

CHAPTER 10 DEVELOPMENT CONTROL STANDARDS

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CHAPTER 10: DEVELOPMENT CONTROL STANDARDS

AIM: To ensure the orderly development of the county through setting out development control policies for a range of types of development.

INTRODUCTION

10.1 In order to ensure the proper planning and sustainable development of the County it is essential that development should conform to a number of requirements which we set out in this chapter under the following main headings:

- New urban and rural residential Development;
- Changes of use, extensions and alterations to Dwellings;
- Agricultural Developments;
- Commercial, office and other developments;
- Conservation and Archaeology;
- Community Development;
- Accessibility;
- Development Contribution Planning Scheme.

10.2 The Development Control Policies and Standards have been formulated to take into account a number of contextual guidelines and regulations in addition to the policies and objectives set out in the County Development Plan and which include the following:-

- The Planning & Development Act 2000 and Associated Regs 2001;
- The Planning & Development Act 2000 Part V – Housing Supply 2000;
- Residential Density Guidelines 1999;
- Retail Planning Guidelines 2000;
- Sustainable Rural Housing Guidelines;
- Childcare Facilities 2001;
- Landscape and Landscape Assessment Guidelines (Draft);
- Telecommunications Antenna and Support Structure Guidelines 1996;
- Architectural Conservation Guidelines (Draft) 2001;
- European Community (E.I.A.) Regs. (Various) 1987 to date, and
- Seveso II Directive (1996) and any subsequent amendments.

NEW RESIDENTIAL DEVELOPMENT

10.3 Both quantitative and qualitative criteria are included in requirements for new residential developments set out below. These requirements will form the basis for evaluating planning applications for new residential development with a view to improving the quality of development in the County.

10.4 Two scenarios exist in the County in relation to housing development. Firstly, residential development in an urban context, which is governed by the *Guidelines for Planning Authorities on Residential Density*.

10.5 Secondly, residential development in rural areas which are governed by the *Sustainable Rural Housing Guidelines for Planning Authorities*.

10.6 These requirements are informed by a number of key principles to:

- Build on the positive elements of the County's character through new high quality residential development;
- Provide a good quality of life for persons living in and visiting the county;

- Create new residential areas with a distinctive sense of place;
- Create new sustainable residential areas which allow for new and improved access to public transport and local facilities and make the best use of development land and infrastructure;
- Use a range of design “tools” or methods, guidelines and standards, to achieve better residential development;
- Encourage the concept of energy efficiency and re-use of on-site materials;
- Encourage high densities through innovative design in appropriate locations.

The Design and Planning Process

- 10.7 The planning and design processes for residential developments overlap. When commencing the design process an overall understanding of urban area context and detailed site assessment is essential. This understanding will allow the development of design concepts. The concepts will in turn inform the final design. Depending on the nature and size of proposals it is recommended that developers engage in pre-planning discussions with the Planning Authority at the appropriate stages of the design process.
- 10.8 A Design and Development Brief should be prepared with all larger development at an early stage of the design process / pre-application stage. The Design and Development Brief should take the form of a concise illustration or series of illustrations and a written statement. This material will form the basis of meaningful pre-application discussions with the Planning Authority. On smaller sites a design statement will be required outlining in detail the response to site or local conditions.

Residential Density

- 10.9 The Minister for the Environment & Local Government issued Guidelines for Planning Authorities on Residential Density in September 1999. The Planning Authority in assessing applications for residential developments will have regard to the policies and objectives outlined in these Guidelines.
- 10.10 The appropriate residential density in any location will be determined by a number of considerations including:
- 1) Existing topography, landscape and other site features;
 - 2) Existing densities in nearby residential areas;
 - 3) Infrastructure capacity including social, community and educational facilities;
 - 4) Proximity to public transport routes;
 - 5) The extent to which the site by virtue of its attributes proposes its own density through quality design concepts aimed at creating a sustainable living residential environment, and
 - 6) Compliance with qualitative and quantitative criteria set out in the Development Plan.
- 10.11 Higher residential density will not be appropriate in every circumstance. Higher densities must not be achieved at an unacceptable amenity cost to the surrounding dwellings and the residents of the proposed development. A high quality of design and layout and a good quality living environment, including the availability of adequate shopping, social, transport and leisure infrastructure, are necessary if increased residential densities are to be acceptable.

Housing Strategy

- 10.12 A Housing Strategy has been prepared in accordance with the requirements of the Planning and Development Act 2000. The adopted strategy will operate for the period 2005-2011.

- 10.13 Every applicant for permission for residential development, other than for exempt residential development, must specify in the planning application how he or she proposes to meet the requirements of the housing strategy in relation to the development for which permission is being sought.
- 10.14 Such proposals will be taken into account in determining planning applications for such development. Planning applications for residential development will therefore be assessed on the basis of the Housing Strategy, the land use zoning, the design and layout, accessibility to public transport, housing mix, the provision of special needs housing and the provision of social and affordable housing.

URBAN RESIDENTIAL DEVELOPMENT - DESIGN & LAYOUT CONTROLS AND SAFEGUARDS

10.15 It is the policy of Laois County Council to encourage the well planned and economic provision of housing on serviced lands. Developers are advised to consult with Laois County Council in advance of purchasing lands for residential development and discuss proposals at the earliest stage. The following criteria will be taken into account when assessing applications incorporating higher densities:-

- *Size of Site;*
- *Proximity to town centre facilities and to existing public transport corridors;*
- *Quality of Proposed Layout and Elevational Design;*
- *Mix of Dwelling Types;*
- *Ancillary Facilities;*
- *Quality of Proposed Open Space and General Landscaping;*
- *Quality of Pedestrian Linkages between Open Spaces and to and from Local Facilities;*
- *Levels of Privacy and Amenity;*
- *Traffic Safety;*
- *Energy Efficiency;*
- *Management Arrangements;*
- *Childcare Facilities;*
- *Site Ecology;*
- *Local or Action Area Plans, and*
- *Facilities for Children and the Elderly.*

Layout of Housing Schemes

10.16 In the interests of a good housing scheme layout, incorporation of the following into new development will be sought:

- Division of the estate into groups of houses, giving each group a sense of spatial enclosure;
- Pedestrian routes and footpaths which provide access to local shops, bus stops etc.;
- Orientation in accordance with sustainable development concepts, taking account of existing views; also overlooking, overshadowing and energy efficiency;
- Separation of through traffic from local housing traffic;
- Layout which discourages on-street parking;
- Curves and changes in surface colour and texture of the road layout which discourages speeding and promotes pedestrian priority;
- Houses situated in order to ensure that overlooking and privacy issues are addressed;
- Road widths, which reflect the number of houses being served. A reduction in width may be appropriate where small numbers of houses are being served;
- Back to back distance of 30m in conventional housing layouts on greenfield sites;
- Rear Garden Depths of 15m in respect of Greenfield sites. Exceptions of a reduced standard will be permitted where deemed appropriate, subject to good design principles.
- New houses should be encouraged to use alternative energy systems such as solar panels and or underfloor heating systems to allow for energy conservation where appropriate.
- Recycling 'Bring banks' should be included.

Layout of Apartment Developments

10.17 The layout of apartment developments should:

- Incorporate common spaces, terraces and courtyards, steps which are of good design and will encourage use by residents;
- Provide for access for all disabilities;
- Incorporate spaces which are designed so as to provide a safe and pleasant environment, which are multifunctional and allow for fire brigade access, parking and passive recreation;
- Provide concealed refuse bin storage areas, bicycle storage areas and washing and drying facilities for, and accessible to each of the apartments;
- Present a live edge to the street by locating doors and windows onto the street frontage;
- In the case of residential accommodation over shops or other business premises, a separate access should be provided for the upper floor accommodation;
- In addition to planning requirements, building control and fire prevention requirements must be met.
- Underground car parking will be encouraged where appropriate.

10.18 The overriding concern should be the quality of the proposed residential environment and higher densities should only be acceptable if the criteria which contribute to this environment are satisfied. In this regard, the planning authority will consider the preparation of Design Guides illustrating good examples of residential layouts at increased densities, appropriate to local circumstances. These considerations will be incorporated into a review of residential guidelines appropriate to County Laois.

Plot Ratio

10.19 Plot ratio expresses the amount of floor space in relation (proportionally) to the site area. In inner urban areas the ratio of site coverage will be guided by requirements of development control standards set out in this chapter and the necessity to ensure that sufficient space for the proper functioning of the building is retained on site.

10.20 Suitable plot ratios should provide a mix of dwelling sizes in each case and the number of dwellings per hectare may vary significantly depending on the mix and site particulars. Other factors have to be applied alongside plot ratios in order to give a more qualitative definition to the built form. These include:-

- Height
- Public open space provision
- Private open space provision
- The standards applied to estate roads, off-street car parking provision.

Public Open Space

10.21 Public open space should be well designed from a visual perspective as well as being functionally accessible to the maximum number of dwellings within a residential area. A well-designed open space will be based on the principles of adequate overlooking, supervision and accessibility. The emphasis should be placed on the retention of existing natural features and good proportions. Narrow tracts of open spaces are non-functional, hard to maintain, therefore unacceptable and will not be considered in assessing the adequacy or otherwise of open space provision in a new residential development. In new development areas provision for open spaces should be identified at an early stage. It is important to plan for hard surface play areas. A hierarchy of open space provision in residential areas to meet the needs of children in different age groups will be encouraged.

10.22 Opportunities for providing new public open space may be limited due to site constraints and the need to protect the established pattern of streets and spaces. Public open space will be required at the rate of 10% of the gross site area with a minimum unit of open space of

200sq.m. and 10m as a minimum dimension of any side. A minimum of 80sq.m. of public open space per dwelling will be required in residential developments. Where this cannot be provided or where it is not appropriate to provide this, a contribution to local amenity facilities in lieu of the shortfall will be required. The provision of public open space should be cross referenced with county Laois Play Strategy which gives guidance on the types of recreational facilities required for all age groups with residential layouts.

- 10.23 Planning applications for major schemes should include a landscaping plan and a planting schedule. Proposals for the management of open space should also be included. As a first preference, consideration should be given to the use of native species of trees and shrubs.

Private Open Space

- 10.24 In town centre and urban areas the quality of private open space will be crucial to successful residential development (See Table 18).
- 10.25 In apartment developments private open space should be provided in a number of ways including, balconies, winter gardens, indoor amenity spaces, shared internal courtyards and roof gardens. In townhouse and mews developments private open space should be provided in small rear yards and balconies.
- 10.26 A detailed landscape plan should be submitted with any application for development containing shared semi-private open space.
- 10.27 In Suburban Areas focus must be placed on the quality of private open space rather than quantity alone.

Table 18: Private open space standards

Unit type	Urban Areas		Suburban
	Areas	Area	
Apartments (1 bedroom)		10 sq.m	15-20sq.m
Apartments (2 and 3 bedrooms)		15 to 20 sqm.	30-40sq.m
Townhouses		48 to 60 sqm.	48-60sq.m
Conventional houses (3 bedrooms plus)		48 to 60 sqm.	48-60sq.m
Conventional houses, detached and Semi-detached (1 and 2 bedrooms)		48 to 60 sq.m	48 to 60 sq.m
Conventional houses (2-5 bedrooms)		60-75sq.m	60-75sq.m

Front garden space will not be considered as private open space for calculation purposes.

Residential Parking Standards

- 10.28 Parking is an integral element of overall landuse and transportation policy within the county. The purpose of the parking standards is to ensure that an appropriate level of parking is provided to serve new development. . Where a developer cannot provide the specified number of car-parking spaces within the site, a financial contribution in lieu will be required towards the cost of providing such spaces off the site (See Table 19).

Table 19: Parking standards for residential developments

Location	Parking space per unit
Town Centre Apartments / Mews Type developments	1.25
Townhouse	1
Suburban House or apartment	2

- 10.29 Where parking will be open to public view, adequate landscaping and tree planting must be provided to counteract the appearance of the parking areas. Group and clustered parking will be required where spaces cannot be provided on individual sites.
- 10.30 Construction and layout standards for multi-storey and underground car parks are set out in the document, 'Design Recommendation for Multi-Storey and Underground Car Parks' (current edition), published by the Joint Committee of the Institute of Structural Engineers and the Institution of Highways and Transportation.
- 10.31 Car Parking should be considered having regard to potential of the site to accommodate it, the needs of the residents and proximity to local public transport and local services. It should be located where it will not detract from the quality of the street or the development and it should satisfy appropriate layout standards.

House and Apartment Design

- 10.32 A high quality of house and apartment design will be sought. All new housing and apartment developments should:
- Reflect the existing character of the street by respecting the proportion, pattern, massing, density and materials of surrounding buildings;
 - Maintain existing building lines, roof pitches and window proportions;
 - Incorporate variations in window design, roof type etc. around a common theme, in housing estates of more than 20 houses.
- 10.33 Any policy which promotes the incorporation of higher residential densities must take into account the need for proper internal space planning which ensures adequate standards in relation to overall dwelling and individual room sizes.
- 10.34 The "Guidelines on Residential Developments in Urban Renewal Designated Tax Incentive Areas" (Department of the Environment 1995) will be applied as a minimum for apartment developments. With regard to local authority dwellings, the Council will have regard to the "Social Housing Design Guidelines" which were issued in 1999.
- 10.35 The Planning Authority will encourage the provision of dwellings in higher density developments which are capable of being extended. Aside from the normal single storey extensions, the conversion of the attic space for additional floorspace will be promoted as a method of providing extra living/sleeping space or storage without increasing site coverage.

Housing Estate Completion

- 10.36 Developers will be required to give security to the County Council in the form of an adequate cash deposit, bank bond or insurance company bond or other such security, to ensure satisfactory completion and maintenance of the estate. Developments should be phased to ensure that new residents have the benefit of proper access and services when the houses are occupied. A Construction Management Plan shall be submitted with planning applications for

large scale developments. At the commencement of any development the developer will be required, both in the interests of existing residential amenity and in the interests of health and safety to complete work on the boundaries/perimeters of the site in accordance with the permission granted. The phasing of such work will be submitted and agreed with the Planning Authority. There should be a condition of planning permission or agreement between the builder and the local authority to maintain and keep roads safe. This should be strictly monitored and enforced.

Naming of Estate

- 10.37 The Council will seek to ensure that the names selected for new developments will have regard to the character, history, folklore or sense of place of the locality.

Infill Housing

- 10.38 Where locations are physically difficult, some relaxation of development controls may be considered provided the internal and external space standards are adhered to and where adjacent residential amenities are not compromised. In all instances, the design of infill development and refurbishment must not be prejudicial and particular attention shall be had to local architectural character and materials.
- 10.39 In the wider suburbs or older housing areas, infill or backland development will be considered on the basis that the proposed development will not detract from the character of the area, will not be detrimental to the residential amenities of the area, will not be prejudicial to the proper planning and sustainable development of the area and will comply with the basic minimum standards for such development as set out in the residential density guidelines.

DWELLINGS IN RURAL AREAS

- 10.40 Applications for dwellings in rural areas will be considered in the context of normal planning criteria as outlined in Chapter 3 of the Development Plan and in the Sustainable Rural Housing Guidelines (DoEHLG, 2004) and in relation to Special Areas of Development Control as indicated in Para 8.26. The Rural Housing Policy as outlined in Chapter 3 (H4) is an essential element of the assessment. Building lines shall be in accordance with Table 19 outlined below. It will be normal practice to ensure that dwellings will not be erected within 100m of any motorway. Adequate sightlines shall be provided for all individual sites to meet the requirements of road safety.

Layout and Design

- 10.41 The principal objective of design in rural area should be to integrate the structure into the environment and this will necessitate attention to siting, form, roofs, materials and finishes, privacy and boundary. Visual harmony and order is required and house design should reflect the characteristics of the area as well as limitations imposed by the size of the site and adjacent land uses.
- Road frontage shall generally be a minimum of 30m
 - Minimum site size shall be 0.5 acre;
 - The siting of the house within its site should respect topographical and contour features and not dominate the landscape;
 - Uncomplicated and traditional forms of house design are favoured in rural areas;
 - Large urban type house designs with a multiplicity of external finishes/roof plains are not considered appropriate for the open countryside, Number of external materials and elaborate and ornate finishes should be kept to a minimum;
 - Windows at first floor level which overlook adjacent properties are generally not considered acceptable unless the site is of sufficient size to safeguard the residential amenities of adjacent property;
 - Blue black, slate grey, dark brown slate or tile should be used;
 - Roof pitches should be generally in the range 30° - 40° ;
 - Screen walls and boundary treatments should be finished to complement and blend with the rural environment. – decorative features which are alien to the area will not be allowed;
 - Existing site boundaries should be retained and augmented with indigenous planting;
 - Size, form and external finishes of extensions, garages and other structures should reflect the architectural detailing in the main structure;
 - Red Brick will be acceptable in appropriate locations;
 - Shared entrances will be considered in certain circumstances, and

- A variety of house designs including two storey, single storey and dormer type dwellings will be considered providing they respect the existing and changing characteristics of the areas.

Table 20: – Minimum Desired Building Lines and Fence Lines

Road	Min. Distance between Building Line & Fence Line
Local Road	20m
Regional Road	25m
National Road	30m

10.42 In developments of more than one dwelling in rural areas the individual designs should be related to each other through scale, finishes and orientation.

Septic Tanks / Waste Water Treatment systems

10.43 The provision of septic tanks or waste water systems and their associated percolation systems shall comply in full with the requirements of the Environmental Protection Agency Groundwater Protection Scheme (EPA 2000 and subsequent publications). In all cases site characterisation reports as detailed in the above manuals shall be submitted with each application. A site suitability report including a site layout plan (scale 1:500) prepared by a competent person shall also be submitted. Each individual site shall have its own treatment system. Communal treatment systems will only be considered in nucleated settlements (See Chapter 7 – Environmental Management).

Water supply

10.44 Where no water supply is available a potable water supply must be provided in accordance with Council requirements.

Tree and Hedgerow Preservation

10.45 Where mature trees and or substantial hedgerow are located on lands that are being considered for development a detailed tree survey shall be submitted with the planning application. All trees with a diameter of 75mm and above should be included. Trees should be surveyed by reference of species, crown spread, spread shape, height and condition. In environmentally sensitive areas or areas of locally important wildlife, an ecological report may be required and measures for the protection of wildlife and habitats incorporated. It is the policy of the Planning Authority to ensure that hedgerows and trees are only removed if absolutely necessary. In the detailed replanting scheme, the importance of the use of native species is emphasised.

10.46 In the event of the development necessitating trees to be felled during the construction stages, the Council will require the planting of a minimum of 5 native semi-mature /established trees per tree felled which shall be incorporated into the overall design of the scheme.

10.47 Where a development located on the lands zoned for development necessitates the removal of hedges /trees the planning authority will require the removal of same to be identified in the planning application and a detailed replanting scheme to be submitted. The proposal should provide for the replacement of, at minimum, an equal amount of similar native hedgerows /trees planting within the overall scheme. Generally the use of leylandii species of trees is not deemed appropriate either in urban or rural areas and their use will be discouraged.

- 10.48 The replacement of hedgerows/trees shall take full account of the ecological function of hedgerows as a wildlife corridor and shall not work in isolation to the remaining hedgerow network.

CHANGE OF USE AND ALTERATIONS TO DWELLINGS

Extension to dwellings

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

Extensions should:

- Follow the pattern of the existing building as much as possible;
- Be constructed with similar finishes and with similar windows to the existing building so that they will integrate with it;
- Have a pitched roof, particularly when visible from the public road or when the building is two or three stories high. In addition it is difficult to obtain a satisfactory external appearance with flat roofs;
- Dormer extensions should not obscure the main features of the existing roof, i.e. should not break the ridge or eaves lines of the roof. Box dormers will not be permitted where visible from a public area;
- Traditional style dormers should provide the design basis;
- Front dormers should normally be set back at least three-tile courses from the eaves line and should be clad in a material matching the existing house, and
- Care should be taken to ensure that the extension does not unduly overshadow windows, or have windows in flank walls, which would reduce a neighbour's privacy.

Sheltered Housing Extensions

10.50 Sheltered Housing extensions shall be an integral part of the main dwelling unit capable of reintegration for single family use. The following criteria must be met:

- Where a bona fide need for such a unit exists;
- Where the unit acts as a physical extension to the main house with full integration between the existing house and proposed extension;
- Where such a unit is located at ground floor level;
- Where the unit is capable of re-integration for use as part of the main dwelling following its cessation of use as a granny flat;
- Entrances should be via the main dwelling unit, where own door entrances are proposed these should be located to the side or rear of the dwelling.

Conversion of existing houses – General

10.51 Complete conversion of houses and apartments in town centre locations to other uses will not be normally permitted where there is a loss of residential amenity. Exceptions to this may be made in the cases of:

- Protected Structures and other buildings of architectural merit where a restoration to an architecturally high standard is involved;
- Developments which would ensure the preservation of large well landscaped and visually-prominent property which would otherwise be likely to be developed in a manner detrimental to its attractions.

Conversion of Existing Houses to Flat Accommodation

10.52 The subdivision of houses, housing above business premises and housing on primary traffic routes may be permitted. Permission to convert to flats will not normally be granted unless:

- The minimum size of unit is 38 square metres for a 1-bed unit;
- The parking space provided is not at the expense of existing garden or courtyard;
- There are areas available for necessary amenity purposes;
- Development meets the requirements of the building regulations, and
- Each flat has a refuse bin storage areas and washing/drying facilities which are accessible to the occupants of that unit.

10.53 Proposals for conversion into flats should take account of standards set out in the "Guidelines on Residential Development in Designated Tax Incentives Areas" published by the DOEHLG.

Home Based Economic Activity

10.54 Home based economic activity is defined as 'working from home'. In dealing with applications for such developments the Planning Authority will have regard to 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.

10.55 Permissions for such partial change of use will be restricted to use by the applicant and may be temporary, for a three-year period, in order to enable the Planning Authority to monitor the impact of the development. Permission will not normally be granted for such changes of use in apartments.

10.56 Conversion of part of a dwelling to a medical or dental surgery, childminding or childcare facilities will normally be permitted where the dwelling remains as the main residence of the practitioner and where a local need has been demonstrated. Conversion of the ground floor of a dwelling to a surgery with a separate apartment on the upper floor may be permitted where there are no other more suitable premises available. A traffic and car parking statement shall accompany any application for such a change of use.

Parking in Front Gardens

10.57 The cumulative effect of removal of front garden walls and railings damages the appearance of suburban streets and roads. Consequently proposals for off street parking need to be balanced against loss of amenity. Where permitted, "drive-ins" should:

- Not have outward opening gates;
- Have a vehicular entrance of generally not less than 4m;
- Have an area of hardstanding (parking space of 2.5m x 5m);
- Retain the balance as garden, and
- Have gates, walls and railing made good.

AGRICULTURAL DEVELOPMENTS: GENERAL CONSIDERATIONS

- 10.58 Agricultural developments have the potential to impact on the environment and the landscape. The traditional form of agricultural buildings is disappearing with the onset of advanced construction methods and wider range of materials. Some new farm buildings have the appearance of industrial buildings and due to their scale and mass can have serious major visual impacts.

Design of Agricultural Buildings

- 10.59 In the construction and layout of agricultural buildings the Council will require that buildings be sited as unobtrusively as possible and that the finishes and colour used will blend the development into its surroundings. The proposed developments shall meet with the requirements of the Department of Agriculture with regard to storage and disposal of waste.
- 10.60 The Council accepts the need for agricultural buildings and associated works (walls, fences, gates, entrances, yards, etc) to be functional but they will be required to be sympathetic to their surroundings in scale, material and finishes. Buildings should relate to the landscape. Traditionally this was achieved through having the roof a darker colour than the walls.
- 10.61 Appropriate roof colours are dark grey, dark reddish brown or a very dark green. Where cladding is used on the exterior of the farm buildings dark colours should be used.

COMMERCIAL DEVELOPMENT: GENERAL CONSIDERATIONS

- 10.62 The general principles guiding the location of commercial development in the county have been set out in preceding chapters. In assessing planning applications a number of considerations will be taken into account:-

Conformity with the land use policies in respect of Commercial Development;

The design, quality and mix of uses being proposed particularly in town centres where redevelopment and changes of use need to be orientated towards creating a vibrant and lively, quality directed commercial core;

The requirement that design quality protects but also enhances the architectural character of the town, particularly in relation to landmark structures and viewpoints;

The potential impact to be generated in terms of traffic movement, parking provision and desirability thereof and whether or not consideration has been given to access and commuter movements;

Whether or not the proposed development will have a significant detrimental effect on the amenities of the surrounding areas;

The energy efficiency and overall sustainability of the development which includes practical considerations, such as servicing, deliveries, waste/recycling and overall management thereof;

Whether or not a land contamination assessment is necessary and is required as part of the Planning Authority requirements, and

Whether or not an E. I. S. has been deemed necessary and provided as part of the Planning Authority requirements.

- 10.63 Demolition within town centres will not normally be permitted unless fully justified by structural assessment and positive redevelopment proposals within the context of preceding objectives outlined above.

COMMERCIAL DEVELOPMENT OTHER THAN SHOPPING AND OFFICE DEVELOPMENT

Warehouses and Industrial Uses/Business Campuses

- 10.64 The guiding policy considerations are set out in Chapter 4 on Enterprise and Employment. In cases where these developments generate heavy traffic, they may not be sited where they would encourage movement of heavy vehicles through residential areas.
- 10.65 The criteria for assessment of such developments will include:-
- The nature/activities/processes of the proposed development and site location factors;
 - The compatibility with adjoining uses;
 - The traffic implications and alternative access, servicing and sustainable mobility plans / Commuting arrangements;
 - The quality of building design;
 - The site layout including car parking arrangements;
 - Landscaping Plans;
 - The energy efficiency and overall sustainability of the proposed developments.

Public Houses/Night Clubs/Disco-bars/Dance Floors

- 10.66 Night clubs and disco bars play an important role in urban areas providing a night use which adds to the attraction of a town. They will not, however, be permitted in residential areas. Noise levels at the boundaries of these establishments will be monitored as circumstances require and mitigation measures will be required at the time of the submission of the planning application.

Filling Stations

- 10.67 Applications for filling stations should take account of the following:
- Access to filling stations will not be permitted closer than 35 metres to a road junction;
 - Frontage on primary and secondary routes must be at least 20 metres in length;
 - All pumps and installations shall be set back at least 5 metres from the roads;
 - A wall, of a minimum height of 0.5 metres, must separate the forecourt from the public footpath;
 - All external lighting should be cowled and directed away from the public roadway to prevent traffic hazard;
 - A proliferation of large illuminated projecting signs will not be permitted at filling stations. Generally only one such sign will be permitted;
 - Turbo-drying or car washing facilities will be located so as not to interfere with residential amenities;
 - Any shop being provided shall be ancillary to the principal use of the premises as a filling station and shall be a maximum size of 100sq.m. excluding storage;
 - An undue concentration of filling stations shall not be permitted, as in the past oversupply has led to closures with resulting unsightly derelict filling stations;
 - Late night opening will only be permitted if it does not impact adversely on nearby residences;
 - A landscaping plan will form part of any planning application.

Amusement Centres

- 10.68 Amusement centres will not be permitted in residential areas, and undue concentration of amusement arcades will not be permitted in any case. The character of the area and adjoining

business will be taken into account when planning applications for amusement arcades are being considered.

Taxi/Hackney Cab Bases

10.69 The importance of taxi and cab services as a means of transport in all towns is recognised. However, cab bases will not be permitted where they are likely to interfere with traffic flows or on street parking. A proliferation of hackney bases will not be permitted in any one location. Regard will be had to the impact of the hackney cab base on the amenities of the area and restrictions will be placed on the hours of opening of such facilities. It should be shown that satisfactory off-street parking facilities are provided when the vehicles are not in use. The Council fully endorses that taxi and cab bases should be fully accessible to people with disabilities.

Hot Food Take-Aways

10.70 Within the commercial core of all towns a proliferation of hot food "take-aways" will not be encouraged. Additional takeaways will not be permitted where there is a loss of office and retail frontage, in order to preserve the character of these areas. Regard will be had to the impact of hot food take-aways on the residential amenities in an area. 'Stand alone' take-aways, not attached to restaurants, will not be encouraged. The Planning Authority may impose restrictions on opening hours to 12p.m. (midnight) of hot food take-aways where these are permitted.

Childcare Facilities

10.71 The provision of childcare facilities is subject to the Child Care Act and the Child Care (Pre-School Services) Regulations 1996. The Planning Authority recognises the need for properly run and conveniently located childcare facilities throughout the county. It is the policy of the County Council to implement the Planning Guidelines on Child Care Facilities, 2001.

10.72 Applications for childcare facilities in a residential area will be assessed on the basis of their impact in terms of noise, loss of residential amenity, traffic generation and general disturbance. In general, the factors to be considered in determining application for a childcare facility are as follows:

- Have regard to the Child Care (Pre-School Services) Regulations, 1996, in relation to the planning implications of these Regulations;
- Suitability of the site for the type and size of facility proposed;
- Availability of outdoor play area and details of management of same;
- Convenient to public transport nodes;
- Safe access and convenient parking for customers and staff;
- Number of such facilities in the area;
- Intended hours of operation (in certain residential areas, 24 hour operations could be problematic).
- The Council fully endorses that childcare facilities should be convenient to public transport nodes in order to achieve sustainability and provide access to all people especially in urban areas with population over 2,500 persons.

SIGNAGE

Advertising Hoardings: Billboards Location

10.73 Outdoor advertising hoardings will normally be restricted and will not be permitted:

- Close to a listed building, a public open space or an important view;
- In predominantly residential areas, especially on prominent gable walls;
- Where a proliferation of them already exist;
- On street elevations;
- On buildings in the central commercial core;
- On stone walls in suburban areas;
- Where they may cause a road hazard;
- Where there may be a detrimental visual implication, and
- The Council will not normally permit the erection of large non local advertisement structures or hoarding in the open countryside or along main traffic routes. These large scale structures are detrimental to the amenities of the area and also give rise to creation of a traffic hazard.

10.74 Permanent cross street banners/advertisement symbols will not be permitted in any location within towns unless an agreed timetable for use has been approved by the County Council.

Advertising on Buildings

10.75 In general advertising on buildings should conform to the following:

- be sympathetic in design and colouring both to the building on which they will be displayed and their surroundings;
- not obscure architectural features such as cornices or window openings;
- illuminated signs or other advertising structures will not be allowed above the eaves or parapet level on buildings in any part of the county;
- shopfront advertising should be designed as an integral part of the shop.

Fingerpost Signs

10.76 The erection of fingerpost signs will require a licence or planning permission from the Planning Authority and should comply with the following:

- directional signs for major tourist attractions and community purposes will be considered but product advertising will not be permitted;
- signs must be of a standard size and colour which will be decided by the Council;
- Signs which interfere with road safety and the County Council or N.R.A directional signs will not be permitted.

10.77 The basic planning control principle is to reduce visual environmental clutter to the basic necessities and to improve the overall quality of physical environmental character of the County for the benefit of every person living, working or visiting the county.

Shopfronts and Commercial Facades

10.78 Control over alterations to shopfronts and facades of commercial premises is necessary in order to maintain good architectural standards in all the towns of the County.

- 10.79 The Planning Authority's objective is to maintain and over a period of time, raise the general quality of advertisement and shopfront design and to limit the quantity of advertisements where excess would spoil the character of particular shops or streetscapes. It is with this objective in mind that the following design guidelines will be applied in assessing Planning Applications, and it is intended that they will promote active co-operation between traders, designers and the County Council in implementing these guidelines.
- 10.80 The scope of these guidelines encompasses not only shops, but also all other business frontages such as restaurants, pubs, banks and offices.
- Statutory protection is given to buildings of special architectural merit or historic interest which have been listed in the Development Plan. The fundamental effect of listing is that works, which otherwise would be exempted development, require planning permission. Any alterations to shopfronts that are part of such should be consistent with the age and style of the buildings. Furthermore, any works to such building must be shown to be necessary.
 - In general the need to change old shopfronts will be closely examined as it is the policy of Laois County Council to preserve and retain traditional shopfronts of townscape importance. The condition of the existing frontage should be expertly examined as the replacement of shopfronts in a poor condition may be a premature solution. A careful repair can make good a neglected shopfront without incurring the cost of a new shopfront. In addition, refurbishment of shopfronts can often offer an opportunity to strip away later additions and to re-establish the proportions and details of the original framework.
 - The repair, restoration and replacement of shopfronts must be sympathetically carried out to protect the architectural character of the town / area in question. It may be necessary to accept that modern shop fronts are not appropriate in certain old buildings or traditional shopping parades. Where new shopfronts are acceptable in these situations the quality of design and finish should be of the highest standard and accurate facsimiles of period fronts may be necessary.
 - Where existing shopfronts are of no special merit, total replacement is acceptable and a modern design to a high standard will be encouraged provided it respects good architectural and conservation principles.

Fascia Signage and Illuminative and Projecting Signs

- 10.81 As a general principal fascia signs and projecting signs should be simple in design, not excessive in number, illumination or size. The following basic guidelines will be applied in assessing Planning applications:
- Plastic derived fascias with product advertising will not be permitted;
 - Quality signage is strongly encouraged in all circumstances;
 - Projecting signs should be of 2.4m clearance above street level;
 - Internally illuminated fascias will not be permitted;
 - Overall illumination of fascia signage or shopfronts or distinctive architectural features should be discreet and limited to spot-lighting, up-lighting or disguised minimalist strip lighting;
 - The use of banners, flags, billboards and other forms of commercial and cultural advertising will be strictly controlled in town centres and essentially restricted to those outlets of a cultural – entertainment activity.

Security Screens

10.82 The following standards in respect of Security Screens shall be applied:

- Planning permission is required for the erection of roller shutters;
- External roller shutters will not generally be permitted in the county;
- Box housing for shutters, mounted externally or concealed behind a large projecting fascia is a material alteration which is unlikely to be permitted in any shopping street;
- Security screens located inside the shop window or to the rear of the display area do not require planning permission as a general rule.
- Demountable metal-grills or wrought iron-work grills may also be acceptable.

Canopies

10.83 Planning permission is required for the erection of canopies. Canopies of traditional design and materials which are retractable will be favoured. In all circumstances canopies should not illustrate products unrelated to the primary activity of the premises and also should not be a hazard to pedestrians, visitors or shoppers.

Bus Shelters/other structures

10.84 Advertising on bus shelters will be permitted in locations which do not detract from the primary purpose of the transport shelter. General advertisements and promotional design advertisements on telephone kiosks within Town centres will not be permitted.

Telecommunications

10.85 An efficient telecommunications system is important in the development of the economy. The Council policy in relation to telecommunications is in Chapter 4 - Enterprise and Employment. However, in considering location requirements the Council take into account the following factors outlined in the Department of the Environment's Planning Guidelines for Telecommunications Antennae and Support Structures 1996 and Planning and Development Regs 2001.

- Telecommunication installation will not be favoured in residential areas, on land on which development may be restricted or prevented for amenity reasons, or in parts of the county which are architecturally important; and affect security installations.
- Nor will they be favoured unless it is clear that the developer has made reasonable efforts to share with other users of existing or proposed sites in the vicinity of the proposed mast. Evidence of this will be required.

10.86 If the proposal is contrary to any of the above, the County Council will need to be satisfied that the installation is of strategic importance if permission is to be granted. A report as to the public safety implications of the proposal should accompany any planning application. Regard should be had to locating new masts in existing industrial areas, where their visual impact would be less.

10.87 In assessing telecommunications facilities and structures, Planning Authority will have regard to the technical advice of the Irish Aviation Authority where such proposed locations may have an inappropriate or detrimental impact on flight paths.

Environmental Impact Assessment

- 10.88 In compliance with E.U. Directives, Environmental Impact Statements (E.I.S.) are required for projects which are likely to have significant affects on the environment. E.I.S.'s are obligatory for certain major developments and may be required for a wide range of other developments. The E.U. (E.I.A.) Regulations, 1989-99, specify the types of development and threshold levels for which E.I.S.'s are required. The purpose of E.I.A. is to ensure that the environmental effects of a development are properly considered along with, for example, the social and economic aspects of development. An Integrated Pollution Control Licence (IPCL) may also be required.
- 10.89 The Planning and Development Act 2000 and Regulations 2001 define the developments which are subject to an EIA and may require an EIS. The Planning Authority also have the discretion under Planning & Development Regulations 2001 in circumstances where other developments would in its opinion be likely to have significant effects on the environment, to request an applicant to submit an E.I.S. with a planning application.

Major Accident Directive, Seveso II

- 10.90 Unlike the earlier Seveso 1 Directive (82/501/EEC), Seveso II includes provisions in relation to land use planning. Article 12 of the Directive requires Member States to ensure that the objectives of preventing major accidents and limiting the consequences of such accidents are taken into account in land use policies and/or other relevant policies. These objectives must be pursued through controls on the following:
- The siting of new establishments.
 - Modifications to existing establishments.
 - Development in the vicinity of an establishment, which, by virtue of its type or siting, is likely to increase the risk or consequences of a major accident.
- 10.91 Article 12 of the Directive provides that appropriate consultation procedures must be put in place so as to ensure that, before decisions are taken, technical advice is available to Planning Authorities in respect of relevant establishments. The Health & Safety Authority provides such advice where appropriate in respect of planning applications within a 300m distance of the perimeter of the following site:
- Atlas Oil Clonminham Industrial Estate
- 10.92 Such technical advice will be taken into account in the consideration of any such application for planning permission.

CONSERVATION & ARCHAEOLOGY

10.93 Laois has a unique, varied and characterful historic heritage not only in its surviving architectural environment but also in its hidden archaeological secrets. In assessing Planning applications that impact upon this historic character the following general guidelines based upon: - the Department National Guidelines for Architectural Heritage Protection 2001, Part IV of the Planning and Development Act 2000, the Architectural Heritage (National Inventory) and Historic Monuments (Misc. Provisions) Act 1999, Conservation Guidelines Draft 1998, and the National Monuments Acts 1934 – 1994 shall apply.

- **Protected Structures and other Buildings of Significant Heritage Interest**

The following information is required to be submitted with each application for permission for restoration, refurbishment, demolition development or change of use:-

- a) An Architectural Assessment Report as per the 2001 Draft Architectural Heritage Protection Guidelines.
- b) A comprehensive schedule of proposed work that follows the guidelines set out in the Draft Architectural Heritage Protection Guidelines 2001.

- **Architectural Conservation Areas**

The requirements for planning application documentation and for their subsequent assessment are set out in the 2001 Draft Architectural Heritage Guidelines. Further refinement in respect of development control policies will be provided through subsequent special Planning Control Schemes detailing relevant development requirements for each designated area. The overall guiding principle is not restrictive but positive enhancement of unique qualities that make a place special because of its particular character.

- **Archaeological Investigations**

Zones of Archaeological Potential have been identified for Portlaoise, Portarlinton, Dunamase, Killabban, Ballinakill, and Castletown. These zones are shown in Chapter 8 - Natural Heritage. There are also archaeological implications outside of these areas. In general the following guidelines will apply. Developments which impact on the county's archaeological record will be treated as follows:

- The archaeological remains of potentially significant sites within the Zone of Archaeological Potential will be preserved or investigated;
- Outside of the Zone of archaeological Potential where in the opinion of the Planning Authority developments involve major ground disturbances, particularly in the vicinity of known monuments, planning conditions in relation to archaeology may also be applied;
- The Council will require that archaeological investigation be undertaken prior to the commencement of development. All such investigations must be undertaken by a qualified archaeologist in consultation with Laois County Council and the Office of Public Works;
- When deciding to grant permission for developments within the Zone of Archaeological Potential, the Council may impose conditions which render the developer liable for the cost of the archaeological investigation or the preservation of the archaeological record;
- Conditions may be imposed which modify the development, in order to facilitate the archaeological investigation or preserve the archaeological record.

10.94 Developers will be encouraged to supply an archaeological assessment and a method statement outlining construction procedures as part of their planning application. This is intended to facilitate assessment of the proposal.

Community Development

10.95 As a general principle the location and provision of Community Development facilities is a pre-requisite to the enhancement of viable, enjoyable, sustainable and attractive local communities. In assessing planning applications for leisure facilities, sports grounds, playing fields, play areas, community halls, organisational meeting facilities, medical facilities, childcare facilities new school provision and other community orientated developments, regard will be taken of considerations such as:-

- Overall need in terms of necessity, deficiency, and opportunity to enhance or develop local facilities.
- Practicalities of site location in terms of site location, uses, impact on local amenities, desirability, and accessibility.
- Conformity with the requirements of appropriate legislative guidelines: such as childcare and education facilities.

Access for People with Disabilities

10.96 Where buildings are intended for public access they should be accessible to people with a disability and their facilities should be so designed as to accommodate people with a disability without difficulty. Part M of the Building Regulations 2000 aims to ensure that buildings should be accessible and usable by everyone. Dwellings should be designed and constructed so that:

- People with disabilities can safely and conveniently approach and gain access;
- People with disabilities can have access to the main habitable room. At this level, it is considered adequate to provide for access to habitable rooms on the storey containing the main living room;
- At entry level a WC should be provided, or where there are no habitable rooms at entry level, in the storey containing the main living room, with adequate provision for access and use of the WC by people with disabilities, and
- Design consideration for public buildings and areas should include the provision of tactile surfaces, new technologies and appropriate signage light and symbols as well as appropriate hierarchy of lighting to meet different types of accessibility issues. When access is being planned for people with disabilities it should be through the same entrance as others.

10.97 Access considerations will be extended to the public realm with the position of street furniture and other elements being assessed on an ongoing basis. The siting of street furniture such as bins etc. should be where it does not substantially reduce the width of pavement available.

CAR-PARKING STANDARDS

10.98 Units for which one car parking space is to be provided are set out in table below. Development Contributions will be required in cases where there is a shortfall in on site car parking.

Table 21: Areas Other than residential for which One Parking Space is Required

Development	Unit
Shop < 250 sq.m.	1 space per 25 sq.m.
Shop > 250 sq.m.	1 space per 20 sq.m.
Large stores > 1000 sq.m.	1 space per 30 sq.m.
Banks Financial Institutions	1 space per 20 sq.m.
Offices	1 space per 10 sq.m.
Industry / Manufacturing	1 space per 50 sq.m.
Warehousing	1 space per 100 sq.m.
Theatre/Cinema/Church/Stadium	1 space per 3 seats
Hotels Guest Houses (excluding function rooms)	1 space per bedroom
Public Houses / Lounge Bars	1 space per 10 sq.m.
Restaurants	1 space per table
Function Rooms/Dance Halls/ Clubs	1 space per 3 sq.m.
Playing Fields	15 spaces per pitch
Primary Schools	2 spaces per classroom
Secondary Schools	2 spaces per classroom
Nursing Homes	1 space per 2 bedrooms
Hospitals	1 space per bed
Childcare Facilities	1 space per staff member plus 1 space per 4 children
Clinics and Group Medical Practices	2 spaces per consultant/practitioner

Cycle Provision

10.99 Cycle stands will be required for development in town centre locations and other areas in which the topography is suitable for cycling. Stands should be of an approved type and should be in a secure location.

10.100 Cycle Provision (Access and storage) will be particularly important in respect of developments for: apartments, public services, hospitals, colleges and community facilities and details of such provision will be required as part of any planning application for such development.

Requirements and Contribution for Parking, Sanitary Services and Amenity

10.101 Contributions towards expenditure by the County Council for works, including expenditure on roads, water and drainage schemes, open spaces and other amenities, which facilitate development, will be required. The Planning Authority may grant exemption from contribution in respect of:

- Churches, community halls, development for public social purposes, provision of sporting facilities (excluding licensed premises attached to clubhouses) and extensions to dwellings;
- Renovation, to a high standard of a protected structure or other building of architectural interest currently in poor condition, provided the renovation is faithful to the building's design and period.

- 10.102 The details and basis for the determination of the contributions will be set out in a Development Contribution Scheme in accordance with the provision of section 48 of the Planning and Development Act 2000.

Undergrounding and Concealing of Services

- 10.103 In new housing and in other forms of urban developments all services including E.S.B., telephone and television cables shall be placed underground. Service buildings or structures should be sited as unobtrusively as possible and must be screened. Care should also be given to the treatment of maintenance boxes, electrical boxes and bin storage on facades so that such items are concealed as unobtrusively as possible.

Required Distances from Sewerage Treatment Works

- 10.104 Proposals to develop in close proximity to existing or proposed sewerage treatment plants and pumping stations will be assessed having regard to:
- The nature of the effluent being treated;
 - Prevailing wind direction;
 - Noise;
 - Type of treatment process employed;
 - Sludge treatment;
 - Visibility and screening of treatment plant
- 10.105 Development will not be allowed within 100m of a treatment works or 25m of a pumping station. This distance may be increased if significant environmental issues are likely to arise and will be judged on a site by site basis. The buffer area may be used to fulfil open space requirements.

10.106 Temporary Sandwich Board Style Signage

Temporary sandwich board style signage poses a hazard for people with visual impairments as well as reducing the width of footpaths for wheelchair users.

10.107 Development Associated with Water Sports

The Council will normally only permit proposals for development associated with water sports adjacent to inland lakes and waterways where all the following criteria are met:

- The proposed facilities are compatible with any existing use of water, including non recreational uses;
- It will not result in damage to sites of nature conservation importance or features of archaeological and built heritage;
- The development can be satisfactorily integrated into the landscape or townscape surroundings;
- The development will not have an unacceptable impact on visual amenity especially in areas of Special Development Control, or other locally important scenic areas; and
- The development will not result in the over intensification of use leading to pollution, excessive noise and nuisance.

10.108 Floodlighting of Recreational Facilities

The Council will normally only permit proposals for the floodlighting of recreational facilities where the amenities of the adjacent residents will not be significantly impaired and the visual amenity and character of the locality will not be adversely affected.

10.109 Naming Streets, Housing Estates

Naming of streets and residential estates shall reflect the local place names and local people of note, heritage, language or topographical features as appropriate and shall incorporate old place names from the locality as much as possible. The use of bi-lingual and Irish-Language signs will be encouraged. Naming and numbering of residential estates shall be approved in advance by the Placenames Committee of the Planning Authority. Along with suggested estate names, developers must submit reasons for their choice. A Council Committee has been formed to advise on naming of new residential developments. Signage should be of appropriate size and material and shall be erected in a timely manner.