering applications for food take-aways, the Planning Authority will have regard to the impact of the development 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.

#### **3.14.2 Night Clubs / Public Houses**

The Planning Authority will discourage an excessive concentration of pubs, bars, nightclubs and hot-food take-aways in any one area. 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:

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- 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.
  - 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.

### **3.15 Childcare Facilities**

The need for childcare facilities in the Ferrybank-Belview area is anticipated to grow in the future. It is the policy of the Planning Authority to implement the Childcare Facilities – Guidelines for Planning Authorities, DOEHLG, 2001. Where a large housing development is proposed, (i.e. seventy five houses or more, catering for approximately 20 children), 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.

Childcare must be conveniently located. The following locations are considered appropriate locations for childcare facilities:

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

Childcare is taken to mean full day-care and sessional facilities and services for preschool children and school-going children out of school hours. Applications for childcare facilities should 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 therefore advised to refer to the aforementioned Childcare Facilities – Guidelines for Planning Authorities.

### **3.16 Nursing Homes**

Facilities for nursing homes and residential care homes in the plan area should be integrated wherever possible into established or planned residential areas. 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.

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### 3.17 Service Stations

A service station may include the following: petrol pumps, diesel pumps, gas dispenser (optional), 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 service 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.

### 3.18 Access for the Disabled

Everyone should be able to access buildings and environments. They should be able to approach and enter unaided, with ease and without embarrassment. In creating new developments and buildings, developers should consult *Building for Everyone: Inclusion, Access and Use, National Disability Authority (2002)*. This publication shows how to design, make and manage buildings, and external environments, for the inclusion, access and use of everybody. In addition, all new public buildings must conform to the Technical Guidance Document - Part M of the Building Regulations, 2000.

The following groups need to be considered:

- Wheelchair users
- People with visual impairment
- People with a hearing impediment
- People with respiratory or coronary problems
- People with learning or mental difficulties
- People with temporary impairments or injuries
- Pregnant women, elderly people and young children
- People with prams, shopping trolleys or luggage