



1

Development Management Standards & Guidelines



Contents

1.0 Development Management Standards	3
1.1 Introduction	3
1.2 Policy Context	4
1.3 General Standards applicable to all Development Types	5
1.4 Design General	7
1.5 Residential Development	7
1.6 Architecture, Archaeology and Culture	25
1.7 Non-Residential Development	27
1.8 Home based economic activity	29
1.9 Petrol Stations	30
1.10 Off-Licences/Betting Shops	31
1.11 Takeaways/Restaurants/Kiosk/ Popup (Container) Trading Units	31
1.12 Tourism Related Developments	32
1.13 Advertising Signage Proposals	33
1.14 Infrastructure, Utilities	36
1.15 Renewable Energy Proposals	37
1.16 Extractive Industry Standards and Guidelines	39
1.17 Forestry Development	41
1.18 Marine and Coastal Management	41
1.19 Noise	42
1.20 Transport, Movement & Parking Standards	42



1.0 Development Management Standards

1.1 Introduction

Strategic Objectives

- *To implement the policy objectives and provide the physical framework of the Development Plan to realise the strategic objectives of this Development Plan and ensure the proper and sustainable development of Co. Kerry*
- *To require all new development proposals to comply with the relevant standards identified in this Development Management Chapter across the entire Planning Authority area of Kerry County Council.*

The development management standards contained in this chapter should be read in conjunction with the policies and objectives of previous chapters to ensure that development takes place in an orderly manner, in the interests of the common good. The Planning Authority is restricted to considering the proper planning and sustainable development of an area, having regard to the matters provided for in Section 34 of the Planning and Development Act, 2000 (as amended), when deciding on any individual planning application.

In all development proposals, it is the aim of the Planning Authority to promote a high level of amenity and quality design and to protect and complement existing amenities and character, in the interests of sustainable and orderly development. Unless otherwise stated, recommended residential and other development standards included in this chapter, are informed by a series of Guideline documents issued by the Minister under Section 28 of the Planning and Development Act, 2000 (as amended). Specific Planning Policy Requirements set out in Section 28 Guidelines apply, notwithstanding the requirements of this Development Plan and associated Local Area Plans for the County. Guidelines can be issued at any time by the Minister to Planning Authorities regarding any of their functions under the Act. The Council will implement all national guidelines including future guidelines or amendments to existing guidelines, where appropriate in the performance of its duties, following their adoption.

The Office of the Planning Regulator (OPR) together with the Department of Housing, Local Government and Heritage (DHLGH) have published 14 leaflets to inform the public on the planning system, the Development Plan, applying for planning permission, appealing planning decisions, planning enforcement and planning applications in relation to agricultural and farm development, business, environmental assessments if required, architectural heritage, archaeology and Strategic Infrastructure Development. The Council strongly advises potential applicants/ developers to avail of this guidance at: opr.ie/planning-leaflets.

There are many high-level Government strategic policy documents on spatial planning, transport, climate adaptation and mitigation, energy efficiency, low carbon society and economy, digital connectivity, enterprise development, health, children's play facilities, schools, heritage for example that are also considered when assessing planning applications and formulating planning policy by Planning Authorities. Refer to www.gov.ie and the various sectoral departments for further details. Proposals for development will need to take account of all the standards and criteria that apply to the development, in addition to being assessed for consistency with the policies and objectives set out in the preceding chapters of this Plan and compliance with relevant legislative requirements.



1.2 Policy Context

1.2.1 Pre-Application discussions

Section 247 of the Planning and Development Act, 2000 (as amended) sets out the formal procedure for prospective applicants seeking planning advice. The Planning Authority actively encourages pre-application discussions prior to the submission of any planning application. The Planning and Development Act 2018 amended Section 247 of the Planning and Development Act 2000 to provide for at least one pre-application consultation for development of:

- (i) more than 10 housing units (to include Part V),
- (ii) or non-residential development of more than 1,000 square metres gross floor space
- (iii) such other development as may be prescribed.

Such consultations must be held within 4 weeks of the date of receipt of a request for a meeting, unless extended by a specified period. The failure of the Planning Authority to comply does not prevent an applicant from making a planning application.

There are assessments that may be deemed necessary to accompany planning applications including, but not limited to: EIAR, AA Screening Report/Natura Impact Statement Flood Risk Assessment, Landscape Impact Assessment, Archaeological Assessment, Architectural Assessment, Ecological Impact Assessment (Ecology/Biodiversity- including for example bat surveys. These requirements are decided on a case-by-case basis, and these are discussed with the Planning Authority at pre-application discussion stage.

Traffic and Transport Assessments (TTA) and Road Safety Audits (RSA) are required to accompany planning applications for major developments with significant potential to generate traffic and or which could have a significant impact on a major road, particularly national roads. When preparing the TTAs regard should be had to the provision of the NRA's 'Design Manual for Roads and Bridges', the 'Design Manual for Urban Roads and Streets' (DMURS, 2019) and the 'Traffic Management Guidelines, 2012'. Where a Transport and Traffic Assessment identifies necessary on and off-site improvements for the development to be able to proceed, the developer will be required to fund the improvements by entering into a formal agreement with the Council.

In order to avail of the pre-planning service, prospective applicants are required to complete the pre-planning application form which can be downloaded from the Council's website at www.kerrycoco.ie/planning/online-planning-enquiry or by emailing plan@kerrycoco.ie.

1.2.2 The Planning and Development (Strategic Infrastructure) Act 2006

The Planning and Development (Strategic Infrastructure) Act 2006 provides that applications for permission/approval for specified private and public infrastructure developments should be made to An Bord Pleanála. These developments are listed in the 7th schedule of the Planning and Development Act 2000, as amended, and include major energy, transport, environmental and health infrastructure developments. It is a mandatory requirement for a prospective applicant for planning permission for development listed in the 7th Schedule to have pre-application consultations with An Bord Pleanála and obtain notice from them stating whether or not the proposed development is regarded as strategic infrastructure development. For the purposes of these consultations, the prospective applicant must supply sufficient information to An Bord Pleanála to enable it to assess the proposed development in the light of the criteria set out for strategic infrastructure development. Further details regarding the SID process are available from www.pleanala.ie.



1.3 General Standards applicable to all Development Types

1.3.1 Energy Efficiency, Sustainable Design and Construction

Mitigation of the causes and impacts of climate change cuts across all themes of this Development Plan. The importance of reducing energy requirements associated with the built environment is one of the challenges identified in the Climate Action Plan 2019.

All development, in terms of materials, design, landscaping, standard of construction and operation should include measures capable of mitigating and adapting to climate change to meet future needs and be built to a standard which minimises the consumption of resources during construction and thereafter in its occupation.

The Council supports and encourages the use of sustainable building principles and retrofitting existing buildings and other sustainability measures to improve energy performance. A key area for consideration in sustainable construction and building design specification is in the area of CO₂ and energy, with particular reference to embodied CO₂ and embedded energy. The focus should be directed towards the use of green construction materials, orientation on site and life-time energy demands of the building.

The Council will have regard to the DoEHLG publication “Towards Nearly Zero Energy Buildings in Ireland Planning for 2020 and Beyond” and the EU Energy Performance of Buildings Directive (2010/31/EU), which promotes the increase in nearly Zero Energy Buildings (nZEB). The Council promotes the development of low carbon buildings. Buildings should be designed to minimise resource consumption, reducing waste, water and energy use. Design should also optimise natural ventilation and minimise glare and excess solar gain, avoiding large areas of glazing and providing an appropriate balance between solid and void elements.

Sustainable design elements should be considered from the outset of the design process as they are integral to density, building orientation, height, form and materials and overall aesthetics and functionality of a proposed scheme.

1.3.2 Ecosystem Services Approach and Green Infrastructure

The concept of ‘ecosystem services’ addresses the many ways that humans depend on nature, and the impact of our activities on it. Healthy ecosystems deliver many different benefits to people and society. The key to sustainable development is achieving a balance between the exploitation of natural resources for socio-economic development, and conserving ecosystem services that are critical to people’s well-being and livelihoods. A good quality environment can also help to improve resilience to climate change, as trees and other green infrastructure provide important ecosystem services that can act as carbon storage or sinks, reduce the effects of flooding and urban ‘heat island’ effects. The careful management, maintenance and enhancement of ecosystem services are therefore an integral part of sustainable development, and it is a fundamental premise of this Development Plan that an ecosystem services approach is incorporated and integrated into our Development Planning and implementation activities. Such an approach is of best benefit in terms of ecology and biodiversity value, when integrated and linked into an overall green infrastructure system/ network.

- Existing Green Infrastructure (including green corridors) and ecosystem services should be identified at the initial stages of the planning process of a proposed development and should guide the design of an appropriate site layout. These may comprise linear open spaces along paths, water courses, planting or other natural features, and provide opportunities for walking and cycling, informal recreation, and biodiversity and wildlife migration. IFI guidance on ‘*Planning for Watercourses in the Urban Environment*’ should be adhered to where possible.
- The landscape plan submitted with an application should clearly illustrate how existing green infrastructure, and opportunities to create more linkages outside the site, have informed and



been incorporated into the development layout. Green corridors are not considered to form part of the public open space provision of a development.

- The Planning Authority will encourage the protection and integration within an overall site green infrastructure network, of existing mature trees, watercourses and hedgerows which occur on proposed development sites, and where feasible, along roads. Where possible, all trees, hedgerow and landscape features to be retained shall be identified and retained in planning applications.

1.3.3 Building Regulations

1.3.3.1 Access for All- Part M

Universal equality of access to all aspects of the built and external environment is an essential part of an inclusive society. It is the policy of the Council that all new development proposals shall be designed in accordance with the standards outlined in the 'National Disability Authority- *Building for Everyone; A Universal Design Approach 2012*' and 'Technical Guidance Document M- Access and Use of the Building Regulations 2010' or any subsequent update. Part M of the Building Regulations sets out standards to ensure that buildings are accessible to and usable by everyone, including older people, people with disabilities and people with children. An important element in achieving sustainability in the design of residential units is the ability of the design to accommodate the changing needs of a family. The guiding principle of accessibility shall be clearly demonstrated in development proposals.

1.3.3.2 Energy Efficiency Part L

Part L Energy efficiency and the renewable requirements for new buildings including new residential development are addressed in the Building Regulations Part L. The aim of Part L is to limit the use of fossil fuel energy and related CO2 emissions arising from the operation of the building. The introduction of the BER label, Building Energy Rating, allows for dwellings to be assessed on their energy performance. The provision of this label system allows individuals to make informed decisions regarding the energy efficiency of a building. There are exemptions for Protected Structures, proposed Protected Structures and buildings protected under National Monuments Legislation.

1.3.4 Development Contributions

The Council will require financial contributions in accordance with the Development Contribution Scheme 2017 adopted by the Council under Section 48 of the Planning & Development Act 2000 (as amended). This scheme sets out the statutory basis for the calculation of development contributions applicable to new development in Kerry seeking planning permission and that benefit from public infrastructure and facilities. Applicants and developers are advised to make themselves aware of the terms and levies associated with new development within this scheme.

1.3.5 Bonds and Securities

To ensure the satisfactory completion and maintenance of developments undertaken by private developers, the Council will impose, where appropriate, as a condition of permission that a security be lodged with the Council, to achieve that end. The security shall consist of a cash deposit, security bond or other security acceptable to the Planning Authority, which shall be lodged with the Planning Authority prior to the commencement of the development.

The amount of the bond and security will be determined on a case-by-case basis to cater for all types of development.

1.3.6 Fine Sediment Control

Many development projects have the potential to generate soiled water run-off containing sediment and silt, particularly during the construction phase. Such run-off can be harmful to the ecological functioning of watercourses downstream. Freshwaters are generally more vulnerable to sedimentation than coastal and estuarine waters, which can have greater dilution capacities and can



be more naturally turbid. It is accepted that in certain instances soil and or vegetation characteristics may facilitate natural interception of sediments from overland surface water run-off. In other cases, there may be sufficient capacity in naturally occurring landscape features or in the urban drainage infrastructure to cater for the sediment and run-off likely to arise.

Sediment control measures and or a Construction Erosion and Sediment Control Plan CЕСP will be required by the Planning Authority, where deemed necessary or may be submitted as part of a planning application as a best practice measure - regardless of ecological risk. Where required the purpose of a Construction Erosion and Sediment Control Plan (CESCP) is to:

- Minimise erosion potential by effective planning, procedures and water management;
- Apply erosion control measures to prevent the movement of sediment; and
- Apply sediment control measures to prevent off-site sediment release in the event of sediment movement.

Where applicable, regard should be had to NRA (2005) Guidelines for the Crossing of Watercourses during Construction of National Road Schemes and CIRIA 648 (2006) Control of Water Pollution from Linear Construction Sites, which provide advice on potential impacts arising during the construction phase of developments and the assessment and mitigation of these risks.

1.3.7 Construction Environmental Management Plan

Where applicable, a CEMP will be required to be prepared by the Contractors, to ensure commitments included in the statutory approvals are adhered to.

1.4 Design General

1.4.1 Performance-based criteria

The council may consider applying flexibility in the application of development standards where performance-based criteria appropriate to the location result in high-quality design outcomes. For example, exceptions to prescribed standards set out in various guidelines may be considered in relation to the redevelopment of brownfield/regeneration sites.

Flexibility will only be permissible in response to well-designed development proposals.

1.5 Residential Development

This section sets out the Development Management Standards for residential development in towns and villages.

1.5.1 Urban Design

Good design and placemaking can change lives, communities, and neighbourhoods for the better. It can create more successful places to live, bring communities together, and attract business investment. It can further sustainable development and encourage healthier living; promote accessibility and inclusivity; and contribute to how safe places are and feel. Design involves shaping how all elements of the built and natural environment integrate and relate to each other through the construction of new buildings, restoration and redevelopment of historic buildings, creation of public spaces, streets, and environmental improvements, and the permeability of proposed development integrating and linking it within its surrounding context.

Design of development must demonstrate compliance with relevant National, Regional and Local planning policy while promoting best practice in architectural design incorporating the principles of sustainability, energy efficiency and accessibility.



Applications will be required to adhere to the guidance contained in the 'Urban Design Manual - A Best Practice Guide' (Department of the Environment, Community and Local Government, 2009). The design of schemes should promote best practice in architectural design, consistent with the aims of the 'Government Policy on Architecture 2009-2015' (Department of Environment, Community and Local Government, 2009) to support good architectural quality.

The key principles of good urban design are set out in the Urban Design Manual are set out below. Development proposals shall demonstrate compliance with the below principles.

- | | | |
|---------------|-------------------|-----------------------|
| • Context | • Efficiency | • Adaptability |
| • Connections | • Distinctiveness | • Privacy and Amenity |
| • Inclusivity | • Layout | • Parking |
| • Variety | • Public Realm | • Detailed Design |

Design is not limited to the appearance of a building or place but should also encompass how buildings and places function in use and over the lifetime of a development. This includes considering and addressing for example how the design of a development can minimise energy, water usage and CO₂ emissions. Future proofing developments for modern technology such as telecommunications can also help minimise the need for expensive retrofitting. Landscape design and planting considerations are also an integral part of design and can contribute to biodiversity.

1.5.1.1 Design Statements

A design statement will be required to accompany all planning applications for residential development in excess of four dwellings (less than four if deemed necessary). The Design statement shall take guidance from the 'Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities (DoEHLG 2009)'.

The Design Statement shall:

- Describe the design concept;
- Ensure that the key characteristics of the local context are taken into account from the outset.
- Clearly demonstrate how the 12 urban design criteria have been taken into account when designing schemes in urban areas (as per the 'Urban Design Manual - A Best Practice Guide');
- Establish the overall form of the development based on the density and layout of buildings and spaces;
- Indicate how the layout of roads, streets and open spaces contribute to the spatial hierarchy, as well as linking the development to the rest of the vicinity;
- Provide an outline of how the proposed development integrates into the existing context and ensures permeability/ linkages within the proposed development and also to its surrounding area, with emphasis on the provision of pedestrian/cycling infrastructure;
- Provide an indication of the proposal's compliance with the policies and provisions of the Development Plan, any relevant Local Area Plans, Masterplans or Public Realm Strategies and outline how these have been addressed in the proposal;
- Provide an open space/landscape strategy which identifies any areas of ecological interest and sets out proposals for same; and
- Set out how energy efficiency measures have been incorporated into the project design process.

1.5.2 Density

The Council recognises the benefits of increasing the density of residential development at appropriate locations in accordance with various strategies and reports such as the 'National Planning



Framework' (NPF), the 'Sustainable Residential Development in Urban Areas Planning Guidelines (2009)' and the 'Southern Region Spatial and Economic Strategy' (SRSES).

The National Planning Framework (NPF) lists 'Compact Growth' as a National Strategic Outcome aiming to secure the sustainable growth of more compact urban and rural settlements supported by jobs, houses, services and amenities, rather than continued sprawl.

National Policy Objective 3c of the NPF states in this regard that at least 30% of all new homes that are targeted in settlements other than the five Cities and their suburbs, should be within their existing built-up footprints.

In general, the number of units to be provided on a site should be determined with reference to the Guidelines for Planning Authorities on 'Sustainable Residential Development in Urban Areas' (2009) or any update thereof. This Plan seeks to promote the development of 'live work' communities by promoting sustainable development by creating compact, high-quality developments. Higher residential densities will be encouraged within walking distance of town and village centres and public transport infrastructure.

It is acknowledged that there may be instances where specified densities cannot be achieved due to specific circumstances such as site constraints; however, all developments should strive to achieve the prescribed density to support the delivery of more compact development and to ensure a maximum return on investment in social and physical infrastructure.

In assessing the density proposed for a residential development, the Planning Authority will consider the following:

- Proximity to neighbouring and district centres.
- Proximity to public transport bus stops.
- The extent to which the design and layout follows a coherent design brief resulting in a high-quality residential environment.
- Compliance with qualitative and quantitative criteria.
- The extent to which the site may, due to its size, scale and location, propose its own density and character, having regard to the need to protect the established character and amenities of existing adjoining residential areas.
- Existing topographical, landscape or other features on the site.
- The capacity of the infrastructure, including social and community facilities, to absorb the demands created by the development. The same criteria will be applied to development proposals involving an increase in density on existing housing sites.

1.5.3 Dwelling Design, Size & Mix

1.5.3.1 Mix of Dwelling Types

The findings of the Housing Strategy and Housing Needs Demand Assessment (HNDA) have informed housing mix policy. Planning applications for 15+ residential units will be required to incorporate a variety and choice of housing units by type and size to meet differing household needs and requirements, as informed by the HNDA to address:

- Existing and emerging household formation sizes.
- Housing demand patterns.
- Identified County housing trends

The Design Statement associated with development proposals for both new residential communities, and for developments within existing built-up footprints of an urban area, shall include:



- Details of existing and permitted unit types within a 10-minute walk of the proposed development.
- A breakdown of the proposed unit type and size, including the percentage split between 1/2/3+ bed units which, in the case of apartments (and duplexes), shall be in accordance with the 'Sustainable Residential Development in Urban Areas – Guidelines for Planning Authorities' (2009), 'Sustainable Urban Housing Design Standards for New Apartments (2020)', and 'Urban Development and Building Heights, Guidelines for Planning Authorities (2018)', or any subsequent amendment/ revision of these.
- Site and/ or floor plans that clearly identify proposed units that:
 - Are designed and located having regard to the needs of older people and/or persons with a disability.
 - Are designed having regard to the concept of lifetime adaptable and/or multigenerational homes.
 - A statement outlining how the scheme has been designed for the needs of older people/ or persons with a disability and or lifetime homes.

1.5.4 General Residential Development Design Standards

The design and layout of individual dwellings should provide a high-quality living environment for residents. Variety in design, within a unified concept, will generally be required. This may be achieved through scale and massing, roof profiles, materials and decorative details. In smaller scheme, i.e. less than 15 units, uniformity in design and finishes may be acceptable, depending on the site context. Dwellings should also be designed to provide adequate room sizes that create good quality and adaptable living spaces. Open space should be located behind the front building line of the house and be designed to provide for adequate private amenity. Designers should also have regard to the targets and standards set out in the "Quality Housing for Sustainable Communities Guidelines", DCHLG (2007) with regard to minimum room sizes, dimensions and overall floor areas when designing residential accommodation.

All applications for residential development shall include a phasing plan. Phasing proposals shall ensure that open space and infrastructure to serve dwellings in a given phase for example public lighting, footpaths, and community facilities such as crèches and playgrounds are completed to the satisfaction of the Planning Authority prior to the initiation of the succeeding phase.

1.5.4.1 Pedestrian & Vehicular Movement

- All new development will be required to maximise permeability and connectivity for pedestrian and cyclists and to create direct links to adjacent roads and public transport networks in accordance with the provisions of the 'Urban Design Manual – A Best Practice Guide' (2009), 'Sustainable Urban Housing: Design Standards for Apartments' (2018) the 'Design Manual for Urban Roads and Streets' (DMURS, 2019) and the Permeability Best Practice Guide (2015).
- Where new developments are proposed adjacent to existing and established neighbourhoods, the design, layout and housing mix should be designed in a such a way to enable positive integration, both physically and socially towards building strong integrated communities and social cohesion.
- Movement should be convenient, safe and pleasant. Within larger housing areas, a clear hierarchy of spaces and roads should be apparent. Movement through estates should be guided by the principles of security, with opportunities for crime and anti-social behaviour minimised.
- Every effort should be made to eliminate through traffic (rat-runs); however, provision should be made for public transport, pedestrian, and cycle network through routes.



- Provision should be made for traffic management proposals in all developments. Where shared surfaces are proposed, vehicle design speeds should be at or near walking pace. This shall be achieved by design features such as curves, ramps, pinch points and other features where appropriate.
- Ensure there is adequate infrastructure provided in new development to support people in making the choice to adopt active travel is important to achieve the aspirations of the policy objectives set out in Chapter 14, Connectivity.

1.5.4.2 Estate Design

Planning proposals for housing schemes are required to present a considered design approach to tailor the scale, design, layout and density of housing in responding to the individual character of the respective town or village. In particular the design should:

- Incorporate corner sites, dual aspect designs and avoid blank facades into residential schemes, where possible, to ensure provision of active and passive surveillance over street frontages, creation of attractive thoroughfares by avoiding spanning rear garden walls, the creation of more recognisable routes and junctions that aid navigation and contributing energy efficiency advantages, whilst providing for more attractive, usable and adaptable living spaces, and better sunlight/daylight provision to its occupants.
- Support the play and recreational needs of children and young people and ensure the central integration of play provision and child-friendly neighbourhoods and the needs of older people and of persons with a disability.
- Reflect and contribute to the local character, materials and identity of place into the design of new developments.

1.5.4.3 Climate Resilience

Innovative energy efficient housing is required to accommodate new typologies and provide adaptable and/ or whole life-cycle homes to create inclusive and socially balanced residential communities. Applicants will be required to demonstrate how climate resilient features have been incorporated into the design of new residential developments and outline how:

- High quality landscaping (including tree planting), that make use of a diverse range of species of plants – consistent with the National Pollinator Plan, site appropriate and irrigated by rainwater.
- Incorporating a green infrastructure network and Nature-Based Solutions (NBS) into the design of buildings and layout – living/green walls, rain gardens, bio-retention measures/swales living/green and or blue roofs, other soft Sustainable urban Drainage Systems (SUDS) measures such as swales, rain gardens, using trees for urban cooling and the reduction of wind tunnel effect.

1.5.4.4 Public Open Space

- Public open space should be provided at a minimum rate of 15% of total site area. The open space should be designed to complement the residential layout and be informally supervised by residents. The spaces should generally be centrally located within groupings, and be visually and functionally accessible, of a suitable gradient, useable and overlooked by a maximum number of dwellings. Incidental pieces of unusable land shall not be considered to fulfil or partially fulfil the 15% requirement; for example, narrow tracts of open space, which are difficult to manage, will not be acceptable.
- In brownfield sites or infill sites, a minimum of 10% may be provided as public open space. Residential developments of 5 units or less may be exempt from the 15% open space provision on greenfield sites. The Council will determine on a case-by-case basis where it is demonstrated that the function of the space is not viable.



- In addition to private open space, provided by the Developer, communal open space must also be provided for apartments, in accordance with the minimum standards set out in 'Sustainable Urban Housing, Design Standards for New Apartments' Section 28 Guidelines, (2020). Communal open space is for the exclusive use of the residents of the development and should be accessible, secure, and usable outdoor space which is inclusive and suitable for use by those with young children and for less mobile older persons.
- The Council shall require that areas dedicated for public open space in a planning application are transferred to the ownership of the Council where the development is taken in charge by the Council.

1.5.4.5 Landscape Plans

- A detailed Landscaping Plan, prepared by a suitably qualified professional, is required to accompany any new housing scheme proposal of 10+ residential units or as required by the Planning Authority.
- The landscape plan will set out and specifically indicate how the overall approach is infrastructurally and ecologically resilient and provides varied landscapes that reflect the character of the area; it should also address the following:
 - Ecosystems services and carbon capture approach
 - Green and blue infrastructure integration and linkages
 - Urban Greening
 - Biodiversity including pollinator friendly approach
 - Nature based solution to hard infrastructure, including the provision of SUDs
 - Maintenance without the use of chemicals
 - Nature Based Play

1.5.4.6 Private Open Space

- All houses should have an area of private open space of a suitable gradient, exclusive of car parking, to the rear of the building line. The minimum area of private open space to be provided shall be in accordance with Table 1 for all new residential units.
- The prescribed private amenity space will allow for a private amenity area, which can accommodate the storage of bins/garden shed etc, and the provision of an area for vegetable growing, etc. In certain circumstances, the standards may be reduced for smaller houses if the Planning Authority considers the space proposed usable in terms of its orientation and shape for example.
- It should be noted that housing developments which provide private open space at the minimum standard throughout the scheme will be discouraged.

No. of bedrooms	Minimum Private Open Space
1 – 2 bedroom*	50 sqm
3 bedroom	60 sqm
4 bedroom (or more)	75 sqm
*Reduced quantum may be considered in respect of housing for older people/ sheltered housing etc.	

Table 1: Minimum Private Open Space Requirements for Dwelling Units

1.5.4.7 Privacy

Privacy is an essential factor in residential layout. Privacy can be ensured by attention to the alignment of new residential buildings and their relationship to each other. Good design in housing layouts, the configuration of houses and their relationship to each other, to open spaces and roads, should aim to provide layouts with adequate private open space and screening so as to achieve freedom from observation.



1.5.4.8 Maximum Site Coverage

Site Coverage is determined by dividing the total area of ground covered by buildings, by the total ground area within the site (i.e. footprint of development/Area of site). A maximum of 85%, or up to the existing site coverage (brownfield sites) will be allowed for urban areas, and 65% site coverage other areas in rural areas ('one-off' housing).

1.5.4.9 Building Height

Development proposals for higher buildings in proposed residential development, need to take account of the Development Management principles and satisfy Development management criteria as contained in the Ministerial Guidance document Urban Development and Building Heights (2018).

1.5.4.10 Minimum Separation Distance

Between directly opposing above ground floor windows (first floor), a separation distance of 22 metres should generally be observed for new, reciprocal overlooking housing, although this will also be informed by considerations such as typography, design, and housing type and mix.

Innovative dwelling types, such as houses which have their main sleeping and living areas on one side, and circulation and bathrooms on the other, may allow for a reduction in this standard. Any window proposed at ground floor level should not be less than 1m from the boundary it faces.

Adequate separation distances, between directly opposing rear first floor windows, should be provided when extending existing dwellings at first floor level, to ensure the retention of adjoining residential amenity.

For single storey dwellings, a reduction in the rear garden depth may be considered, subject to the protection of adjoining residential amenity.

A minimum of 2.2 meters shall be provided between the side walls of detached, semi-detached and end of terrace dwellings to ensure privacy and ease of access.

1.5.4.11 Screen Walls in Urban Areas

- Screen walls constructed of brick/ stone/ rendered blockwork, 1.8 metres in height, and constructed in accordance with current standards and regulations, shall be provided to enclose private open space and where the boundaries of the house sites abut roads, pedestrian ways or open spaces. The walls shall be capped and plastered on the public side, and the design and finish should be consistent with the design/finish of the house design.
- Concrete post and timber/ concrete panel fencing may also be permitted for inter-site, side boundaries boundary treatment.
- A uniform treatment for the boundaries of individual sites, which is capable of providing adequate privacy between properties, shall be implemented throughout a residential development.
- Boundaries located to the front of dwellings should generally consist of softer, more open boundary treatments, such as low-level walls/railings and/or hedging/planted treatments. Open plan gardens will not be allowed on main access roads.
- Rear boundary walls or fences must generally be provided to a height of not more than 2 metres.
- 1.8m side Garden walls should generally be presented behind the front building line of the dwelling only, to allow for the openness of residential development and to protect visual amenities; lower-level walls may extend forward of this line.



- Boundary walls/enclosures should not present blank spanning facades onto thoroughfares. Design solutions may include the use of alternative site orientation and/ or dual aspect dwellings, including provision of side access/ egress arrangements.

1.5.4.12 Waste Management

- An appropriately designated and screened refuse storage and collection points, including provision for recycling and composting storage, should be provided.
- Access to these areas and roads within the estate should be suitable for waste collection vehicles.
- In the case of communal refuse, recycling and composting storage, the collection point should be accessible both to the waste collection vehicles and to the resident and be secured against illegal dumping by non-residents.
- Refuse storage areas should not be located immediately adjacent to the front door or ground floor window(s) unless adequate screened alcoves or other such mitigation measures are provided.
- For individual houses, the applicant/ developer must identify the proposed location and design of bin storage to serve each dwelling.

1.5.4.13 Phasing

The Council will require a detailed phasing plan to be submitted with any planning application for residential or mixed-use development. The Phasing Plan shall indicate how each phase shall be completed satisfactorily, in terms of roads/lighting/landscaping, etc. prior to an additional phase commencing.

1.5.4.14 Services

Provision shall be made for the location of all services underground. Water mains, foul and storm sewers shall be laid, where possible, under the estate roadways. 10m wayleaves shall be provided for underground public services in private areas.

1.5.4.15 Unfinished Estates

Emphasis will continue to be placed on successfully completing and consolidating these estates in line with any in place Site Resolution Plans. Appropriate density controls, phasing and high design standards will be required in all settlements for future residential developments

1.5.4.16 Construction Waste Management Plan

A management plan for the reuse, recycling or disposal of Construction & Demolition waste will be required to be submitted as part of an application.

1.5.4.17 Naming of Residential Development

The names of residential estates shall be appropriate and/or connected to the areas in which they are located and shall reflect the local area's history/topography/geology/genealogy/natural, built, marine and cultural heritage. The naming of residential developments shall be approved by Kerry County Council. Agreement on naming shall be reached with the Planning Authority prior to the launching of any advertising campaigns/signs etc. Nameplates of an approved type shall be provided in all estate roads and all houses shall be provided with numbers, in accordance with the Council's policy, which are legible from the adjoining roadway. All estate road and street name plates shall be provided in bilingual format (Irish/English).

In Gaeltacht areas all residential estates and street name plates shall be provided in Irish only.



1.5.5 Apartment Standards

Apartments will play an increasing role in the provision of units to provide for a variety of households and tenures and can make a positive contribution towards housing particularly in urban/village settings on infill and brownfield sites. The design and layout of new apartments should provide comfortable accommodation for a variety of household types and sizes – including families with children - over the medium to long term. All planning applications for apartments are required to demonstrate compliance with Sustainable Urban Housing: Design Standards for New Apartments, Guidelines 2020 and any updates thereof. While these guidelines set out minimum design standards, the Council strongly encourage the provision of apartments above these standards, in the interest of creating attractive living environments and sustainable communities.

All apartment schemes should provide for a mix of units; comprising of one bedroom, two-bedroom and family units.

Private open space for apartments should be provided in the form of patios, balconies or roof gardens, with patios and balconies forming an integral part of the scheme design. Communal open spaces should form an integral part of scheme design, be screened from full public view and public access, and should be restricted through design and/or formal barriers.

Apartment development proposals will be assessed having regard to the following requirements:

- Mix of units to cater for different size households
- Aspect- dual aspect units are encouraged
- Floor areas and room widths
- Private and communal amenity space
- Floor to ceiling height
- Storage & bin provision
- Car and bicycle parking
- EV Charging points
- Lift/ stair core access
- Adaptability

1.5.5.1 Minimum Space Requirements for Apartments

The size of a dwelling is a key determinant of its liveability and its adaptability to new household requirements and needs and therefore fulfilling ‘lifecycle’ needs. Minimum Requirements for Apartment Floor Areas are set out per the *Design Standards for New Apartments, Guidelines for Planning Authorities (2020)*. In this regard, the areas listed (**Specific Planning Policy Requirement 3**) are minimum standards and should not be taken as the norm for all developments, higher floor areas will be encouraged in the County.

Apartment Type	Minimum Floor-area
Studio (1 person)	37 sqm
1- bedroom apartment (2 persons)	45 sqm
2-bedroom apartment (3 persons)	63 sqm
2-bedroom apartment (4 persons)	73 sqm
3-bedroom apartment (5 persons)	90 sqm

Table 2: Specific Planning Policy Requirement 3 (Minimum Apartment Floor Areas)

In the interests of sustainable and good quality urban development the Guidelines state that the above standards should be applied in a way that ensures delivery of apartments not built down to a minimum standard, but that reflect a good mix of apartment sizes. Accordingly, it is a requirement that:

The majority of all apartments in any proposed scheme of 10 or more apartments shall exceed the minimum floor area standard for any combination of the relevant 1, 2 or 3 bedroom unit types, by a minimum of 10% (any studio apartments must be included in the total, but are not calculable as units that exceed the minimum by at least 10%). Provision should also be made for general storage



particularly for bulky items not in daily use for example suitcases/vacuum cleaners etc. and these storage areas should be additional to kitchen presses and bedroom furniture.

The Guidelines set out a Specific Planning Policy Requirement (no. 1 and no. 2) in relation to acceptable apartment mix parameters, which must be adhered to.

1.5.5.2 Dual Aspect Requirements

In duplex type or smaller apartment blocks that form part of mixed housing schemes in suburban areas, dual aspect provision is generally achievable. In more urban schemes, where there may be a terraced or perimeter block pattern wholly or partly fronting a street, this may not be the case. Ultimately, the daylighting and orientation of living spaces is the most important objective. *The Design Standards for New Apartments Guidelines 2020*, provides guidance with respect to the minimum number of dual aspect apartments that may be provided in any single apartment schemes:

Specific Planning Policy Requirement 4:

- *A minimum of 33% of dual aspect units will be required in more central and accessible urban locations, where it is necessary to achieve a quality design in response to the subject site characteristics and ensure good street frontage where appropriate.*
- *In suburban or intermediate locations, it is an objective that there shall generally be a minimum of 50% dual aspect apartments in a single scheme. Ideally, any 3-bedroom apartments should be dual aspect.*
- *For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise further discretion to consider dual aspect unit provision at a level lower than the 33% minimum outlined above on a case-by-case basis, but subject to the achievement of overall high design quality in other aspects.*

1.5.5.3 Communal Open Space

In addition to private open space, provided by the Developer, communal open space must also be provided for apartments, in accordance with the minimum standards set out in 'Sustainable Urban Housing, Design Standards for New Apartments' Section 28 Guidelines, (2020). The minimum required areas for public communal amenity space are set out in Appendix 1 of the Guidelines. While private and communal amenity space may adjoin each other, there should generally be a clear distinction with an appropriate boundary treatment and/or a 'privacy strip' between the two. Communal open space is for the exclusive use of the residents of the development and should be accessible, secure, and usable outdoor space which is inclusive and suitable for use by those with young children and for less mobile older persons.

1.5.5.4 Apartment Floor to Ceiling Height

Floor-to-ceiling height affects the internal amenities of apartments, in terms of sunlight/ daylight, storage space, and ventilation. This is most significant at ground level, where the potential for overshadowing is greatest. Ground level floor to ceiling height will also influence the future adaptability of individual apartments for potential alternative uses, which will vary depending on location:

Specific Planning Policy Requirement 5

- *Ground level apartment floor to ceiling heights shall be a minimum of 2.7m and shall be increased in certain circumstances, particularly where necessary to facilitate a future change of use to a commercial use. For building refurbishment schemes on sites of any size or urban infill schemes on sites of up to 0.25ha, planning authorities may exercise discretion on a case-by-case basis, subject to overall design quality.*



In certain main urban centre locations, where apartments front onto or adjoin busy commercial streets with significant pedestrian footfall, the need for future adaptability of ground floor areas from residential to potential commercial uses in the future should be considered. Planning authorities may require ground floor apartment floor to ceiling heights to be a minimum of 3.5 - 4m metres generally, in such specific cases.

1.5.6 Other Development in Built-up Areas

1.5.6.1 Extensions to Dwellings

Front Extensions - Porch extensions, other than those deemed to be exempted development, should be of appropriate design and scale relative to the design of the original house and shall not dominate the front elevation of the dwelling. Front extensions, at both ground and first level will be considered acceptable in principle subject to scale, design and impact on visual and residential amenities. A break in the front building line will be considered subject to scale and design and impact on established residential and visual amenity. A minimum driveway length of 6 m. should be maintained where appropriate.

Rear/Side Extensions will be considered in terms of their length, height, proximity to mutual boundaries and quantum of usable rear private open space remaining. First floor rear/side extensions will be considered on their merits and will only be permitted where the Planning Authority is satisfied that there will be no significant negative impacts on surrounding residential or visual amenities. In determining applications for first floor extensions, the following will be considered:

- Degree of overshadowing, overbearing and overlooking - along with proximity, height and length along mutual boundaries.
- Size and usability of the remaining rear private open space.
- Degree of setback from mutual side boundaries. No part of the extension shall encroach or overhang adjoining third party properties.

Any planning application submitted in relation to extensions, basements or new first/upper floor level within the envelope of the existing building, shall clearly indicate on all drawings the extent of demolition/ wall removal required to facilitate the proposed development. In addition, a structural report, prepared by a competent and suitably qualified engineer, may be required to determine the integrity of walls/structures to be retained and outline potential impacts on adjoining properties. This requirement should be ascertained at preplanning stage.

Alterations at Roof/Attic Level Roof alterations/expansions to main roof profiles (changing the hip-end roof of a semi-detached house to a gable/'A' frame end or 'half-hip' for example) and additional dormer windows will be assessed having regard to the following:

- The character and size of the structure, its position on the streetscape and proximity to adjacent structures.
- Established streetscape character and roof profiles.
- Dormer extensions to roofs, i.e. to the front, side and rear, will be considered with regard to impacts on existing character and form and the privacy of adjacent properties.

1.5.6.2 Sub-Division of Dwellings

The sub-division of existing dwellings into two or more dwelling units will be considered in limited circumstances where it would contribute to maintaining a viable community in an area, will allow for the opportunity of downsizing, is in a location well served with amenities and where the existing dwelling is of an appropriate size. Conversions must not detract from adjoining/existing residential amenity or result in a negative visual impact on the streetscape, or on neighbouring properties. Design and landscaping shall be of a high standard with adequate open space arrangements required.



1.5.6.3 Corner/Side Garden Sites

The sub-division of an existing house curtilage and/or an appropriately zoned brownfield site, to provide an additional dwelling(s) in existing built-up areas will be considered in line with the following:

- Size, design, layout, relationship with existing dwelling and adjoining properties.
- Impact on the amenities of adjacent properties.
- Development Plan standards for existing and proposed dwellings.
- Building lines followed, where appropriate.
- Car parking for existing and proposed dwellings on site.
- Access arrangements including side/ gable and rear access/maintenance space.
- Adequate usable private open space for existing and proposed dwellings provided.
- Side gable walls as side boundaries facing corners in estate roads are not considered acceptable and should be avoided.
- Appropriate boundary treatments should be provided.

1.5.6.4 Dependent Relative Accommodation (Urban and rural)

The creation of an ancillary, subsidiary, dwelling unit to be occupied for habitable purposes, is generally acceptable, provided such proposals can demonstrate a bona fide need for such a unit and that:

- It is not a separate detached unit, and it is possible to provide direct access to the remainder of the house.
- There shall be no permanent subdivision of the garden.
- The unit 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.
- That the proposal does not impact adversely on either the residential amenities of the existing property or the residential amenities of the area.
- The design should ensure that the unit forms an integral part of the main dwelling unit capable of reintegration for single family use.

1.5.7 Other types of residential development

1.5.7.1 Mixed-Use Development

To create vibrant, attractive and liveable urban areas, it is important that development accommodates a mix of uses. In considering proposals for mixed-use developments, the protection of residential amenity and the reduction in potential conflict between the various uses will be prioritised. Factors such as levels of noise, air pollution and security will be considered. Where these factors would affect amenities, all proposals must include measures to reduce noise levels between the different uses to ambient noise levels, limit air pollutants and enhance security. In all development, measures should be incorporated to control the extraction of fumes and odours. In new development, internal ducting or flues shall be incorporated so that ground floor units have the potential for fumes to be extracted to and discharged at roof level.

This will facilitate current and potential future ground floor uses such as restaurants or dry cleaners. In order to minimise noise disturbance, sound insulation shall be incorporated between individual units and to the adjoining building, in order to reduce the transmission of impact and airborne noise between units and/or premises and to, or from, the external environment. The scheme of sound/acoustic insulation will be submitted with the planning application for development.

1.5.7.2 'Living-Over-The-Shop'

The Council will promote the residential use of the upper floors of commercial properties in established retail/commercial areas. In this regard, the Council will consider possible dispensations from normal standards to facilitate 'Living-Over-The-Shop' developments that will enhance the critical mass of these areas and contribute positively to the renewal of our urban centres. The Planning



Authority will encourage 'Living-Over-The-Shop' development, subject to the suitability of location and standard of accommodation proposed. Exemptions for older commercial buildings in appropriate cases may be given in respect of private open space, parking and unit size standards subject to location.

1.5.7.3 Mews Lane Development

The principle of mews development will generally be acceptable where there is adherence to the qualitative and quantitative standards set out in this chapter.

1.5.7.4 Student Accommodation

All proposals for student accommodation should comply with the Department of Education and Science Guidelines on Residential Development for Third Level Students (1999), the subsequent supplementary document (2005), the provision of the 'National Student Accommodation Strategy' (2017) and Circular PL8/2016. The Council will support the provision of student accommodation at suitable locations. When assessing applications for student accommodation the Council will have regard to:

- The location of student accommodation: The Council will prioritise student accommodation within walking distance from the boundary of a Third Level Institute, followed by locations within close proximity to high quality public transport corridors, cycle and pedestrian routes and green routes.
- The potential impact on residential amenities: The provision and location of student accommodation will not be permitted where it would have a detrimental effect on established residential amenities.
- The provision of on-site facilities, including storage facilities, waste management, quality and quantum of cycle parking and associated showers and lockers, leisure facilities, car parking and amenity areas.
- The architectural quality of the design and integration with the wider streetscape/area with respect to scale, mass, external finishes and landscaping.
- The number of existing similar facilities in the area. In assessing a proposal for student accommodation, the Planning Authority will consider the cumulative impact of student accommodation, which exists in the locality and will resist the over-concentration of such schemes in any one area, in the interests of sustainable development and residential amenity.

1.5.7.5 Build-to-Rent Accommodation

Built-to-Rent (BTR) accommodation consists of purpose-built, long-term rental apartment accommodation that incorporates dedicated residential amenities and facilities. All proposed BTR accommodation must comply with SPPR 7 and SPPR 8 as set out within the Design Standards for New Apartments, 2020 (and any amending SPPR as appropriate). In this regard, applications for proposed BTR must clearly demonstrate compliance with the guidelines and include details in relation to:

- The proposed ownership and operation by an institutional entity for a minimum period of not less than 15 years and no individual residential unit can be sold or rented separately for that period. A covenant or legal agreement shall be submitted and entered into in this regard.
- Proposed residential support facilities such as laundry facilities, concierge and management facilities, maintenance/ repair services and waste management facilities.
- Proposed resident services and amenities for communal recreational and other activities by residents.

The quantum and scale of the proposed residential support facilities, services and amenities must have regard to and adequately support the number of future residents within the BTR scheme. BTR accommodation must comply with all apartment standards set out above. A reduction in unit storage may be considered where alternative, secure storage area can be provided on-site. All units must



provide for private open space in the form of a balcony or terrace. A reduction in the area of private open space serving each unit will only be considered where at least an additional 10% high quality, useable, communal and/or additional compensatory communal support facilities are provided.

On-site car parking must comply with the requirements set out in Table 3. In all instances, the applicant shall clearly demonstrate that the BTR development is located within a 10-minute walking time from high frequency public transport routes. Where any derogations in standards, including standards relating to open space, car parking and storage are considered, the Council will attach a condition to state that planning permission must be sought for a change of tenure to another tenure model, following the period specified in the covenant.

1.5.7.6 Off-street Parking in Residential Areas

The cumulative effect of removal of front garden walls and railings can damage the appearance of suburban streets and roads, it can contribute to an overall reduction in permeable surfaces vital to flood relief, and introduce multiple vehicular accesses thereby reducing the level of communal on street parking. Proposals for off street parking in existing front gardens in residential areas, therefore, need to be balanced against loss of amenity (visual and physical) and communal spaces.

The removal of front garden walls, pillars, gates, piers, and railings will not generally be permitted where such removal will have a negative visual impact on the character of the streetscape or reduce the level of communal parking to an unacceptable degree. In particular, these works will generally not be permitted in Architectural Conservation Areas, areas of architectural, historic character, within the curtilage of a protected structure and well-established housing estates.

Where permitted, drive-ins/ front garden parking provision should generally:

- Not have outward opening gates.
- Have a vehicular entrance not wider than 3 metres, or 50% of the width of the front boundary, whichever is the lesser.
- Have an area of hard standing (parking space of 2.5 m x 5 m) and be constructed in accordance with SuDS and include measures to prevent drainage from the driveway entering onto the public footpath or road.
- Retain the balance as garden.
- In the case of established housing developments any replacement of front walls should match the existing material and design elements of neighbouring or adjacent properties within that particular housing development, such as piers, railing, stone/brick/render detailing etc.
- Have gates, walls, pillars and railings made good, and
- Utilise permeable paving in the interests of sustainable drainage.

1.5.7.7. Nursing Homes, Assisted Living and retirement homes

Nursing homes, assisted living and retirement homes/villages should be located in towns and villages, where there is adequate wastewater capacity and where residents can expect reasonable access to local services, to enhance overall quality of life and prevent social exclusion and isolation. There is a presumption against this type of development in the open countryside. In certain circumstances the Council may also consider locations adjacent to good quality public transport corridors or adjacent to existing social and community facilities.

Planning applications for the change of use of a residential dwelling or other building to nursing home, residential care home, or for the construction of new residential care homes, retirement homes, nursing homes, retirement villages or sheltered accommodation/step down housing, shall be assessed for compliance with the following criteria:

- Housing Options for Our Ageing Population Policy Statement (Department of Health, 2019).



- Thinking Ahead: Independent and Supported Housing Models for an Ageing Population (Housing Agency, 2018).
- The Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) (Amendment) Regulations 2010 (or any such other relevant standards and legislation that may be enacted).
- The National Quality Standards for Residential Care Settings for Older People in Ireland, 2009.

The following factors will be considered including:

- The potential impact on residential amenities of adjoining properties.
- Nursing Homes/Assisted Living Accommodation should provide at least 20% open space of the overall site area and include the following:
 - Detailed open space and landscaping plans that take account of the location of the facility and orientation.
 - Provision of at least 15 sqm open space per resident (unless otherwise agreed with the Planning Authority).
 - Have regard to the availability/suitability of already existing open space.
 - Respect and accommodate the specific needs of the residents of the facility.
 - Be accessible for all users and provide links to adjoining public footpaths.
 - Incorporate age friendly principles in the design.
- Adequate provision of parking facilities.

1.5.8 Village Development

1.5.8.1 Serviced Sites

Serviced sites can offer an alternative to the single one-off rural house, to self-build according to one's own design, but located in a town or village, with access to services such as utility connections, paths, lighting and within walkable distance of town or village centres, close to the urban core

In the smaller towns and villages with settlement boundaries, individual serviced sites for individual houses and appropriately designed small housing schemes are promoted where social and engineering infrastructure are available. In addition, small scale cluster developments may be permitted in unserviced settlements specified in Section 5.4, Chapter 5, served by individual wastewater treatment systems.

Individual housing sites or small clusters, sympathetic to the existing form, will be considered contiguous to the existing built-up area to promote their contribution to place making and the strengthening of the settlement/village core. The development of backland areas should not prejudice any potential comprehensive development.

Whilst individual house design on serviced sites is encouraged, the overall design of the scheme must be consistent in terms of boundary treatments and landscaping. Traditional forms and materials appropriate to the setting should be used. Serviced sites should integrate with the existing town/village in terms of:

- Village/town and site characteristics, including connection/links/connectivity with the town/village.
- Layout and design, scale and mass respecting the topography, the context of adjoining buildings, adjacent streetscape or buildings in the immediate area, retention of natural features such as hedgerows, or historical features such as stone walls.
- With infrastructure and service requirements including roads, paths, water services surface water management and SuDS, public lighting and digital infrastructure.
- Design and materials, including scale, materials palette and simple roof finishes. For any proposals of three houses or more, a design statement should be submitted with the application.



- Suitable landscaping.
- Adequate space to provide (where necessary) an individual form of waste water treatment and to ensure all separation distances specified in the EPA Code of Practice are achieved.

A masterplan should be produced by the developer showing the overall layout, infrastructure, services, and landscaping for the whole of the serviced site during the planning application stage. All future development should be constructed thereafter in accordance with the masterplan, unless otherwise agreed with the Planning Authority.

The amount and location of these sites will be controlled to ensure that they do not significantly impact the fabric and character of the village and its sense of identity and place. The development will also need to ensure the definition of a strong urban edge, resulting in a clear distinction between the urban area and open countryside. Where Local Area Plans and or zoning maps exist for towns and villages these sites may only be located on suitable zoned lands. Pre-planning discussion with the Council is strongly advised in relation to development of serviced sites.

1.5.8.2 Cluster Developments

1. Clusters will only be considered whereby the design, layout and scale of the residential cluster is commensurate with the scale, layout and population of the existing settlement. Infill and backland development will be promoted and linear clusters will not be supported.
2. The cluster shall be served by a single service access road. The existing roadside boundary shall be maintained except whereby it is necessary to remove a section in order to provide safe exit from the site.
3. The dwellings within the cluster shall be served by individual onsite wastewater treatment systems, where there are no plans to provide a capital wastewater scheme, in line with the EPA Code of Practice for Wastewater Treatment and Disposal Systems serving single houses.
4. A design statement and landscaping plan shall accompany the application and will be required to demonstrate how the proposal will integrate appropriately with the village/settlement.
5. Dwellings should respect their location in terms of height, scale, siting, materials and finishes.
6. It is important that cluster developments are integrated into the existing environment which may require soft boundary treatments.
7. The planning authority will only require footpaths and lighting in clusters whereby it can connect to existing infrastructure and is in keeping with the established character of the area.
8. Cluster developments will not be taken in charge.
9. Full planning permission must be sought for the site layout, accompanied by a design brief for individual houses, a landscaping brief for the entire site, and details of communal site development works i.e. masterplan
10. The communal site development infrastructure including, services, landscaping and lighting etc shall be:
 - a) provided before planning applications are submitted for individual houses. Or
 - b) Delivered prior to occupation of any unit in the scheme, where the scheme is delivered in one phase Or
 - c) delivered on an agreed phased basis as the development proceeds.
11. Individual planning applications shall conform to the agreed design brief.



1.5.9 Residential Miscellaneous

1.5.9.1 Taking in Charge

The Planning & Development Act 2000 (as amended) outlines the basis for taking in charge of residential estate developments by Local Authorities. Section 180 provides that when a development has been completed in accordance with planning permission, the Planning Authority shall initiate procedures under Section 11 of the Roads Act 1993 to take it in charge when requested to do so by a developer or if the majority of residents request it. The applicant/ developer must have regard to the Department of the Environment, Community and Local Governments document 'Taking in Charge of Residential Developments' Circular Letter PL 02/2019 and Kerry County Council's policy document on taking in charge of housing estates. It is a requirement of the Council that all apartment schemes should be maintained by an established Management Company. Details of proposed maintenance must be submitted for approval of the Planning Authority and include evidence of compulsory membership for all purchasers of individual properties.

1.5.9.2 Bonds

To ensure the satisfactory completion of development works undertaken by private developers, including roads, surface water drainage, public lighting and open space, including the protection of trees. Developers shall be required, prior to the commencement of any development, to give security by way of a cash deposit or bond from an insurance company, to ensure the satisfactory maintenance and completion of a residential development. The Planning Authority, may, where it is deemed appropriate, allow for a combination of a cash deposit/insurance bond. This bond shall remain in force until such time as all the work has been completed to the satisfaction of and taken in charge by Kerry County Council.

1.5.10 Standards for Residential Development in Rural and Non-Serviced Sites

The Council's policy position in respect of the management of 'one-off' housing in the rural areas of Kerry is set out in Chapter 5: Rural Housing.

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

1.5.10.1 Site Area

The site curtilage required to accommodate or renovate dwellings should reflect the size and scale of the proposed development bearing in mind its integration into the landscape, its proximity to public roads and adjoining dwellings and be able to accommodate a waste water treatment system with designed minimum separation distance in accordance with the EPA Code of Practice; Domestic Waste water treatment Systems (2021) .

1.5.10.2 Boundary Treatment

The line of existing roadside boundaries, such as front boundary hedges, sod banks and stone walls in rural areas should be retained where possible, subject to traffic safety considerations. Where a setback is required, the area between the new and old roadside boundary shall be levelled, drained and surfaced in a suitable material and kept free of any obstruction. If the front boundary or a section of the front boundary is removed it shall be reinstated with the use of indigenous locally sourced planting and materials. The Council will also ensure the adequate integration of development into the landscape by the retention of existing trees and landscape features and/or suitable planting.

1.5.10.3 Biodiversity

The developer should ensure protection and/or replacement enhancement of biodiversity on the site. Proposals to promote, enhance, protect the onsite biodiversity through green and blue infrastructure



should be incorporated into the application. Making space for nature and incorporating nature-based solutions should be a priority through the “retain, enhance and create” approach to biodiversity.

All landscaping proposals and tree planting shall be undertaken within the first year following occupation of the dwelling.

1.5.10.4 Design

New dwellings prepared in the rural area shall have regard to ‘Building a House in Rural Kerry – Design Guidelines’, Kerry County Council, 2009 (or any subsequent guidance document).

Boundaries are important and a site design which places the house at an angle to the road can sometimes respond better to the rural setting. Kerry County Council welcomes the sensitive refurbishment of existing buildings. While vernacular cottages are smaller than the average single rural house, the combined area of the cottage and out-buildings is usually close to that size, making it feasible to refurbish a group of buildings as one residence. Where an existing vernacular house is to be extended, a well-designed contemporary extension may be a good option.

1.5.10.5 Entrance

- The application must demonstrate safe vehicular access to and from the proposed dwelling, in terms of visibility from the proposed entrance, but also in terms of the impact on traffic safety through the turning and stopping movement of vehicles entering or leaving the site. Should any remedial works be required on land outside the ownership of the applicant, letters of consent from the relevant landowners will be required, similarly if utility poles are to be relocated, letters of consent from utility providers shall be provided.
- All applications should include (at a minimum scale of 1:500) comprehensive details of how adequate sightlines and stopping distances can be achieved according to the road category. Where satisfactory sightlines can only be achieved by removing extensive hedgerows, trees, ditches or stone walls and an alternative site should be sought.
- Entrance gates shall be recessed 4.5m. behind the line of roadside hedgerow, with side boundaries splayed at an angle of 45 degrees to the public road carriageway. Opportunities for shared use of access or combining access points should be availed of.
- The opening of an access shall not interfere with existing roadside drainage. Where an existing drain requires culverting a pipe of a diameter specified by the Road’s Authority shall be laid.

1.5.10.6 Screening and Integration

The design and location of the dwelling shall be influenced by the existing screening on the site. Additional screening and planting may be required to integrate the dwelling into the site and to screen the development from the public road; this shall be clearly demonstrated on a landscaping plan.

Regard shall be had to ‘Building a House in Rural Kerry – Design Guidelines’, Kerry County Council 2009 in relation to guidance on the most suitable position on the site for the dwelling.

1.5.10.7 Septic Tank and Proprietary Treatment Systems

Treatment systems shall be designed, installed and maintained in accordance with the Environmental Protection Agency’s 2021 Code of Practice for Domestic Wastewater Treatment Systems or any amending or replacement Code of Practice, standard or legislation. Only one dwelling unit shall be connected to a single septic tank.



All areas within 1km of a public drinking water source will be regarded as Nutrient Sensitive Areas and the effluent from any onsite wastewater treatment system proposed within these areas must comply with all the parameters listed in Table 5.1 of the EPA Code of Practice.

The Water Services (Amendment) Act 2012 requires water services authorities to maintain a register of domestic wastewater treatment systems in their functional areas.

1.5.10.8 Water Services

Where public services are available (or likely to be), the developer will be required to connect to them. Applicants are advised to avail of pre-connection enquiries with Irish Water to ascertain if feasible to connect to public services:

- Each dwelling shall have a viable and secure access to a water supply provided to the satisfaction of the Planning Authority. In the case of use of an existing private well, the applicant shall submit a report from a suitably qualified professional confirming potability of the water from the well.
- Connections to Group Water Schemes (GWS) will require a letter from the GWS confirming connection for the proposal.

1.5.10.9 Sheds/garages/ancillary structures

Notwithstanding those developments listed under Class 3, Schedule 2 Part 1 (P & D Regs 2001 as amended), the cumulative area of all structures shall not exceed 70sqm for private domestic use and storage only.

1.5.10.10 Hardcore Surface and Surface Water Disposal

- Surface water be disposed of to soak pits or watercourse(s) adjoining the site and shall not be allowed to flow onto the public road or to adjoining properties. Details shall be submitted with the planning application.
- There is no minimum standard required for soft landscaping, however, the hard landscaping of areas around dwelling houses shall be limited.
- Where feasible nature-based solutions to manage water run-off should be considered

1.6 Architecture, Archaeology and Culture

1.6.1 Protected or Proposed Protected Structures

As a minimum requirement, the Planning Authority will require planning applications for works to protected structures or proposed protected structures to have regard to the DAHG Architectural Heritage Protection Guidelines for Planning Authorities 2011

The inclusion of a structure in the Record of Protected Structures does not preclude appropriate use or development. However, no works which would affect the character of the structure, or any element of it, which contributes to its special architectural heritage interest may be carried out to a protected structure without planning permission.

Applications for development involving material alteration or additions to a protected structure or proposed protected structure require planning permission and will be required to show that:

- It is compatible with and will not detract from the special character of the structure and its setting
- It complements and reflects the design and character of surrounding buildings and area
- Features of architectural or historic interest and the historic form and structural integrity of the structure are retained
- Architectural features shall match those or be in keeping with the traditional detailing of the structure



Proposals for development that compromise the setting of protected structures or which will result in material alteration or demolition of structures will only be permitted where:

- The structure is not capable of repair.
- There is no compatible or viable alternative use for the structure.

1.6.2 Adjoining Development

Owners and prospective owners of protected structures or proposed protected structures or structures located in Architectural Conservation Areas should consult with the Planning Authority in good time as to the appropriateness of proposed works or other developments and seek competent advice on best practice for carrying out such works.

Development on sites adjoining a protected structure will be required to demonstrate that it will have no adverse impacts on the character or integrity of the protected structure or views to and from it.

1.6.3 Architectural Heritage Assessment report

Where deemed necessary, the Planning Authority may require an Architectural Heritage Assessment report, prepared by a qualified and experienced conservation architect as described in Appendix B of the DEHLG Architectural Heritage Protection, Guidelines for Planning Authorities (2004 reissued by DAHG, 2011). This report shall:

- Outline the significance of the building.
- Include a detailed survey of the building, including a photographic survey.
- Detail the proposed works it is intended to carry out; and
- Contain a full assessment on the materials and method proposed to carry out these works, their impact on the character of the structure and the reversibility of the proposed works. The details required to be submitted will be dependent on the significance of the building and the nature of works proposed. All works to protected structures shall be carried out in accordance with best conservation practice.

1.6.4 Relaxation of Zoning Objectives for Protected Structures

The Council actively encourages and supports uses which are compatible with the character of Protected Structures. In certain limited cases, to ensure the long-term viability of a Protected Structure, it may be considered appropriate not to stringently apply generic zoning restrictions, including site development standards, provided the Protected Structure is being restored to the highest standard, the special interest, character and setting of the building is protected and the use and development is consistent with conservation policies and the proper planning and sustainable development of the area.

1.6.5 Architectural Conservation Areas

Development Works Proposals for development in an ACA that involves a new building, reuse or change of use and extensions will be required to:

- Conserve and enhance the character and appearance of the ACA.
- Respect the scale, massing, proportions, design and materials of existing structures.
- Retain important exterior architectural features that contribute to the character and appearance of the ACA.

1.6.6 Demolition

The demolition of a building within an ACA will be restricted unless the Council is satisfied that the structure or building does not contribute positively to the character or appearance of the ACA or building, or structure is beyond viable repair or reuse.



1.6.7 Historic shopfronts

All works to existing shopfronts and proposed new shopfronts shall be in accordance with KCC Shopfront Guidelines (2018). Historic shopfronts should be retained and refurbished, where feasible. Such features as existing arches, stringcourses, plaster detailing or existing fascias and brackets should be considered in the new design and new internal alterations, or proposed advertising should generally not interfere with such details. Wholesale removal of rendering along a streetscape is generally not encouraged.

1.6.8 Archaeological Conservation and Preservation (Urban & Rural Areas)

The National Monuments Acts 1930-2004 provide for the protection of archaeological heritage, including the establishment of a Record of Monuments and Places (RMP), which is a national inventory of archaeological sites and monuments. Some archaeological sites and monuments may also be of significant architectural heritage value and afforded dual protection as a Recorded/National Monument under the National Monuments Acts and as a protected structure under the Planning and Development Acts. The Department of Arts, Heritage and the Gaeltacht's full database of archaeological monuments can be accessed at www.archaeology.ie

In considering proposals for development, applicants are advised to consult the Archaeological Constraints Maps (available for viewing in the Planning Department) to ascertain whether their development is in an area of archaeological potential. Developers are strongly advised to have pre-application discussions if their site is located in such an area. In general, development within a 20m radius of a recorded monument will not be permitted; and proposed development within a 75 metres radius discouraged (subject to other policies contained within this Plan).

All planning applications for new development, redevelopment, any ground works, refurbishment and restoration, etc. within areas of archaeological potential or within close proximity to Recorded Monuments must take account of the archaeological heritage of the area and the need for archaeological mitigation. Any persons proposing to carry out works at or in relation to a recorded monument must give 2 months written notice to the Minister for Arts, Heritage and Gaeltacht (DAHG). Developers should give due consideration to the following:

- Archaeology & Development: Guidelines for Good Practice for Developers.
- Framework and Principles for the Protection of Archaeological Heritage, DAHG (1999).

1.7 Non-Residential Development

1.7.1 Community Facilities

In assessing planning applications for example leisure facilities, sports grounds, playing fields, play areas, community halls, organisational meeting facilities, medical facilities, childcare facilities and other community orientated developments, regard will be taken of considerations such as:

- Overall need in terms of existing infrastructural deficit and opportunity for community gain.
- Practicalities of site location in terms of relating to uses, impact on local amenities, desirability and accessibility.
- The potential multifunctional use of community facilities.
- Conformity with the requirements of appropriate legislative guidelines for example childcare facilities.

1.7.2 Childcare Facilities

All childcare facilities shall have regard to the provision of childcare facilities in appropriate locations as set out in accordance with the provisions of the DoEHLG '[Childcare Facilities Guidelines for Planning Authorities](#)' (2001) and seek to apply [Universal Design Guidelines for Early Learning and Care Settings \(2019\)](#) from the National Disability Authority and Department of Children and Youth Affairs and Early Childhood Ireland.



Development of childcare facilities at the following locations subject to other planning criteria are generally acceptable.

- Areas of concentrated employment and business parks
- Within new and existing residential developments (at an appropriate scale to serve the immediate area)
- Neighbourhood centres
- Large retail developments
- Schools or major educational facilities
- Community facilities
- Adjacent to public transport nodes
- Villages

Childcare facilities in the rural area outside of villages or locations outlined above are generally not acceptable.

There shall be appropriate provision of at least one childcare facility to cater for 20 places in developments of 75 houses, including local authority and social housing schemes in accordance with DoEHLG Guidelines. Where proposed facilities relate to properties which have been designed and built as dwellings and are surrounded by other houses, a residential element should be retained within the proposal.

Planning applications for all childcare facilities shall be assessed for compliance with the following criteria:

- Suitability of the site for the type and size of facility proposed
- Impact on residential amenity of surrounding residential development, noise, loss of residential amenity, traffic generation and general disturbance
- Adequate availability of indoor and outdoor play space
- Convenience to public transport nodes, pedestrian and cycling facilities
- Local traffic conditions
- Safe access and sufficient convenient off-street car parking and/or suitable drop-off and collection points for customers and staff
- Number of such facilities in the area. In this regard, the applicant shall submit a map showing the locations of childcare facilities within the vicinity of the subject site and demonstrate the need for an additional facility at that location.

All applications for childcare facilities shall comprehensively set out the following as part of a pre-application discussion and/or planning application proposal:

- The type of childcare facility proposed.
- Full day care; sessional service including playgroups, preschools and Montessori; Child minding.
- No. of children.
- No. of employees.
- Proposed hours of operation.
- Car-parking provision; (please refer to Section 1.20.7)
- Location of secure external play area including secure site boundaries.

1.7.3 Places of Worship

Planning applications shall contain details in relation to the seating capacity of the facility, hours of operation and a traffic assessment (including details of proposed parking provision). New or enlarged places of worship should be located in places where they do not

- i. create unacceptable traffic congestion.



- ii. create car parking difficulties.
- iii. cause a nuisance or detract from the amenities of existing residents or businesses.

1.7.4 Playgrounds

Proposals for the development of playgrounds will be determined having regard to the Kerry County Council's publication 'Developing Play in Kerry' and EN1176 (the European Standard for playground equipment).

1.7.5 Schools

The Planning Authority will consider school developments having regard to specific requirements of the Department of Education and Skills (DES) and guidance set out within The Provision of Schools and the Planning System, A Code of Practice for Planning Authorities (2008). New schools shall be developed in areas where new/additional schools are required as identified by the DES and/or within existing school/education sites. In assessing such proposals, the Planning Authority will have regard to the following:

- The overall need/requirement to enhance or develop schools.
- Site location, proximity of school to catchment area, size of site relative to proposed school capacity and associated requirement including outdoor amenities (including future expansion).
- Design relative to site context.
- Traffic and transport -impact on the surrounding road network.
- Accessibility - safe accessible pedestrian and cyclist routes to and from the school from nearby residential and commercial areas.
- Safe access and adequate car parking layout to facilitate drop off/pick up.
- Where possible, support the inclusion of Car Free School Zones where the streets outside a school are closed to traffic at school opening and closing times, maintaining access for residents, businesses, pedestrians and cyclists.
- Adequate cycle facilities (showers, changing rooms etc.) in accordance with the requirements of the Council Cycle Policy Guidelines and Standards.
- Adequate signage, lighting and boundary treatments.
- Impact on local amenities and out of school hours uses/dual functioning of school facilities.
- Land use zoning objectives.
- A School Travel Plan/Mobility Management Plan to be submitted as part of the application.

1.8 Home based economic activity

Home based economic activity is defined as small scale commercial activity carried out by residents of a house or person's main residence, being subordinate to the use of the house as a single dwelling unit and includes working from home. The Council recognises that such working arrangements can benefit individuals, families and the local community in addition to contributing to more sustainable land use patterns by reducing the need for commuting. There is no objection to minor changes of use to allow for this provided the use remains ancillary to the main residential use, the applicant continues to reside in the house and the use has no adverse impact on the amenities of neighbouring dwellings.

In general, number of persons operating in the proposed development shall be limited to one.

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

- The nature and extent of the work
- The effects on the amenities of adjoining occupiers, particularly in relation to hours of work, noise and general disturbance



- Arrangements for the storage of refuse and collection of waste
- Proposals that involve visiting members of the public or the employment of staff will not be permitted
- There shall be a presumption against the parking of trucks and commercial vehicles in built-up areas
- Light industrial uses/repair and storage/sale of vehicles and trucks will not be permitted

1.8.1 Remote Working

Changes in technology and working practices have resulted in a change in working patterns. Increasingly more people are availing of flexible working arrangement that allows them to work from a remote location outside of the office for their employer, or work from home as a self-employed person. A remote working unit may be considered separate to the existing house on site, subject to the following:

- That the floor area of the unit shall not exceed 25m²
- Any larger units shall be attached as an extension to the existing house on site
- Such units shall be for remote working purposes only for members of the existing household and shall not be considered as a workspace for visiting members of the public, or for additional staff
- The scale should not be of a size / intensity sufficient to alter the character of the site from a primarily residential use to a commercial use where residential amenity will not be adversely affected
- The development should not give rise to a nuisance by the generation of traffic movements or noise

1.9 Petrol Stations

Design approach should reflect an integrated design dealing with buildings, structures, advertising, lighting, overall layout etc. reflecting a high standard of design. In urban centres where the development would likely have an impact on the historic or architectural character of the area, the use of standard corporate design and signage may not be acceptable. The provision of such facilities will be considered, having regard to the following, where appropriate:

- Service stations are generally not encouraged in the retail core of urban areas or in rural areas
- The application must demonstrate that noise, traffic, visual obstruction, fumes/odours do not detract unduly from residential amenity in the area
- New petrol stations and refurbished existing stations shall ensure provision of Low Emission Vehicle Refuelling/Recharging
- The retail unit shall not exceed 50m² net floor area. Retailing shall be confined to the shop floor area with the exception of sale of domestic fuel where some storage is permissible. Retail sales will be restricted to convenience goods
- The developer shall indicate the hours of operation
- Generally, two access points with a minimum width of 7.3m and a maximum width of 9.1m with appropriate radius of curvature based on road design speed, will be required
- The layout shall demonstrate safe pedestrian and cyclist access and sufficient circulation for delivery vehicles
- The pump island shall not be located closer than 7m from the roadside boundary
- Traffic safety- in an area with a speed value of road less than 80km/h –a 160m minimum visibility distance, will be required. Where a speed value of road 80km/h or greater exists—a 215m minimum visibility distance, will be required
- No advertising or other structures whether permanent or temporary shall interfere with sightlines on motorists entering or egressing the site
- The front boundary of the site shall be defined by a wall not exceeding 0.5 m. in height and the area between this and the road edge shall be levelled and laid so that surface water does not pond in the area, nor flow onto the public road. No advertising shall be placed between the wall and the road edge
- A footpath shall also be provided outside the boundary wall



- All fixtures or fittings, including canopy lighting shall be provided in such a way so as not to cause a glare to road users, or unduly detract from the visual amenities of the area
- Design of stations will be required to be of high standard. Canopies should be appropriate to their setting in terms of height and design and for reasons of visual amenity should be set well back from the public footpath or edge of the public road
- Minimal advertising will be permitted and shall generally be restricted to a main pillar/totem sign structure, which shall not exceed 4.5m in height
- The forecourt and adjacent footpath shall not be used for advertising whether for permanent or temporary structures
- A maximum of two signs shall be permitted on the canopy which shall be externally or halo lit
- A Landscaping Plan is required for all applications for petrol filling/service stations

1.9.1 Parking

Parking requirements are set out in the parking standards Section 1.20.7, Table 4. The location of such parking will be developed so as to minimise pedestrian/vehicular conflict.

1.9.2 Surface Water

Surface water from the development will be required to be contained within the site and piped to the public system. No surface water will be permitted to pond within the forecourt, adjoining the boundary walls or along the entrance/exit lanes. Appropriately designed and maintained hydrocarbon interceptors will also be required.

1.9.3 EV Charging Points

Rapid EV charging points(s) should be provided, clearly marked and to the requirements of ESB networks at premises that operate sit-down restaurant/ café facilities in accordance with the new EU (Energy Performance of Buildings) Regulations 2021 for Electric Vehicle recharging infrastructure.

1.9.4 Ancillary services

Services such as car wash/valeting services, minor servicing such as tyre changing and puncture repairs may be permitted, subject to not negatively impacting on residential amenity. They should be located on site to avoid any queueing of vehicles on the public road or causing nuisance to residential amenity.

- No obstruction other than pump island shall be located within 15 m. of the road boundary.
- No structures, whether permanent or temporary shall interfere with the sight lines of drivers or obstruct pedestrians.
- A Discharge License may be required.

1.10 Off-Licences/Betting Shops

Off-licences and betting shops should generally be located in the County's Retail areas. The Planning Authority will seek to ensure that the quantum of off-licences/betting shops is not disproportionate to the overall size and character of an area. In addition, the quantum of new floorspace or proposals to extend existing off-licences/betting shops will be carefully controlled in areas where a proliferation of such uses exist. Proposals for off-licences/betting shops, must have regard to the amenities of nearby residents in relation to noise, general disturbance, hours of operation and litter. Any application for betting shops shall include details as to the location and size of any/all satellite dishes required to serve the unit, in addition to proposed signage and advertising.

1.11 Takeaways/Restaurants/Kiosk/ Popup (Container) Trading Units

Takeaway premises are often of concern to people who live close by and indeed those living in the wider area, as noise and disturbance can be generated by increased pedestrian and vehicular traffic drawn into the area. In order to maintain an appropriate mix of uses and protect night-time amenities



in a particular area and to promote a healthier and more active lifestyle, it is an objective of Kerry County Council to prevent an excessive concentration of takeaways and to ensure that the intensity of any proposed takeaway is in keeping with both the scale of the building and the pattern of development in the area. The provision of such facilities will be strictly controlled, having regard to the following, where appropriate:

- The effect of noise, general disturbance, hours of operation, litter and fumes on the amenities of nearby residents.
- The developer will be requested to submit as part of the planning application an Odour Impact Assessment, prepared by a suitably qualified professional with sufficient expertise to demonstrate odour abatement solutions, through appropriate modelling and monitoring procedures when operational.
- The need to safeguard the vitality and viability of shopping areas and to maintain a suitable mix of retail uses.
- Traffic considerations.
- The number/frequency of such facilities in the area, particularly in close proximity to schools.
- The need to integrate the design of ventilation systems into the design of the building.
- That all takeaways provide and maintain a suitable waste bin outside their premises during hours of business.
- The number and frequency of such facilities within a 1km radius of the proposed development.
- The context and character of the street, where the aim is to maintain and improve the vitality of the shopping experience, by encouraging a range of convenience and/or comparison retail shops.
- Potential for impact on biodiversity and the environment, for example by way of wildlife disturbance, littering or trampling of sensitive vegetation.

The Council recognises the rise in ‘container’ and or mobile takeaways across the County. Planning permission will be required where such a development is proposed on private land. A licence under Section 254 is required where such a development is proposed on or along a public road.

The container café is a permanently ‘portable development’ with its own water supply and power generation. The provision of such facilities will be strictly controlled particularly in areas where permanent café/restaurants/takeaways already exist or in urban areas. In isolated areas or localities frequented by individuals for walking/amenity purposes and where no such permanent facilities exist, the provision of a single unit maybe acceptable provided that such proposed development will not be detrimental to the residential, environmental quality, or the established character and function of the area. Matters that shall be taken into account by the Planning Authority in assessing planning proposals for these uses include, but are not limited to the following:

- The amenity of neighbouring residents and occupiers
- Hours of operation
- Traffic management
- Frontage treatment and impact on streetscape
- Proposed signage
- Size and scale of the proposed unit
- The proximity of permanent cafes/restaurant/takeaways

1.12 Tourism Related Developments

1.12.1 Tourism Infrastructure Developments

While seeking to ensure that most tourism development locate in or close to towns and villages, the Council recognises that by its nature, some tourism development may require other locations. Developments that may be open to consideration outside settlement centres include indoor and



outdoor recreation facilities, golf courses, swimming, angling, sailing/boating, pier/marina development, equestrian and pony trekking routes, adventure/interpretative centres and associated ancillary uses, tourist related leisure facilities including walking and cycling.

The Council also recognises that existing tourism infrastructure facilities may require ancillary facilities (for example club houses, accommodation and other structures associated with them). These facilities must be subsidiary and connected to the main facility and at an appropriate scale. Holiday home accommodation for sale, sublet or finance the facility will not be permitted.

Any application for new or additions to an existing tourism facility shall include;

- Comprehensive justification of need for the facility
- Overall master plan of the facility
- Documentary evidence of compliance with the other requirements of the Development Plan

1.12.2 Caravan, Glamping and Camping developments

The provision of camping/glamping and tourist caravan parks to facilitate the expanding tourist industry is encouraged by the Planning Authority. Planning applications for new caravan parks will be required to submit a masterplan for the entire site to which the application relates indicating compliance with the provisions of this Plan and adherence to Fáilte Ireland's publications 'Model Standards for Caravan & Camping Parks' and 'Classification Matrix for Caravan & Camping Parks'. Regard should also be had to Chapter 9 Economic Development and Chapter 10 Tourism & Outdoor Recreation of the Plan.

Proposals will also be assessed with regard to the following matters:

- Parks will be permitted within settlement boundaries only.
- Parks will not generally be permitted in proximity to the coastline, outside of lands specifically zoned for such development.
- Location of the development relative to existing services including retail and social facilities.
- Availability of services to cater for the development.
- Impact on existing residential amenities, traffic, waste disposal and general disturbance will be considered.
- Impact on the environment including the integrity of Natura 2000 network.

Applications shall also address the following:

- A high standard integrated design and layout linking pitches to well-located communal areas and on-site facilities and amenities.
- A detailed hard and soft landscaping plan for the overall site.
- Mitigation plans for noise and litter; and
- Details of wastewater disposal for the site.

1.13 Advertising Signage Proposals

1.13.1 Advertising Signage

There are certain planning exemptions set out for advertising signage under Part 2, Article 6 of the Planning and Development Regulations 2001, as amended. Unless the proposed development comes under exemptions set out, planning permission will be required for advertising signage on private lands. A licence under Section 254 of the Planning & Development Act 2000 (as amended) is required for advertisements on or along a public road. Under the 1997 Litter Pollution Act, the Local Authority has powers to remove any sign that is not exempted development or does not have permission under the Planning Acts. It is recommended to liaise with the Planning Department regarding all elements of signage and advertising.



In general, the sign should be an integral part of the elevational design of the building and comply with Kerry County Council's Shopfront Guidelines, 2018. Signs must be attached to walls or poles, externally illuminated and shall be hand-written where appropriate. KCC will prohibit the use of electronic variable messaging signs commonly known as "VMS signs" and seek to restrain the use of corporate image advertising in chain outlets where these are considered to be too dominant.

Signage for key tourism attractions, tourism routes, community facilities or other key public or infrastructural facilities will only be permitted on the subject development, at the entry points to the host town/village, or in the immediate vicinity of key junctions leading to the subject development. At such locations signage for multiple facilities/attractions shall be grouped on a single sign.

All signage will have regard to the provisions of The Official Languages Act 2003, An t-Órdú Logainmneacha (Ceantair Ghaeltachta) 2004, Signage Regulations S.I. No. 391 of 2008 and the Road Traffic Manual in relation to the use of Irish and English on various types of signage and the NRA Road Signage Guidelines.

The following will be taken into account for all proposals for advertising signage:

- An advertising "need" must be demonstrated. In this context the term "need" relates to the requirements of the travelling public and not the desire of the applicant to advertise as widely as possible.
- In general advertisement structures will not be permitted at roundabouts, at traffic signalised junctions, at locations where they obstruct sight lines, compete with other traffic signs, give rise to confusion for road users or endanger traffic safety.
- Applications for advertisement structures along national routes and along approach roads to towns and villages will generally not be permitted.
- Large scale commercial advertisements are not acceptable on or near buildings of architectural or historical importance, in parks, Architectural Conservation Areas and in areas of high amenity.
- General advertising signage on the subject business/development will only be considered.
- Advertising signs in industrial estates/enterprise centres must be grouped on a single advertisement sign.
- On-site advertisements, small in scale, where they are considered not to detract from the environment, will be permitted.

1.13.2 Directional Signage

In considering a licence under Section 254, the following requirements will be applied in respect of signage along public roads:

- a) Rural Areas: Advertising signage will not be permitted along roads in rural areas outside the boundaries of towns and villages save for a limited number, which relate to heritage or tourist attractions and which are of national interest.
- b) Areas within towns, villages and settlement areas, no signage will be permitted where it may constitute a hazard or obstacle for pedestrians or road users or where the location of such signage may obscure sight distances at junctions or cause undue or necessary distraction to road users. Signs should not impair the setting of any archaeological or historical site or any proposed or protected building or structures within an Architectural Conservation Area (ACA).
- c) Proposals for direction Signs must also comply with the following:
 - They are finger post signs only
 - The maximum area of the sign shall be 0.7 sqm
 - The information contained on the sign shall be of a directional nature only
 - The premises shall not be located greater than 2 kms from the sign
 - The maximum number of signs shall generally not exceed two



- The signs shall not give rise to a traffic hazard
- In relation to public institutions, Kerry County Council will determine the necessity for directional signs
- Signs shall be collocated on a single pole if additional finger post signage exist

1.13.3 Signage in the Gaeltacht

All signs in the Gaeltacht including finger post signs, shopfronts and roadside signs, business/community signage shall be in Irish or bilingual with priority given to the Irish text.

1.13.4 Advertising Hoardings

Advertising hoardings, including tri-vision and three-dimensional signs, inappropriately located can constitute one of the most obtrusive elements of all forms of outdoor advertisement. They rely for their impact on size, scale and location and are thus usually detrimental to the character of the area in and in some cases contribute to a traffic hazard.

The practice of parking trailers or other mobile objects bearing advertisements in fields adjoining roads has become a feature of Irish roads over the past number of years. These structures require planning permission or a licence under Section 254. Such advertisements can be harmful to the visual amenities of the area, represent a traffic hazard by virtue of distracting motorists and could have impacts on biodiversity.

In relation to large advertising hoardings the council will:

- Prohibit such advertisings in the open countryside, in architectural conservation areas and where they would detract from the visual quality of the setting of protected structures.
- In all other cases have regard to the visual impact of a proposed advertising hoarding and potential of traffic hazard arising from same.
- Consider hoardings in industrial area where their presence by reason of scale and design is not out of character with the existing environment.

1.13.5 Temporary Construction Hoarding/Safety Netting

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

The design of these hoardings may reflect some aspect of the area's rich heritage (using local scenes) and/or inform pedestrians about the proposed development in a visually pleasing manner. The creative use of art, colour, images and graphics is encouraged, and an element of advertising may also be incorporated, subject to the agreement of the Planning Authority. All graphics, designs etc shall be submitted to the Planning Authority and written agreement shall be obtained prior to the erection of any such construction hoardings. It should be noted that a licence is required for scaffolding/hoarding in certain instances e.g. on footpaths; the applicant shall inquire with the Council to see if a licence is required in each case.

1.13.6 Street Furniture

The footpath is primarily for pedestrian traffic however the Council will consider the placing of tables and chairs on the footpath where they will not negatively affect pedestrian flows. A licence (section 254 Planning and Development Act, 2000) will be required for this from Kerry County Council.



1.13.7 Outdoor dining/Awnings/canopies

Kerry County Council understands that there is a need to re-imagine the streetscape in the county to accommodate retailers where queuing occurs outside their shops or to facilitate eating and drinking establishments to re-open by providing extra space for tables and chairs so that everyone can safely enjoy our towns, villages and streets.

The Council will consider requests for the temporary use of public space on a street-by-street basis, subject to the suitability of the location. Public and Pedestrian safety will be key criteria in assessing any such requests.

Businesses will need to apply for a licence to use public space for extra seating, and demonstrate they have public liability insurance to cover the use of street furniture on any public space or footpath.

1.13.8 Shop-Fronts

There has been a welcome trend in shop-front improvement as shop owners realise that a well-designed shop-front can contribute significantly to the attractiveness of the business. The Planning Authority will encourage good shop-front design, maintaining traditional shop fronts where appropriate, controlling advertising (particularly projecting signs) and generally improving the appearance of retail premises. Proposals shall comply with the Shopfront Guidelines published by Kerry County Council 2018.

All new shop fronts and the fronts of other commercial buildings shall:

- Display a unity with the building of which they are part, including the use of appropriate materials.
- Reflect the scale and proportion of the adjoining buildings and the street scene as a whole.
- Are of a format and design, using appropriate colouring and lettering, which complements the visual amenities of the surrounding buildings and locality.

1.14 Infrastructure, Utilities

1.14.1 Telecommunications

The Council recognises the importance of the need for high quality communications and information technology networks in assuring the competitiveness of the County's economy and its role in supporting regional and national development. The advantages of a high-quality ICT infrastructure must however be balanced against the need to safeguard the rural and urban environment.

In evaluating applications for telecommunications installations, the Council will have regard to "Telecommunications Antennae & Support Structures Guidelines for Planning Authorities" (1996), and Department Circular PSSP 07/12.

The following should be taken into account when preparing a planning application:

- Co-location of such facilities on the same mast or cabinets by different operators is favoured to discourage a proliferation, where possible. Where new facilities are proposed applicants will be required to satisfy the Council that they have made a reasonable effort to share facilities or to locate facilities in clusters.
- Every effort should be made to locate telecommunication masts in non-scenic areas or in area where they are unlikely to intrude on the setting of, or views to/from national monuments, protected structures or sensitive streetscapes. The preferred location for telecommunication antennae is in industrial estates or areas zoned for industrial use or in areas already developed for utilities.
- In the event of the discontinuance of any mast installation the mast and its equipment shall be removed from the site and the land reinstated.



- All planning applications shall be required to furnish a statement of compliance with the International Radiation Protection Association (IRPA) Guidelines or the equivalent European Pre-Standard 50166-2 in the interest of health and safety.

1.14.2 Lighting and illumination

Functioning public lighting that is well designed, energy efficient and suitably located is of critical importance to our urban communities.

It is important that trees and other vegetation do not impede the functions of public lighting units. Trees planted in close proximity to public lighting can block the light, rendering the light useless. This can lead to road safety issues, security concerns for residents and to demands on the Council to prune or remove the problematic trees. It is the policy of the Council that all public lighting proposals shall be in accordance with the Council's Public Lighting policy.

Limiting light pollution is important in the interests of nature conservation, residential amenity and energy efficiency. If it is proposed to provide external illumination for any proposal then it would be necessary to demonstrate that light or glare from any such illumination will not adversely affect pedestrian, vehicular traffic, protected species and adjacent property. Lighting proposals will also be required, where applicable, to demonstrate that they do not interfere with the integrity of the Kerry Dark Sky Reserve.

The following good practice should be considered for development proposals:

- Adequately light the area or object without using more light than necessary
- Provide safety for all users, whether motorists, services, pedestrians or cyclists
- Eliminate or minimise glare and excessive lighting
- Prevent light trespass
- Minimise sky glow
- Choose light fixtures to allow for aesthetic considerations
- Maximise energy efficiency
- Take cognisance of protected species, where applicable
- Have regard to Bat Conservation Trust 2018 Guideline Note 08/18

1.15 Renewable Energy Proposals

1.15.1 Wind Energy

When assessing planning applications for wind energy developments the Council will have regard to; the Wind Energy Development: Guidelines for Planning Authorities DEHLG (2006) and Draft Wind Energy Development Guidelines for Planning Authorities, DHPLG, (2019) and any amendments to the Guidelines which may be made; and the Local Authority Renewable Energy Strategy, chapter 12 of the County Development Plan.

In addition to the above, the following considerations will be taken into account by the Council in relation to any planning application:

- Site selection in a designated wind energy policy area
- Set back distances in relation to residential properties
- Impact on the residential amenities of the area
- Impact on the visual amenities of the area
- Scale and layout of the project, any cumulative effects due to other projects and the extent to which the impacts are visible across the local landscape
- Visual impact of the proposal with respect to protected views, scenic routes and sensitive landscapes



- Impact on nature conservation, ecology, soil, hydrology, groundwater, archaeology, built heritage and public rights of way
- Impact on ground conditions and geology
- Consideration of falling distance plus an additional flashover distance from wind turbines to overhead transmission lines
- Impact of development on the road network in the area; and
- Impact on human health in relation to noise disturbance (including consistency with the World Health Organisations 2018 Environmental Noise Guidelines for the European Region), shadow flicker and air quality.
- Lifecycle Assessment of the wind farm particularly in relation to emission of GHG to include, if applicable, loss from LULUCF further to the proposed development.

This list is not exhaustive, and the Council may consider other requirements on a case-by-case basis with planning applications should the need arise.

With respect to wind energy developments, the Planning Authority will require the following:

- That the developer consult with the Planning Authority during the site selection process to identify considerations particular to the proposed site which would indicate its suitability or otherwise for a specific type of renewable energy development.
- That the developer consult with other relevant statutory agencies that could assist in identifying environmental sensitivities and relevant considerations such as the Department of Housing, Local Government, Department of Environment, Climate and Communications, The Forestry Service, the Irish Aviation Authority, National Parks and Wildlife Service, Inland Fisheries Ireland and other appropriate statutory and non-statutory bodies.
- Details of consultations with the electricity transmission operators (EirGrid & ESB Networks) regarding the nature and location of a proposed grid connection as part of pre-planning consultation.
- A construction and environmental management plan as part of the planning application.
- A Landslide susceptibility and risk assessment, to ensure all factors contributing to slope stability are identified and addressed appropriately.
- Sub threshold EIAR for wind energy developments that are likely to have a significant effect on the environment.
- Appropriate Assessment Screening Report and where applicable a Natura Impact Statement.
- Ornithological (bird) survey (winter and breeding) for at least 2 years prior to a planning application being made.
- Assessment of the carbon balance of the proposed development, particularly any development on or potentially impacting on peat or other carbon rich or sequestering soils.
- Engagement with active public consultation with the local community in advance of and in addition to the statutory public consultation required as part of the planning application process.
- Preparation of a Community Report to form part of the planning application – (details of what a Community Report entails can be found in the *Draft Wind Energy Development Guidelines 2019*).
- A detailed plan outlining how the developer intends decommissioning the infrastructure within and serving the site and the reinstatement of the lands.

A development bond shall be paid by the developer to the Planning Authority to ensure all works specified in a grant of permission are carried out. The bond will be calculated at a rate of €10,000 per Mega Watt (index linked). A higher bond may be applied where the planning authority is of the opinion that the extent of works carry an increased risk. A separate bond shall be paid to the Council to secure



the reinstatement of public roads that may be damaged by the transport of materials and infrastructure to the site.

Any development shall be subject to the payment of development contributions in accordance with the adopted Development Contribution Scheme. Where specific costs arise, an additional special contribution may be imposed under Section 48 (2)(c) of the Planning and Development Act 2000, as amended.

1.15.2 Solar Energy

The Council will consider the following factors in assessing a planning application for a solar farm:

- The reuse of previously developed land such as brownfield land, contaminated land or industrial land and non-productive agricultural land in preference to productive agricultural land.
- The proximity of the proposal to the electricity infrastructure such as substations and indicative proposals to connect to existing or proposed grid connections.
- The potential impact on the ecological characteristics and features of the site and its sensitivity to the proposed changes arising from the construction, operation and decommissioning stages of a development. On a proposed site where a significant level of ecological impact is predicted an Ecological Management Plan may be used to mitigate against the predicted impact.
- Possible significant effects and/or adverse effects on site integrity of Europeans which may require the submission of an AA Screening Report and/or a Natura Impact Statement.
- The potential to mitigate landscape and visual impacts through appropriate siting, design and screening with native hedges.
- The cumulative impact of the proposal with other ground mounted solar panels and wind turbines in the area.
- An appraisal of the existing roads infrastructure and the potential impact of the proposed development, including traffic numbers and movements during the construction, operation and decommissioning phases of the proposal should be carried out.
- Adequate drainage, surface water run-off and flooding mitigation.
- A construction and environmental management plan (CEMP) shall be submitted.

1.16 Extractive Industry Standards and Guidelines

1.16.1 Extractive Development

The following details shall be considered central to the determination of any application for planning permission for extractive development:

a) Guidelines

Compliance with the provisions and guidance, as appropriate, contained within Section 261 & 261A of the Planning and Development Act, 2000 (as amended), Section 74 and Section 75 of the Planning and Development (Amendment) Act 2010, the DoEHLG Quarries and Ancillary Facilities Guidelines 2004 and the EPA Guidelines for Environmental Management in the Extractive Sector 2006. Where extractive developments may impact on archaeological or architectural heritage, regard shall be had to the DAHG Architectural Conservation Guidelines 2011 and the Archaeological Code of Practice 2009 (including any updated/superseding documents) in the assessment of planning applications. Reference should also be made to the Geological Heritage Guidelines for the Extractive Industry 2008 (including any updated/superseding documents) and the Guidance on Biodiversity in the Extractive Industry (NPWS).

b) Land Ownership

The extent of land ownership. Details should be submitted showing the proposed site in relation to all lands in the vicinity in which the applicant has an interest, including date of acquisition.



- c) Deposits
The nature of all deposits. Details to be submitted to include depths of topsoil, subsoil, overburden and material, at various points on the site; an indication of the type of minerals, which it is intended to extract; a statement as to whether the parent rock from which the mineral is extracted is suitable for other uses; and the estimated total quantity of rock and mineral, which can be extracted commercially on the site.
- d) Methods
The methods of excavation and machinery to be used. Details to be submitted to include all proposed site development works, including the proposed method of working; any existing or proposed areas of excavation; stages of work proposed; locations of any settling ponds, waste material and/or stockpiling of materials; methods for removing and storing topsoil, subsoil and overburden; etc.
- e) Production
The quantification of production in a given time. Details to be submitted to include the proposed production process to be employed, all requirements for water, electricity and/or other inputs to the production process and any proposals for chemical or other treatments.
- f) Mitigation
Methods to reduce environmental impact. Details to be submitted to include an assessment of potential impacts on water resources, residential and visual amenity (including noise, dust and vibration impacts), biodiversity and any other relevant considerations together with appropriate proposals for their mitigation. Proposals for development, where appropriate should be accompanied by:
- A Surface Water Baseline Study of water courses in the vicinity of the site.
 - A Hydro-Geological Assessment of the impact of groundwater flows in the area and the impact of well waters supplies in the area.
- g) Access
Vehicle routes from site to major traffic routes and the impact on the adjoining road networks. Details should be included on the mode, number and weight of trucks or other vehicles being used to transport materials and any truck sheeting or washing proposals. The Council may require a Traffic and Transport Assessment and Road Safety Audit (to be prepared by an approved assessor) for all new development. The Council may require a Special Contribution in accordance with Section 48 of the Planning and Development Act, 2000, as amended, for upgrade/improvement works along the route corridor of the quarry, to facilitate the proposed development.
- h) Rehabilitation
A scheme of rehabilitation and after care. Details to be submitted should include a report with plans and sections detailing: the anticipated finished landform and surface/landscape treatments, both of each phase and the whole excavation; quality and condition of topsoil and overburden; rehabilitation works proposed; the type and location of any vegetation proposed; proposed method of funding and delivery of restoration/ reinstatement works; etc. The Council will require that all proposals for development are accompanied by a detailed restoration plan and aftercare proposals which shall be progressed on a phased basis. The restoration plan shall ensure the landscape is restored to its original character and with reference to the Landscape Review (Appendix 7, Volume 1) of this plan. The restoration plan shall be accompanied by a detailed costing of the work by a qualified quantity surveyor. The Council will apply a bond, as appropriate for the satisfactory completion of the restoration works. The site may be adapted for a variety of uses depending on the level of extraction, this shall be in agreement with the Planning Authority and consideration of the local community.



- i) Environmental Impact Assessment Report (EIAR)
Any EIAR including any remedial EIAR required by statute, should ensure that all impacts in relation to heritage, environment, biodiversity, groundwater protection, etc are clearly addressed and appropriate mitigation measures are included.
- j) Proximity
Proximity to other developments. Details to be submitted to include location of all existing developments in the vicinity of the site that might be affected by site development works, extractive operations and/or traffic movements generated.
- k) Landscaping and Screening
Details to be submitted to include an indication of existing trees or other screening to be retained or removed and any proposed screening, grassing or of planting trees or shrubs and proposals for their maintenance.
- l) Heritage and Biodiversity
The Council will require an Ecological Impact Assessment or Natura Impact Statement for all proposals within or in the vicinity of an SPA, SAC or NHA. Where a quarry development falls within a conservation designation, the developer is advised to consult with the National Parks and Wildlife Service prior to making an application. Evidence of such consultation should be submitted to the Planning Authority at application stage. The Council will require that the operator of the quarry shall put in place an Environmental Monitoring System, to monitor all environmental standards (noise, dust, blasting etc.) on an on-going basis. It is recognised that quarries offer opportunities for heritage and biodiversity, particularly in less intensively used areas of quarries and as part of site restoration. Heritage and biodiversity enhancement measures, to include consideration of geological heritage, is required to be taken into consideration as part of required site restoration proposals.
- m) Security of the Site Security
Full details regarding securing the perimeter boundary of quarries shall be submitted and agreed by the Planning Authority as part of the planning process.

1.17 Forestry Development

The provision and maintenance of the trees shall comply with the requirements of Forestry Standards and Procedures Manual 2015 (including any updated/superseding document).

Any proposals for forestry development should have regard to the following guidelines published by the Forest Service:

- Forestry and Landscape Guidelines.
- Forestry and Water Quality Guidelines.
- Forestry and Archaeology Guidelines.
- Forestry Biodiversity Guidelines.
- Forestry Harvesting and Environmental Guidelines.

1.18 Marine and Coastal Management

1.18.1 Coastal Management and Protection

The following requirements shall be considered and applied where appropriate with respect to coastal management and protection:

a) Natural Processes

Where possible, developments shall ensure that the landward migration of coastal features, such as dunes and marshes, shall be facilitated as these features form an integral part of the coastal system – both physically and ecologically - and provide protection against wave energy through dissipation.

b) Sea Level Change and Flooding

New developments shall comply with the following approach to coastal management for sea level change:



- No new building or new development within 30m of 'soft' shoreline, save for proposals of strategic importance including possible walking trails – subject to environmental assessment.
- No further reclamation of estuary land, save for proposals of strategic importance including possible pier and harbour development – subject to environmental assessment.
- No removal of sand dunes, beach sand or gravel.
- All coastal defence measures to be assessed for environmental impact.

c) Coastal Edge

In addition to the above, a general minimum horizontal setback of 30m from the foreshore field boundary line, for new development, or along the 3m natural contour line, whichever is the greatest, is to be created. Any planning applications within this setback must demonstrate that any development would not be subject to potential rising sea levels due to climate change. New developments should not restrict opportunities for providing public access to the foreshore. The coastal edge and coastal habitats shall be protected from destruction and degradation to ensure their roles as ecological corridors, coastal flooding and storm surge buffers are retained and enhanced, and developers proposing developments in the vicinity of this area will be requested to carry out an ecological plan that incorporates the natural vegetation and topography of the area.

All plans and projects shall have regard to and be in accordance with the provisions of the National Marine Planning Framework.

1.19 Noise

Excessive environmental noise can be harmful to the health and quality of life of individuals and communities in residential settings. The potential impact of transportation noise on occupants should be considered at the early stages of the planning process for new residential developments. Potential developments should take cognisance of the following:

- Internal noise level guidelines, as outlined in BS 8233:2014, can be achieved with adequate building ventilation and thermal comfort, in all living areas (e.g. living rooms, bedrooms) with openable windows.
- Private external amenity areas can be enjoyed as intended, taking cognisance of environmental noise levels recommended by the World Health Organization (WHO) BS 8233: 2014 Guidance on Sound Insulation and Noise Reduction for Buildings.
- Professional Practice Guidance on Planning and Noise: New Residential Development (ProPG, 2017) and any other relevant guidance or best practice. The ProPG approach may also be applied to the design of other types of noise sensitive developments as well (e.g. educational facilities, hospitals, care homes).

1.20 Transport, Movement & Parking Standards

As part of the strategy of supporting the integration of land use and transportation and promoting a modal shift away from a dependence on the private car, new developments shall, as far as possible, include provision for sustainable modes of transport such as walking, cycling, and public transport.

The potential impact of any development on the public road network is an important consideration of the Planning Authority when assessing a planning application for development.

Proposals seeking access to public roads will be accessed in accordance with the relevant design standards; the Design Manual for Roads and Bridge (DMRB), 2011 in rural areas; the Design Manual for Urban Roads and Streets (DMURS) in urban locations and the Spatial Planning and National Roads - Guidance for Planning Authorities 2012 and TII guidance and publications.

To protect the integrity of Kerry's Road network the following applies:

- The creation of new access or the generation of increased traffic from existing accesses onto national roads will not be permitted, in the interest of safety, preserving the capacity and the



efficiency of these roads (see the TII guidance and publications and also Chapter 14 Connectivity).

All applications seeking access on the road network will be assessed in accordance with national standards and guidance. Considerations will include:

- Classification of the road.
- Speed limit.
- Width, carrying capacity.
- condition of the road.
- Drainage.
- Vertical and horizontal alignment of the road.
- Junctions in the vicinity.
- Nature, scale, type of activity seeking access to the road network.
- Traffic likely to be generated, type of vehicles.
- Technical design of access and sightline visibility and stopping distances and general safety. Sight distances and stopping sight distances should comply with current NTA road geometry standards and guidance documents listed above and any subsequent documents.

Traffic and Transport Assessment (TTA) and Road Safety Audits (RSA) are required to accompany planning applications for developments with significant potential to generate traffic and or which could have a significant impact on a major road, such as the intensification of the use of an existing access due to the activities undertaken on the site. Refer to Traffic and Transport Assessment Guidelines PE-PDV-02045, TII 2014 (available on tiipublications.ie) and the Spatial Planning and National Road Guidelines, 2012. Refer to Section 3.4 of the 2012 Guidelines for further information on the methodology when preparing TTAs. The Council will also be guided by the Traffic Management Guidelines 2017 (available on gov.ie) and any subsequent national guidance documents. Guidance on the methodology of the road safety audit is available in the TII publications Road Safety Audit Guidelines GE-STY-01027, 2017.

In addition to the above, developers may be required to submit a Road Safety Impact Assessment (RSIA). RSIA is a separate process to RSA. While RSA examines the safety aspects within a scheme, RSIA considers the safety impact of a scheme on the surrounding road network. RSIA and RSA both work to improve the safety performance of new roads and existing roads that require modifications due to projects or proposals. Both have consequences for the design and layout of any project.

1.20.1 Building Line in Rural Areas

The setback building line for public roads are as follows.

- National Primary: Minimum 50 m
- National Secondary: Minimum 30 m
- Other roads: Minimum 20m

It is desirable that all developments are set back as far as possible from roads to minimise their impact. In certain instances, the building line will be established by reference to the adjacent structures.

All large agricultural/commercial structures may need to be set back further from the road than the guidance given above. Local surroundings will determine the appropriate building line when dealing with individual planning applications.

1.20.2 Parking

Whilst this Plan promotes a modal shift away from the private car to more sustainable modes of transport, the car will continue to be an important mode of transport, and therefore there will normally be a requirement to provide car parking as part of a development.



Car parking should be provided in accordance with the standards set out in Table 3 below. Spaces may be provided on site or on street. Car parking should be located to the rear of building lines where possible.

Appropriately designed on-street, car-parking will be encouraged to facilitate increases in residential densities at appropriate locations. This parking may be provided as a shared parking area or bay which may be integrated into the overall development or provided on street where road widths are developed to adequate standards. In general, no more than 10-15 spaces will be provided in a shared parking cluster, in the interest of visual amenity. Within group parking areas, consideration will be given to the visibility of residents' cars (from their homes if possible), convenience and the need to soften the impact of group parking by landscaping.

In relation to infill sites and sites adjacent to public transport corridors or civic parking facility, a flexible application of standards will be considered. In addition to car parking, sufficient space will be required within a development site for all service vehicles necessary for the operation of the business or building, including drop-off areas, loading/unloading areas etc. Large areas of car parking should be accompanied by a landscaping plan to mitigate the visual impact of same.

The following should be taken into account as part of all development proposed:

- Age Friendly car parking spaces should generally be provided, where possible, in all developments.
- Rapid EV charging points(s) should be provided, clearly marked and to the requirements of ESB networks at buildings that operate in accordance with the new EU (Energy Performance of Buildings) Regulations 2021 for Electric Vehicle recharging infrastructure.
- In relation to Car Parking Design Standard Dimensions refer to Section 16 of the DoEHLG/DoT/DTO Traffic Management Guidelines and to the Metric Handbook Planning and Design Data (3rd Edition) and to the Design Manual of Roads and Streets DMURS (as amended).

Parking Space	Dimensions
Perpendicular to kerb	5.0m x 2.5m
Adjacent to a wall or other obstruction	5.0m x 2.75m
Parallel to the kerb	6.0m x 2.5m
Accessible Parking Bay	5.0m x 2.5m plus 1.2m to side and rear of each space
Loading Bay	6.0m x 3.0m
Circulation areas	6.0m in width

Table 3: Parking Space Dimensions

1.20.3 Parking Requirement for Changes of Use

Where an application for change of use is made, the parking requirements will be the difference between the new use parking requirement, and the existing use parking requirement.

1.20.4 Dual Use Parking and Mixed-Use Developments

The Council will encourage the provision of dual use parking areas where peak times of users do not coincide. In mixed use developments it may therefore not be necessary to meet full parking standards where it can be shown that shared parking is viable.

1.20.5 School Parking

All applications for new schools and where possible extensions to schools will be required to prioritise access safety and will indicate safe access and egress to the school for pupils, parents and students. A



Road Safety Audit which should cover the public-private interface will be required in some cases. Drop off facilities will be required in accordance with Department of Education & Skills Guidelines. Off road parking for teachers and bus/car collection will be indicated in all cases as well as secure bicycle parking facilities.

1.20.6 Parking in Residential Areas

In general, residential layouts should not be dominated by car parking along access roads. New residential development should take account of the following criteria:

- The design standards and guidance set out in the Design Manual of Roads and Streets DMURS (as amended).
- Car parking for detached and semi-detached housing should generally be within the curtilage of the individual house site.
- Car parking for apartments should generally be at basement level. Where this is not possible, parking should be in small scale informal groups overlooked by residential units.

1.20.7 Car Parking Standards

Car parking requirement in the towns and villages in the County should be reflective of the anticipated parking demand.

The Table 4 illustrates the car parking standards for different types of development. (It should be noted that a flexible approach to these standards may be applied where such a case is substantiated, there is no traffic safety issue, and it is clearly demonstrated to the Planning Authority in the interest of proper planning and development, that the standard should be adjusted to facilitate the site-specific context).

These planning areas are as follows:

Area 1 Retail core areas (Tralee, Killarney & Listowel)

Area 2 Lands Located within town centres (Areas zoned M2)

Area 3 All other areas (& other settlements)

(note: the retail core & town centres M2 lands are shown on the land use zoning maps in the relevant towns plan & LAPs)

Table 4: Parking Requirements

Land Use	Units	Parking Space			Bike space
		Area 1	Area 2	Area 3	
Dwelling House					
Town/village	1 Dwelling	0	1	2	1
Housing Estate	1 Dwelling	0	0	2	1
	+ visitor space/per dwelling	0	0	0.5	0
Apartment	Per bedroom	0	1	1	1
Clinics, Surgeries	Per staff member	0	0	1	1
	+ per consultancy room	0	1	4	1
Schools	Staff member	0	0	1	10% of pupil number
	Bus set down / 200 pupils	2	2	2	
	Car set down/ 30 pupils	1	1	1	
Offices	100 sqm	0	1	3	4
Shops, Retail Stores etc.	100 sqm	0	1	3	
	+ per staff member	0	0	1	1



Land Use	Units	Parking Space			Bike space
		Area 1	Area 2	Area 3	
Banks and Libraries	100 sqm	0	1	3	
Hotels and Guesthouses	Double bedroom or two single bedrooms In the case of hotels a space for a bus shall also be provided	0	0	1	
Hostels	Per staff member	0	0	1	1
	Per 5 bed spaces	0	0	1	1
Bars, Lounges and Function Rooms (including hotel facilities)	10 sqm (public area)	0	0	1	
Restaurants, Cafés (including hotel facilities)	10 sqm (dining area)	0	0	1	
Church, Cinema, Theatre	3 seats	0	0	2	
Industrial	100 sqm	0	0	3	
Warehousing	100 sqm	-	-	2	
Golf, Pitch and Putt	Per hole	-	-	3	
	& per staff member			1	
Sports Ground / Club	Per pitch	-	-	25	
Nursing Homes	Per bed space	-	-	1	
Childcare Facilities	Per 4 children	0	0	1	1
	Per staff member	-	-	1	
Playgrounds	Per 40sqm	-	1	1	

1.20.8 Accessible Car Parking

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 uses. The minimum criteria for such parking provisions are detailed in the National Disability Authority Guidelines Building for Everyone published in 2012 (including any updated/superseding document). Provision of four spaces in every 100, and one space for every 100 after for buildings not normally visited by the public. For buildings that the public are likely to visit the following standards should apply:

- 1 space within 5 – 25 spaces • 3 spaces within 25 – 50 spaces
- 4 spaces within 50- 75 spaces • 5 spaces within 75 – 100 spaces
- 3 spaces per 100 thereafter

Age Friendly car parking spaces should generally be provided, where possible, in all developments and in main towns, near strategic areas e.g. Post office, credit union, doctors' surgery, civic buildings, etc.

1.20.9 Bicycle Parking Standards

In compliance with Smarter Travel Policies, secure cycle parking facilities shall be provided in new office, residential, retail and employment generating development. Larger developments should



provide a broad range of facilities for cyclists to encourage increased cycle usage, including cycle parking facilities and associated facilities such as air pump to reflate flat tyres, lockers, changing rooms and shower facilities. Bicycle parking shall be located in a prominent position within 30m of the facility served. A bicycle parking bay shall be 0.8m wide and 1.8m long. The bicycle park should have a shelter and be signposted. Provision must be made in the development for bicycle parking spaces in accordance with the standards outlined within The National Cycle Manual, by the National Transport Authority. In particular Section 5.5.7 deals with the allocation of cycle parking for developments and includes the following:

- Housing Developments: 1 private secure bicycle space per bed space (note - design should not require bicycle access via living area), minimum 2 spaces 1 visitor bicycle space per two housing units Offices: 10% of employee numbers, (subject to minimum of 10 bicycle storage places or one bike space for every car space, whichever is the greater)
- Schools: 10% of pupil registration numbers, minimum 10 places.
- Other Developments: 1 bike storage space for every car space
- Shops 1 storage space per 100 sq. m.
- Public Transport pick-up points (Rail/bus, taxi ranks) 2.5% of number of daily boarders at that point/ station, subject to minimum of 10 bicycle storage places.

1.20.10 Taxi Parking

- Planning applications for significant commercial, industrial or other development shall be required to demonstrate satisfactory provision of drop-off and set down areas for taxi services.
- Taxi facilities shall be provided in supermarket and neighbourhood development proposals.

1.20.11 Visual impact of car parking.

Large areas of extensive parking in public view should be avoided. Carparking should be located to the rear of buildings and services. The visual impact of large areas of parking should be reduced by the use of screen planting, low walls and the use of different textures or coloured paving for car parking bays.