

## 12 | Development Control Standards & Guidelines



## 12.1 Introduction

The Development Control section of the Plan sets out the detailed objectives, policies and standards that will be used by the planning authority in assessing individual development proposals. As the Development Plan cannot include policies to comprehensively cover all development, the development control system allows for reasonable discretion by the planning authority in the evaluation of proposals including a flexible application of prescribed standards and controls in certain circumstances.

Discussions with the planning authority prior to the submission of planning applications are useful in helping to clarify policies and issues for both the planning authority and developer. Any such discussions would take place without prejudice to the decision of the planning authority on the individual or other development proposals.

Development proposals may be subject to other regulations and statutes, including the Building Regulations, Public Health Acts, Fire Regulations, Air and Water Pollution Legislation, Environmental Impact Assessment Regulations and EU Directives and policies. It should be noted that it is not the function of Bray Town Council's planning authority to monitor compliance with the relevant Building Regulations. This is a matter for the Building Control Section of Wicklow County Council.

The planning authority, taking into consideration the capital expenditure necessary for the provision of infrastructure required to facilitate development, will require financial contributions in accordance with the 'Bray Town Council Development Contribution Scheme' (prepared under Section 48 of the Planning and Development Act, 2000).

Developers will be required to lodge a cash deposit for the satisfactory completion of residential and other developments and their ancillary services.

In cases where development has commenced or is being carried out without planning permission or in breach of a permission, the Council will take enforcement action.

## 12.2 General Site Development Standards

### 12.2.1 Plot Ratio

Plot ratio expresses a relationship between the area of a site and the total gross floor area of the building/s whether existing or intended to be erected on it. The maximum plot ratio throughout the Town Council is 0.5-1.0. This is in accordance with the recommendations of the 'Residential Density Guidelines for Planning Authorities' (DoELG, 1999) for inner suburban areas. The Council considers that higher plot ratios, in the region of 0.7-1.0, are more suitable in locations that are within close proximity to the B1, Town Centre Zone. However, development proposals will be considered on the individual merits of each case. This standard is not applicable in zoning E1, E3 and E4. The only exceptions to this standard include the following:

- Zoning B1: Primarily Town Centre Uses, where the maximum plot ratio is 2.75;
- Zoning B2: Primarily Seafront Uses, where the maximum plot ratio is 2.75;
- Zoning G: Local Neighbourhood Centres, where the maximum plot ratio is 2.

## Calculating Plot Ratio

Plot ratio is determined by the following equation:

$$\frac{\text{Gross floor area of building/s}}{\text{Site area}} = \text{plot ratio}$$

Gross floor area is the sum of floorspace within the external walls of the buildings, excluding plant and tank rooms, covered recycling units and car parking areas. The gross floor area only includes floorspace at ground level or above. Site area relates to the area of the development site and in the case of 'greenfield' sites would include access roads, car parking areas and open spaces within the site.

### 12.2.2 Site Coverage

Site coverage should reflect traditional patterns of usage within the area of a proposed development. Site coverage is determined by dividing the total area of ground covered by the building/s by the total ground area within the curtilage of the building/s excluding any land lying between the building line and the public street.

The maximum site coverage is 55%. This standard is not applicable in zoning E1, E3 and E4. The only exceptions to this standard include the following:

- Zoning B1: Primarily Town Centre Uses, where the maximum site coverage is 80%.
- Zoning B2: Primarily Seafront Uses, where the maximum site coverage is 65%.
- Zoning G: Local Neighbourhood Centres, where the maximum site coverage is 80%.

### 12.2.3 Building Lines

Building lines in the urban environment are intended to provide protection from the noise and fumes associated with traffic, to allow for the provision of off-street car parking and future road development, and to preserve the existing character of an area.

Generally, in determining applications for development works the Council will seek to ensure that development is not carried out in front of established building lines or in a position where it would be in conflict with the building lines determined by the Council to be appropriate for that area. Maintenance of the traditional street line is of particular importance in the town centre. However, in specific situations, it may not be in the interests of good planning to enforce a rigid standard for building lines. Consequently, the planning authority, in the interests of maintaining a good townscape, will examine each application on its own merits.

### 12.2.4 Building Height Control

The Council will control high buildings. A high building is a building that is significantly higher than neighbouring or surrounding development. In a number of locations, particularly within the town centre and local neighbourhood centres, the Council will permit developments in which an increase in roof heights is proposed, in accordance with the appropriate plot ratio standards, especially where this provides added definition to the streetscape.

## 12.2.4.1 General Guidelines

The building height of proposed developments will generally be considered in terms of the extent and location of the site, its relationship to open space and its setting within the town. The Council will not permit proposed development that will have a significant negative effect in terms of the following:

- the degree of overshadowing and consequent loss of light;
- the degree of overlooking (particularly of residential property) and consequent loss of privacy to surrounding premises;
- the disruption to the scale of an existing streetscape;
- a detraction from the structures or spaces of architectural or historic importance, and important landmarks;
- the detrimental effect on any existing building having special visual identity;
- the degree of obtrusion to/from significant vantage points;
- The degree of obtrusion on the skyline;
- The visual relationship as well as the scale of the building in relation to open space, and the effects of the building on the quality of the space;
- the area of the site and whether it is large enough to provide a visual transition from the scale of surrounding development;
- whether the purpose or civic importance of the building would justify its prominence;
- whether the building may be used as the site for any advertising structure and the possible effect of such a structure on the amenity and environmental quality of the adjoining area. An advertisement will only be permitted on a high building if it is accepted that it forms part of, or is complimentary to the design of the building and is otherwise compatible with the land use zoning objective.

## 12.2.4.2 Guidelines for the Core Retail Area

The Core Retail Area of the Town Centre is a particularly appropriate location for high buildings. In assessing development proposals for increased heights in the Core Retail Area (as defined in Section 4.4.2 of Chapter 4: Retail and Town Centre), the following standards and guidelines shall apply. These standards shall only apply to buildings fronting onto the streets in the Core Retail Area. Elsewhere the 'General Guidelines' above shall apply:

- at its highest point, no building shall reach higher than 12 metres above ground level;
- no building shall detract from structures or spaces of architectural or historic importance or important landmarks. In particular, the Council will not look favourably on proposed developments that detract from the landmark/focal point position and character of the Town Hall;
- the quality of overall design must be of a particularly high quality.

## 12.2.4.3 Guidelines for Local Neighbourhood Centres

In G zoned, Local Neighbourhood Centres, generally a maximum height of three storeys above ground level is considered appropriate.

## 12.3 Residential Development

### 12.3.1 General Guidelines

The planning authority will have regard to 'Residential Density Guidelines for Planning Authorities' (DoELG, 1999) in determining planning applications for residential developments.

All proposals for residential development will be expected to conform to the following criteria:

- the development has regard to the relevant controls and standards e.g. plot ratio, site coverage, open space, parking, height etc.;
- the development respects the surrounding context and is appropriate to the character and topography of the site in terms of layout, scale, proportions, massing, bulk and appearance of buildings, structures and landscaped and hard surfaced areas;
- features of the archaeological and built heritage, and landscape features are identified and, where appropriate, protected and integrated in a suitable manner into the overall design and layout of the development;
- adequate provision is made for public and private open space and landscaped areas as an integral part of the development. Where appropriate, planted areas or discrete groups of trees will be required along site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area;
- a movement pattern is provided that supports walking and cycling and permeability by those modes within and between residential developments, meets the needs of people whose mobility is impaired, respects existing public rights of way, provides adequate and convenient access to public transport and incorporates traffic calming measures;
- adequate and appropriate provision is made for parking which in principle should be operationally and physically unobtrusive;
- adequate and appropriate provision is made for storage of waste and recyclables;
- the design of the development draws upon the best local traditions of form, materials and detailing;
- the layout and design of the development deters crime and promotes personal safety;
- infrastructure has the capacity to absorb the demands of the proposed development. Infrastructure works may include roads, cycleways and footways, water, sewerage and land drainage, and other services such as electricity, gas or telecommunications. The specific requirements for each site will depend on local circumstances;
- adjoining residential amenity and privacy is respected;
- the development of gated communities in existing or proposed apartment/town house/housing estate schemes will not be permitted.

Any proposal for residential development which fails to produce an appropriate quality of design and which fails to conform to these and other relevant criteria will not be permitted.

### 12.3.1.1 Residential Development in Established Residential Areas

In established residential areas, proposals for housing development will be permitted only where the development does not significantly impinge negatively on the local character of an area and on the environmental quality, amenity and privacy enjoyed by existing residents, for example through inappropriate design or over-development. Infill housing should be compatible with the existing densities of adjoining residential areas and with other criteria, such as plot ratio, building lines etc. In addition, it should provide adequate and appropriate access for public and other services. Particular account will be taken of the spacing between buildings, the safeguarding of privacy, the scale and massing of buildings, the use of materials, impact on existing vegetation and landscape design.

The design and layout of extensions to houses should have regard to the amenities of adjoining properties particularly as regards sunlight and privacy. The character and form of the existing and adjoining buildings should be respected and external finishes and window types should match the existing.

In particular the Council will not permit development that has a significant overlooking, overshadowing or overbearing effect on adjoining properties, where this effect significantly reduces the residential amenity and privacy of adjoining properties.

New dwellings that closely overlook the rear curtilage of existing dwellings will not normally be permitted. Houses located in a piecemeal fashion to the rear of existing houses, with inadequate independent road frontage and that do not form part of a comprehensive Development Plan for a particular area are considered to represent sub-standard development and will not normally be permitted.

### 12.3.1.2 Quality in New Residential Development

Planning permission will only be granted for new residential development where it is demonstrated that the proposal will create a quality and sustainable residential environment.

The Council will require the submission of a Design Brief to accompany all planning applications for large scale residential developments or for development on sites that are in a sensitive location.

The Design Brief shall demonstrate how a developer will deliver a quality residential environment on a particular site. Quality design proposals should emerge from a careful analysis of the site's location, surrounding context and the specific characteristics of the site itself. The Statement should outline in writing the overall design concept and objectives for the site, based on the appraisal of the site and its context. Some or all of the following will be required in the Brief:

- an appraisal of the site context highlighting those features in the vicinity of the site which influence the design of the scheme;
- an appraisal of the characteristics of the site identifying features within the site and how they influence the design of the scheme. This should include landscape features, an analysis of existing flora and fauna and the location of any archaeological or built heritage features or sites of nature conservation importance;

- an indicative layout of the proposed scheme including for example the siting of buildings, existing and proposed public transport facilities, pedestrian and cycle routes, the layout of streets, access arrangements and traffic calming measures proposed. Provisions must be included to account for the specific requirements of the mobility impaired;
- sketch details of the design of buildings;
- a comprehensive and readily understood structure of the open space and landscape elements of the scheme including proposals for its subsequent management and maintenance, and the type and location of any necessary local neighbourhood facilities, such as crèches (refer to Section 6.4.3 of ‘Chapter 6: Community’) and play facilities (refer to Section 9.4.3 of ‘Chapter 9: Recreation and Open Space’).

### 12.3.1.3 Guidelines for New Housing Developments

The Council will encourage high quality urban designs and layouts in the development of residential estates. In new housing development schemes, the Council shall apply the following principles:

- Housing layouts should have regard to the design guidelines, as laid out in ‘Recommendations for Site Development Works in Housing Areas’ (DoELG, 1998);
- Schemes should be architecturally diverse;
- The use of varied building heights is a useful device in creating urban enclosure and in forging a strong sense of place;
- In accordance with Section 3.4.5 of ‘Chapter 3: Housing’, an appropriate mix of dwelling types should be provided throughout the development;
- Good natural light makes dwellings more attractive, pleasant and energy efficient. Housing layouts should be designed to maximise daylight and sunlight to dwellings as far as possible, but not to the exclusion of other considerations, such as privacy, existing residential amenity or the achievement of an attractive streetscape;
- Developers should integrate the most interesting features of the site into the overall layout;
- New housing estates and layouts will allow for the inclusion of waste storage and collection facilities deemed appropriate for households and estates;
- The development of innovative housing layouts based on a hierarchy of roads ranging from narrow cul-de-sacs to wider distributor roads, facilitating the provision of clustered groups of houses, will be promoted by the Council. The layout should be designed to avoid the creation of through roads, however designs must be permeable in terms of facilitating ease of pedestrian and cycle access to local neighbourhood and public transport facilities. In all residential developments, the safety of pedestrians and quality of life should be given priority over vehicular traffic. Layouts should be prepared having regard to ‘DTO/DoE Traffic Management Guidelines. In general, all residential developments shall incorporate the following minimum road standards:
  - 1.8m wide footpaths with wheelchair access ramps and dishing at all crossing points;
  - A minimum road width of 4.8m serving up to 20 dwellings, and 6m for up to 200 units;
  - Each dwelling shall be provided with car parking and cycle requirements in accordance with Sections 12.11 and 12.12;

- Cycleways shall be provided where predicted traffic volumes exceed 250 vehicles per hour;
- Geometric layouts should be designed to ensure a 20 mile per hour speed in the development by the inclusion of appropriate traffic calming devices in the design;
- Road-side planting should form part of the design layout;
- Street lighting should be in accordance the recommendations made in the ESB publication 'Public Lighting in Residential Estates'. All electrical, telephone, gas and television services shall be placed underground in housing areas and developers will be required to provide the necessary underground ducts to bring the services into each dwelling. The use of low pressure sodium lighting and full cut off lighting shall be encouraged for environmental, economic and road safety reasons;
- It shall be a condition of a planning permission for new housing schemes that the developer will submit a scheme for the naming and numbering of the estate prior to the commencement of the development. The naming of housing estates shall reflect in as far as possible the local context in which it is located. On approval of the naming of the scheme, the developer will be required to provide nameplates and numbers, as required by the Council. Indicator plates will also be required to be erected to show the positions of water pipe fittings, hydrants, etc.

### 12.3.1.4 Building Regulations Part M

The aim of Part M of the Building Regulations 2000 is to ensure that buildings are accessible and usable by everyone, including people with disabilities. The Regulations provide mandatory instructions that all new housing (private, affordable and social) greater than 45m<sup>2</sup> must be designed to enable adaptable/lifelong housing. Accordingly, all relevant new housing shall conform to the requirements of these Regulations. Refer to Section 12.17 for guidelines for access for people with disabilities.

## 12.3.2 Open Space

### 2.3.2.1 Private Open Space Standards

All houses (terraced, semi-detached, detached) should have an area of private open space behind the building line. The requirement shall be 60-75m<sup>2</sup> minimum for 3/4/5 bedroom houses. For one or two bedroom houses a standard of 48m<sup>2</sup> per dwelling shall be acceptable. A minimum standard of 22 metres between directly opposing first floor windows shall generally be observed. This will normally result in a minimum rear garden depth of 11 metres. However, where a sufficient alternative private open space is available, this depth may be reduced to 7 metres for single storey dwellings, subject to the maintenance of privacy.

It shall be required that, in the case of apartment and duplex style schemes, private open space will be provided in the form of landscaped areas, courtyards, terraces/patios and balconies. Roof gardens shall also be considered, provided that they are easily accessible, secure and attractively landscaped. Special attention should be paid to the potential overlooking effect of balconies and roof gardens on adjoining residential properties. The following minimum standards shall apply:

**Table 12.1: Minimum Standards for the provision of private open space in apartment and duplex developments.**

| Number of bedrooms | In/within room of the B1 zone (Town Centre), in the B2 zone (Seafront Area), and in G zones (Local Neighbourhood Centres) and in Zone 1 of Golf Club Lands | All other areas  |
|--------------------|--|------------------|
| 1                  | 10m <sup>2</sup>   | 20m <sup>2</sup> |
| 2-3                | 15-20m <sup>2</sup>  | 30m <sup>2</sup> |

## 12.3.2.2 Public Open Space Standards in Residential Schemes

### Qualitative Standards

Quality public open spaces shall be provided in all residential development schemes. Details of the proposed landscaping, hard and soft, shall be provided with planning applications.

Public open space shall be:

- visually and functionally accessible to the maximum number of dwellings in a residential area;
- adequately overlooked, supervised and accessible;
- where appropriate, natural features should be maintained;
- hard landscaping elements such as paving, cobbled areas etc., should play an increasingly important role in the design and presentation of open space concepts. Hard play areas such as all-weather surfaces should also be taken into account when assessing new proposals.

### Quantitative Standards

In new residential development schemes, the Council will require the provision of public open space at the minimum rate of 10-14% of the total site area. This space should be designed and located so as to complement residential layout and should be visually as well as functionally accessible to the maximum number of dwellings within the housing area.

The Council will consider reducing the rate of public open space where more intensive recreational facilities are provided in lieu of open space, to the satisfaction of the Council.

Public open space requirements do not apply to 'Living Over the Shop' schemes.

## 12.3.3 Apartments

The Council will facilitate the development of high quality apartments on appropriate sites subject to them meeting the relevant requirements:

- it is a requirement of the Council that generally the following minimum sizes for apartments shall apply: one bedroom unit – 50m<sup>2</sup>, two bedroom unit – 70m<sup>2</sup> and a three bedroom unit – 90m<sup>2</sup>. In apartment developments, every apartment shall have at least one bedroom of a minimum of 10.2m<sup>2</sup> in floor area;
- where apartment blocks are proposed in existing residential areas, their height should respect surrounding developments. Blocks higher than the surrounding properties will be considered on their merits, but uncharacteristically high structures will not be permitted where they are considered to interfere with the scale, amenity or visual quality of existing developments;

- it is a requirement of the Council that the design of apartment developments be of high quality incorporating bicycle parking facilities and refuse storage areas for the use of all residents and where possible, laundry facilities. Adequate internal storage areas within each unit shall also be provided;
- it is a requirement of the Council that apartment blocks incorporate a separate refuse and recyclable material storage area;
- all living rooms, kitchens and bedrooms should minimise overlooking of adjoining/adjacent residences, and should be so located so as to avoid facing towards nearby high boundary or gable walls;
- all buildings should receive adequate daylight and sunlight. All habitable rooms should be naturally ventilated and lit;
- the Council requires that the appropriate amount of private and public open space is provided for residents;
- apartment schemes shall be designed to promote a 'sense of place' and community well being.

### 12.3.4 Subdivision of Dwellings into Flats

In general, houses suited to family accommodation may not be converted to flats. In particular, such sub-division will not normally be acceptable in suburban estates of two storey houses suitable for single family accommodation. However, the subdivision of larger houses that are located on primary traffic routes, especially in locations within close proximity to public transport, may be considered under certain circumstances, such as where houses are impractical for modern family use. The maximum number of units to be permitted in a sub-division will be decided with regard to the character of the area, the suitability of the dwelling for sub-division, the availability of services, parking provision, private open space and other relevant factors. It is a requirement of the Council that the following minimum sizes should apply: one bedroom unit – 50m<sup>2</sup>, two bedroom unit – 70m<sup>2</sup> and a three bedroom unit – 90m<sup>2</sup>.

Where possible, parking should be provided at the rate of 1 no. space per unit. The Council may grant permission in exceptional circumstances for the conversion of a property without on-site parking, such as in locations in close proximity to public transport, but will require the developer to make a contribution towards the provision of parking elsewhere.

### 12.3.5 Granny/Family Flats

The development of a granny/family flat to be occupied by a member of the occupant family is generally acceptable, provided it is not a separate detached unit and there is direct access to the remainder of the house. The flat shall not be let or sold, other than as part of the overall property and shall revert to being part of the original house when no longer occupied by a family member. The design should ensure that the flat forms an integral part of the main dwelling unit capable of reintegration for single family use.

## 12.4 Retail and Commercial Development

### 12.4.1 General Guidelines

The criteria to be considered in the assessment of proposed retail and commercial developments will include:

- Compliance with the relevant controls and standards (e.g. plot ratio, site coverage, parking, heights, etc);
- Testing the proposal against the sequential approach and that other options have been considered;
- The impact on the town centre, including cumulative impact;
- There is demonstrable need for development;
- The relationship of the application to any Development Plan policy;
- Its contribution to town centre improvement;
- Its contribution to site and/or area regeneration;
- The quality of access by all modes of transport and by foot and bicycle;
- Its role in improving the competitiveness of the town and County;
- Its role in sustaining local communities;
- The extent to which it is relevant to consider the imposition of restrictions on the range of goods permitted for sales;
- The likely effects on the amenity of the shopping area and residents within it;
- The possibility of the proposal causing parking and/or traffic difficulties with associated congestion and inconvenience, thereby jeopardising the safety of road users;
- The period for which the premises have been vacant, and the general level of vacancy in the area. This will be dependent of the merits of each individual case;
- The attractiveness of the proposed development;
- Impact on residential amenity and privacy.

### 12.4.2 Take Aways, Fast Food Outlets, Amusement Centres, Night Clubs/Licensed Premises, Open Air Concerts, Charity Outlets and Discount Outlets

In order to maintain an appropriate mix of uses and protect night-time amenities in a particular area, it is the objective of the Council to prevent an excessive concentration of the above uses and to ensure that the intensity of any proposed use is in keeping with both the scale of the building and the pattern of development in the area.

The provision of any of the above will be strictly controlled, having particular regard to the following, where appropriate:

- the amenities of nearby residents i.e. noise, general disturbance, hours of operation, litter and fumes;
- the need to safeguard the vitality and viability of shopping areas in the town and to maintain a suitable mix of retail uses;

- traffic considerations;
- the number/frequency of such facilities/events in the area;
- the operators come to satisfactory arrangement with the Council in relation to litter control;
- larger leisure complexes which contain a mix of uses, e.g. cinema, bowling and restaurant will be treated on their merits;
- the intensity, design and scale of use must be in keeping with the scale of the building and be appropriate to the pattern of development in the area.

### 12.4.3 Bookmaking Offices

Bookmaking offices, by the nature of the activities carried on, generate a certain amount of noise, litter and disturbance, which may be detrimental to the amenities of an area. These factors are valid planning considerations.

The question of loss of retail floor space and the fact that the proximity of bookmaking offices may discourage the location of certain types of retail outlet will be considered when appropriate. In some instances it may be possible for bookmaking offices to locate on the upper floors of a building thus avoiding the problems associated with breaks in the continuity of shopping frontage.

The Council will pay particular attention to design to ensure that it does not mar the street frontage and that the nature and colour of external finishes are compatible with the surrounding properties. Designs that are fundamentally alien to the existing character of an area or building are not acceptable.

### 12.4.4 Taxi Offices

The Council will carefully consider the effect of a proposed taxi office on adjoining residential properties. The Council will not favour the development of taxi offices in wholly residential areas, due to the noise and disturbance, which is likely to be incurred.

## 12.5 Shopfronts

The Council will encourage good shopfront design in the development of new shopfronts and the refurbishment of existing shopfronts, in accordance to the following principles:

- the level of workmanship is a significant contributing factor in shopfront design. High quality detailing is necessary in order to maintain a good appearance in shopfronts;
- the design of new shopfronts should relate primarily to the architectural characteristics of the buildings of which they form part. Where features such as ornamental pilasters, string courses, friezes, brackets, stall risers or plinths, window frames, mullions, cornice or other mouldings are of a very high quality, these features should be retained, even where it is acceptable for the remainder of the shopfront to be changed;
- new shopfront design must respect the scale and proportions of the streetscape by maintaining the existing grain of development along the street and respecting the appropriate plot width. It is important to relate to the fascia heights of adjacent shops;
- it is important to create a good visual frame for the shopfront;

- the quality, texture and the colour of materials used are of paramount importance. Materials must complement the architectural character of the building and integrate with the overall visual unity of the street scheme. The painting of natural brick or stone is generally unacceptable. Where elements of the original shopfront framework remain, efforts should be made to retain them in order to assist in integrating the new shopfront with the building as a whole. Where new or replacement shopfronts are proposed, the use of traditional materials, such as timber or stone will be favoured. Illuminated plastic or neon signs are generally not considered appropriate. Materials, such as plastics, reconstituted stone and aluminum can be improved with the effective use of modeling, detailing and the use of appropriate features;
- shopfronts must include well designed street numbers;
- fascia panels should be provided as an integral part of the shopfront and should be of a depth appropriate to the size of the building and the proportion and the length of the shopfront. The construction of fascias should not extend above the level of the first floor window sill or obscure windows or other architectural details;
- fascia lettering should generally be individually mounted or hand painted. If shoplights are used, the arms should be short and the hoods of the lights treated to match with the background;
- strong colours are a feature of traditional shopfronts and should be used appropriately, in harmony with the rest of the building and streetscape;
- projecting signs will be acceptable where they are not detrimental to the character of buildings and environmental quality;
- alarm boxes should be sensitively designed and located on the building;
- roller shutters are not exempted development and require planning permission. External roller shutters will not be permitted in the town centre. Shutters must be recessed to provide for a window display area. Where possible shutters should be of lattice type and of a colour in keeping with the main shopfront;
- canopies and awnings should be made of durable and traditional materials and should not cause a cluttered appearance. Only traditional style canvas, open-ended blinds are acceptable;
- in new shopfronts, appropriate access should be made for disabled, elderly and those with children in prams and pushchairs.

## 12.6 Industrial/Employment Developments

In assessing planning applications, the Council is more likely to grant permission for an industrial, storage/distribution or business/office development if it is satisfied that the development proposal meets the following criteria:

- It is compatible with the relevant controls and standards, e.g. plot ratio, site coverage, parking etc;
- It is compatible with the character of the surrounding area;
- It is compatible with adjacent land uses;
- It will not damage features of nature conservation interest or man-made heritage;
- It will not cause or exacerbate flooding;
- It will not create a noise nuisance;
- It is capable of dealing satisfactorily with any emission or effluent;

- The layout and design of all buildings are of high quality;
- Appropriate boundary treatment and means of enclosure are provided;
- Any areas of outside storage proposed will be adequately screened from public view;
- Satisfactory landscaping arrangements will be provided;
- It will not result in a significant increase in traffic congestion or be a hazard to road safety;
- Adequate access, parking and manoeuvring areas will be provided;
- A Mobility Management Plan is provided to shift the emphasis from car borne commuting to increased use of sustainable transportation modes. The Plan should include aims and specific works objectives which supports walking and cycling, meets the needs of people whose mobility is impaired, respects existing public rights of way and provides adequate and convenient access to public transport;
- It will not have a significant impact on residential amenity and privacy.

## 12.6.1 Storage Requirements

In order to comply with the Packaging Waste Regulations 1998, all new or expanding commercial/industrial businesses shall provide for adequate covered storage space which will allow the storage of recyclable goods for at least one week's duration.

## 12.7 Advertising and Signage

The Council accepts that advertising is an integral part of commercial and industrial development. However, in considering applications for advertising structures, it remains the primary concern of the Council to protect the essential character of the town.

The Council is opposed to advertisements in residential areas, on or near buildings of architectural or historical importance, adjacent to amenity and recreational areas (except appropriate advertising in sports stadia), in open space or near the river or coast. As advertising is an accepted part of commercial and shopping activity, appropriate levels and types of it will generally be allowed in the retail and commercial core of the Town Council. Control will be exercised to prevent clutter in any location and to limit the size and number of signs on any building.

Proposals for signs and advertising structures must be:

- In scale and harmony with the surrounding environment;
- Not interfere with the safety and free flow of traffic;
- Not obscure traffic signs;
- Not impair the amenities of the area;
- Not interfere with windows or other features of a building façade;
- Not project or obtrude, in whole or part, above the eaves of the building or skyline.

### 12.7.1 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. As such, permissions for advertising hoardings will be severely restricted.

## 12.7.2 Advertising on Bus Shelters

Large, internally-illuminated advertising panels on bus shelters can detract from the visual appearance of protected structures and residential dwellings and will not generally be permitted in close proximity to these. In considering applications for bus shelters, the planning authority will have regard to the particular circumstances of each case, such as location, scale and type of advertising proposed and the effect on the amenities of the area and streetscape.

## 12.8 Petrol Filling Stations

There are a number of petrol filling stations and associated forecourt shops located outside of the main commercial core of the town. The Council considers that, in general, motor fuel filling stations are most appropriately located on the town periphery.

Petrol filling stations can provide a wide range of retail goods in an associated shop. These shops should, in general remain ancillary to the use of the site as a petrol filling station. A shop of up to 100m<sup>2</sup> (net) retail floorspace is considered acceptable when associated with a petrol filling station. Above this threshold, the sequential test approach will be applied, i.e. the retail element of the development should be assessed by the planning authority in the same way as would an application for retail development (without petrol filling facilities) in the same location.

Workshops for minor servicing (tyre changing, puncture repairs, oil changing, etc.) may only be acceptable where it would not adversely affect adjacent residential amenity.

In assessing planning applications, the Council will have regard to the following factors:

- (i) Impact on residential amenity;
- (ii) Safe access for customer and delivery vehicles, ensuring that all such vehicles using the facilities may be accommodated clear of the public road at all times;
- (iii) Proximity to existing retail developments in the area;
- (iv) Safety aspects of circulation and parking within the station forecourt;
- (v) Suitable screening to minimise visual impact may be required;
- (vi) The impact of canopies and advertising on amenity. Innovative approaches to design can reduce this impact.

## 12.9 Automated Teller machines

The Council are aware that the provision of ATMs at certain locations can cause a traffic hazard and where possible, a parking or lay-by facility should be available adjacent to the ATM. Where an ATM is proposed to be located on the external wall of a protected structure very careful consideration will be given to its impact on the building before permission is granted.

## 12.10 Roads and Transportation Facilities

The design standards required for carriageways, gradients, footpaths, junctions, road drainage, cul-de-sacs, sight lines, boundary walls, vehicle accesses, service roads, bus lay-bys, rear lanes, pedestrian ways, cycleways, screen walls, public lighting, water supply, drainage and other underground services, street furniture etc., vary according to the scale, intensity, layout, design and location of the proposal.

The Council's general roads requirements will be based on 'Geometric Design Guidelines' RT 180 and 181 (An Foras Forbartha) and the D.T.O./DoE Traffic Management Guidelines. 'Recommendations for Site Development Works for Housing Areas' (Department of the Environment and Local Government, 1998) shall apply for all residential developments.

## 12.11 Parking and Loading

In all developments whether residential, commercial, industrial, employment or otherwise the planning authority will require the provision of car parking spaces within or convenient to the site of the development. The car parking standards are based on the extent to which the development is likely to generate demand for parking spaces.

Where, in a particular development, it may be impracticable for individual developers to provide for parking, the planning authority may impose a special contribution (as provided by Section 48(2)(c) of the Planning and Development Act, 2000) towards the cost of public car parking provision in lieu of the direct provision of parking spaces.

In the case of 'Living Over the Shop' Schemes, planning permission will not be refused solely on the basis of a lack of parking facilities.

The following minimum car parking standards shall apply:

**Table 12.2: Minimum Car Parking Standards**

| Type of Development                               | Minimum Car Parking Standard                           |
|---|--|
| Dwelling/flat (A1 Zone)                           | 1.2 car spaces per dwelling unit                       |
| Dwelling/flat (all other zones)                   | 1 car space per dwelling unit                          |
| Shops   | 1 car space per 20m <sup>2</sup> of gross floor space  |
| Supermarkets and large stores                     | 1 car space per 20m <sup>2</sup> of gross floor space  |
| Offices   | 1 car space per 50m <sup>2</sup> of gross floor space  |
| Industry (including science and technology based) | 1 car space per 50m <sup>2</sup> of gross floor space  |
| Industrial/Distribution Warehousing               | 1 car space per 100m <sup>2</sup> of gross floor space |
| Theatres, cinema, stadia                          | 1 car space per 20m <sup>2</sup> of gross floor space  |
| Hotels  | 1 car space per bedroom                                |
| Lounge bars                                       | 1 car space per 4m <sup>2</sup> public space           |
| Restaurants                                       | 1 car space per 10m <sup>2</sup> of gross floor space  |
| Ballrooms, dance halls, clubs                     | 1 car space per 20m <sup>2</sup> of gross floor space  |
| Playing fields                                    | 15 car spaces per pitch                                |
| Primary schools                                   | 1.2 car spaces per classroom                           |
| Secondary schools/third level or higher education | 2 car spaces per classroom                             |
| Nursing homes                                     | 1 car space per 4 residents                            |
| Crèche/nursery/Montessori                         | 1-2 car spaces per classroom equivalent                |
| Retail Warehouse                                  | 1 car space per 25m <sup>2</sup> of gross floor space  |

Each new premises proposed for commercial or industrial use must include within the curtilage of the building one or more loading bays of a size adequate to cater for its specific needs and the requirements of the type of vehicle serving the premises. The location of these loading bays must be such as not to obstruct the circulation of vehicles on the site or other required parking space.

Where parking is permitted in the view of the general public, adequate soft landscaping must be provided to soften the appearance of parking areas.

## 12.12 Cycle Facilities

The planning authority will require the provision of a minimum level of cycle parking facilities in association with new development and a change of use. Cycle parking facilities should be located so as to maximise convenience to the main entrance of buildings, and positioned so as to ensure safety, security and supervision. Where a large number of cycle facilities are required, these facilities should be covered.

The Design Manual for Cycle Facilities, issued by the DTO (currently being reviewed) provides design criteria and guidelines for the design and construction of cycle routes and parking facilities.

The following minimum cycle parking standards shall apply:

| Type of Development                               | Cycle Parking Standard                                     |
|---|--|
| Dwelling/flats accessible by cycle                | 1 stand for every flat and all other residential dwellings |
| Shops   | 1 stand per 50m <sup>2</sup> of gross floor space          |
| Supermarkets and large stores                     | 1 stand per 200m <sup>2</sup> of gross floor space         |
| Offices   | 1 stand per 30m <sup>2</sup> of gross floor space          |
| Industry (including science and technology based) | 1 stand per 100m <sup>2</sup> of gross floor space         |
| Industrial/Distribution Warehousing               | 1 stand per 250m <sup>2</sup> of gross floor space         |
| Theatres, cinema, stadia                          | 1 stand for every 20 seats                                 |
| Hotels  | 1 stand per 8 bedrooms                                     |
| Lounge bars                                       | 1 stand per 30m <sup>2</sup> public space                  |
| Restaurants                                       | 1 stand per 30m <sup>2</sup> of gross floor space          |
| Ballrooms, dance halls, clubs                     | 1 stand per 30m <sup>2</sup> of gross floor space          |
| Playing fields                                    | 4 stands per pitch   |
| Schools/higher education                          | 1 stand for every 10 pupils                                |
| Nursing homes                                     | 1 stand for every 8 members of staff                       |
| Retail Warehouse                                  | 1 stand per 100m <sup>2</sup> of gross floor space         |

Note: Large-scale developments may be assessed separately with regard to the circumstances.

## 12.13 Mobility Management Plans

The Council shall require all planning applications for large employment based developments, where the Council considers that a significant level of peak and/or off peak travel will be generated, to include a Mobility Management Plan. Developments for which mobility management could be applied include:

- office, including office based industrial;
- retail (e.g. large one-off stores), including retail warehouse and distribution;
- places of education.

A Mobility Management Plan is an integrated strategy designed with the common aim of addressing the total mobility requirements of the development in a sustainable way. Its aim is to shift the emphasis from car borne commuting to increased use of sustainable transportation modes. The Plan should include aims and specific works objectives which minimise the impact on traffic of a development through:

- providing appropriate parking spaces;
- optimising links with the public transport system;
- providing facilities for cyclists and pedestrians;
- meeting the needs of people whose mobility is impaired;
- respecting existing public rights of way;
- encouraging modes of transport other than personal travel by private car.

In preparing a Mobility Management Plan, reference should be made to the D.T.O. Advice Note: Mobility Management.

## 12.14 Environmental Pollution

### 12.14.1 Air Pollution

The Council will have regard to the 'Environmental Protection Agency Act', 1992 (Ambient Air Quality Assessment and Management), the 'Air Quality Standards Regulations', 2002, and other relevant standards/guidelines issued by the Environmental Protection Agency and the 'Minister for the Environment, Heritage and Local Government'.

### 12.14.2 Noise Emissions and Pollution

The Council will have regard to the proposed EU Directive on Environmental Noise when issued, and to the recommendations/requirements of the Environmental Protection Agency.

### 12.14.3 Major Accidents Hazards

Control of Major Accident Hazards Involving Dangerous Substances (as defined under Seveso II Directive 96/82/EC)

Where development is proposed which involves the use of dangerous substances as defined under Directive 96/82/EC, such facilities shall be located so as to maximise distance and to minimise the threat of major accidents. In particular, establishments shall be controlled with respect to:

- transportation links;
- locations frequented by the public;
- residential areas;
- areas of particular natural sensitivity or interest.

In the event of the modification of any existing establishments/storage facility or process of the nature or quantity of dangerous substances which could have any significant repercussions on major accidents, such additional steps shall be taken as are necessary to ensure that there is no increased risk to people and the environment.

Guidance shall be sought from the relevant authorities on the location of all such developments.

## 12.15 Utilities

### 12.15.1 Mobile Telecommunications Infrastructure

To facilitate the evaluation of development proposals for the erection of antennae and support structures, applicants/developers/operators will be required to:

- submit a reasoned justification as to the need for the particular development at the proposed location in the context of the operators overall plans to develop a network in County Wicklow and contiguous counties;
- indicate what other sites or locations were considered;
- submit evidence of consultations, if any, with other operators with regard to the sharing of sites and/or support structures;
- submit proposals to mitigate the visual impact of the proposed development including the construction of access roads, additional poles and structures;
- furnish a statement of compliance with the International Radiation Protection Association (IRPA) Guidelines or the equivalent European Pre-Standard 50166-2.

### 12.15.2 Other Utility Infrastructure

Public utility (electricity, gas, telephone, television/telecommunications) services must be ducted underground. Where an exceptional and demonstrable need exists, the Council will permit the development of overhead transmission lines in locations where they do not significantly detract from visual or residential amenity.

ESB substations, pump houses and other public service installations, public light standards and other street furniture should be carefully located in unobtrusive locations. They must not cause unnecessary obstruction for the visually or mobility impaired. Trees must not be planted directly over underground services.

### 12.15.3 Septic Tanks

Septic tanks will not generally be permitted, and all development should discharge to public sewers. In exceptional circumstances and where connection to the public sewer is not practicably feasible, the Council may permit the installation of a septic tank where it complies with the relevant standards as per the Environmental Protection Agency 'Waste Water Treatment Manuals Treatment Systems for Single Houses' (2000).

## 12.16 Nursing Homes

The Council recognises the continuing and growing need for nursing homes in the town. The planning authority will, subject to protecting residential amenity, consider the location of nursing homes in residential areas and on sites considered adequate in size to cater for all generated needs of the development. The development of nursing homes should not involve significant changes to the street scene involving the loss of trees, hedges, walls etc. The over-development of sites will not be permitted.

In assessing planning applications for the development of a nursing home the Council will have particular regard to the following considerations:

- the character of the area in which the proposal is to be located and the compatibility of use in such an area;
- traffic aspects, i.e. access requirements, parking and servicing requirements and whether or not the existing road network can satisfactorily accommodate any additional traffic from the proposal;
- the effect of the proposal on the amenity of the area in terms of noise, nuisance and general disturbance;
- design and layout;
- landscaping;
- the impact of fire escape facilities on the visual amenity of the area.

## 12.17 Guidelines for Access for People with Disabilities

All new buildings which provide for public access must conform with the design guidelines set out in 'Access for the Disabled Minimum Design Criteria' (1998) and the Technical Document – Part M of the Building Regulations, 2000. In particular, reasonable provision should be made to enable disabled persons and mobility impaired persons to have safe and independent access to a building and to those parts of the building to which it is appropriate to have access to and are usable by people with disabilities or mobility impairments. It is also a requirement that new dwellings are visitable and accessible by people with disabilities or mobility impairments, and that houses are designed as 'Lifetime Homes' for an aging population. The main features of these requirements include:

- the provision of a level, gently sloped ramp approach access to the dwelling from the entrance point to the site or from a suitable parking spot;
- a level access at one entry point to the dwelling;
- front door and living room door wide enough to accommodate a wheelchair;
- circulation space for wheel-chair at entry storey;
- ground floor toilet located so as to be usable by wheelchair users and other people with disabilities or mobility impairment.

Where sanitary conveniences are provided in public buildings, reasonable provision shall be made for disabled persons and the mobility impaired. In the case of community centres and buildings which are commonly used by disabled persons, the mobility impaired or the elderly for social activities, the planning authority will require at least one W.C. compartment in the building to be usable by wheelchair bound people.

Bray Town Council will meet these criteria for its buildings within the period of this Development Plan. Access considerations will be spread to the public realm with the position of street furniture, dished footpaths at junctions, tactile paving surfaces, pedestrian crossings and other elements being assessed on an ongoing manner. Car parking provision shall be provided for the disabled and mobility impaired in all car parking developments and should be located in the most convenient locations for ease of use. The minimum criteria for such parking provisions are detailed in 'You Can Park Here' Guidelines, published by the National Rehabilitation Board in 1994.

To view 'Section 12.18 Energy Performance Criteria' please turn to page 161 or click this link