

**CHAPTER 11**

# Development Control Standards

**Aim:** To ensure the orderly development of the City through setting out development control policies and standards for a range of types of development.

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## Introduction

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

- The Design and Planning Process
- New residential development
- Design and layout of residential development – controls and safeguards
- Changes of use and alterations to dwellings
- Commercial development – general considerations
- Commercial development – Other than shopping and office developments
- Signage
- Telecommunications
- Environmental issues
- Conservation and Archaeology
- Community development
- Access for all
- Accessibility
- Development Contributions

## The Design and Planning Process

**11.2** The planning and design processes for developments overlap. When commencing the design process an overall understanding of urban area context and detailed site assessment is essential to allow the development of design concepts. The concepts will in turn inform the final design. Depending on the nature and size of proposals it is recommended that developers engage in pre-planning discussions with the Planning Authority at the appropriate stages of the design process.

**11.3** A Design Statement<sup>1</sup> should be prepared for all larger and complex developments at an early stage of the design process/pre-application stage. The Design Statement should take the form of a concise illustration or series of illustrations and a written statement. This material will form the basis of meaningful pre-application discussions with the Planning Authority. On smaller sites a brief design statement will be required outlining the response to site or local conditions. Applications for development in both Landscape Protection Zones and Ridge Protection Zones will be required to be accompanied by a Design Statement.

**11.4** There is a need to improve the quality of urban environments both in terms of site layout and architectural design if sustainability is to be achieved. The purpose of the design statement is to advance the principle of creating areas with distinct identities. In order to encourage and support this approach, Cork City Council will produce its own Residential Design Guidelines to complement the City Development Plan.

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<sup>1</sup>A Design Statement should outline:

- the policy background, identifying all relevant policies, development briefs, design guides, standards and regulations;
- the context including a site and area appraisal (illustrated with diagrams), summaries of relevant studies and reports of any relevant consultations;
- Feasibility factors including summaries of economic and market conditions (subject to the need for commercial confidentiality);
- the design and project management approach;
- the design principles which have been formulated in response to the policy background, the site and its settings and the purpose of the development and an outline of how these will be reflected in the development's layout, density, scale, landscape and visual appearance;
- A programme of meetings with the local authority and other bodies;
- A proposed programme of participation and consultation. The appropriate level of consultation will depend on the degree to which consultation has already been carried out in the preparation of any relevant development briefs or design guides and on statutory requirements.

The level of detail of the design statement will depend on the scale and sensitivity of the development.

## New Residential Development

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

**11.5**

The requirements are informed by a number of key principles:

**11.6**

- To build on the positive elements of the City's character through new high quality residential development.
- To create new residential areas with a distinctive sense of place.
- To create new sustainable residential areas which allow for new and improved access to public transport and local facilities and make the best use of development land and infrastructure.
- To use a range of design "tools" or methods, in the guidelines and standards, to achieve better residential development.
- To encourage the concept of energy efficiency and re-use of on-site materials.
- To encourage high densities in appropriate locations.

### Residential Density

The Department of the Environment and Local Government has issued *Guidelines for Planning Authorities on Residential Density* (1999). In assessing residential development proposals the City Council will have regard to these guidelines and will also have regard to:

**11.7**

- Chapter 5: Social Issues and Housing, which provides the broad policy context for residential densities.
- Chapter 6: Built Environment and Urban Design, which refers to design issues.
- Paragraphs 11.17-11.18 (Plot Ratios) below.

Policy BE27 in Chapter 6 refers to residential density. Generally densities are likely to be higher than 50 dwellings per hectare in Cork. There will be a minimum density of 35 dwellings per hectare, apart from in exceptional circumstances (see Chapter 6: paras. 6.104–6.108). Further guidance on density considerations will be found in *Cork: Residential Design Guidelines*, a document being prepared by the City Council. The assessment of appropriate density levels is of particular importance in Cork where opportunities for large-scale residential developments are limited. Density considerations become essential particularly with brown-field locations and institutional land. The City Council will prepare development briefs to provide guidance on the development of institutional lands in the City, as resources allow.

**11.8**

Higher residential density will not be appropriate in every circumstance. Higher densities must not be achieved at an unacceptable amenity cost to the surrounding dwellings and the residents of the proposed development.

**11.9**

## Housing Strategy

- 11.10** In November 2001, the Cork Planning Authorities published the *Joint Housing Strategy* in accordance with the requirements of the *Planning and Development Act 2000* (see Chapter 5).
- 11.11** Every application for residential development, other than for exempt residential development, must specify how it is proposed to meet the requirements of the *Joint Housing Strategy*, as amended in Chapter 5. These proposals will be taken into account in determining planning applications for such development. Planning applications for residential development will therefore be assessed on the basis of the *Housing Strategy*, the land use zoning, the design and layout, accessibility to public transport, housing mix, the provision of special needs housing and the provision of social and affordable housing.

## Design and Layout of Residential Development – Controls and Safeguards

- 11.12** It is the policy of Cork City Council to encourage well-planned and economic provision of housing on serviced lands. Developers are advised to consult with the City Council in advance of purchasing lands for residential development and discuss proposals at the earliest stage. The following criteria will be taken into account when assessing applications:
- Local or Action Area Plans
  - Size of site
  - Proximity to town/City Centre facilities and to existing or planned quality public transport corridors.
  - Quality of proposed layout and design
  - Mix of dwelling types
  - Ancillary facilities
  - Quality of proposed open space and general landscaping.
  - Quality of pedestrian linkages between open spaces and to and from local facilities
  - Levels of privacy and amenity
  - Traffic safety
  - Energy efficiency
  - Management arrangements
  - Childcare facilities
  - Site ecology
  - Provision for children and the elderly
  - Provision for disabled access/facilities

### Layout of Housing Schemes

- 11.13** When considering the layout of housing schemes refer to Chapter 6: Built Environment and Urban Design – Policy BE24 (Building Layout), Policy BE25 (Street Layout), Policy BE26 (Identity and Legibility), and Policy BE32 (Design of the Public Realm). In particular, consideration should be given to the incorporation of the following elements:
- Division of estates into groups of houses, giving each group a sense of spatial enclosure.
  - Pedestrian routes and footpaths which provide access to local shops, bus stops, etc.
  - Orientation in accordance with sustainable development concepts, taking account of existing views, overlooking, overshadowing and energy efficiency.
  - Separation of through traffic from local housing traffic.
  - Layouts which discourage on-street parking.
  - Curves and changes in surface colour and texture of the road layout which discourage speeding and promote pedestrian priority.
  - Houses situated in order to ensure that overlooking is avoided and privacy is maximised.
  - Road widths that reflect the number of dwellings being served. A reduction in width may be appropriate where small numbers of dwellings are being served.
  - Naming of housing schemes shall reflect local history, folklore and place names.

## Layout of Apartment Developments

The layout of apartment developments should:

**11.14**

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

The overriding concern should be the quality of the proposed residential environment and higher densities will only be acceptable if all of the criteria which contribute to this environment are satisfied.

**11.15**

## Quantitative Guidelines

The general principles set out above need to be considered in conjunction with a set of quantitative guidelines which are set out below and which will form the basis of the residential design guidance that the City Council are currently preparing.

**11.16**

## Plot ratios

Policy BE27 identifies the issues that will be taken into account when considering appropriate residential density. Plot ratio expresses the amount of floor space in relation (proportionally) to the site area. Policies BE21, BE22, and BE23 provide policies for considering local distinctiveness, including building height, city views and prospects and tall buildings. The following range of indicative plot ratios is recommended:

**11.17**

Location	Plot ratio
City Centre/Docklands	1.0–2.5
Inner Suburban	0.5–1.0
Outer Suburban	
– in close proximity to public transport	0.35–0.5
– remote from public transport	0.25–0.35

**TABLE 11.1**

*Indicative  
Plot Ratios*

These indicative plot ratios should provide a mix of dwelling sizes in each case and the number of dwellings per hectare may vary significantly depending on the housing mix proposed and the site particulars.

**11.18**

## Public Open Space

Within the City Centre, opportunities for providing new public open space may be limited due to site constraints and the need to protect the established pattern of streets and spaces. Where possible up to 10% of the gross site area will be required for public open space. Where this cannot be provided or where it is not appropriate to provide this, a contribution to local amenity facilities in lieu of the shortfall will be required.

**11.19**

In the suburban areas new public open space should reinforce the urban structure and meet the needs of the users. It should be based on a clear hierarchy and finished to a high standard. The provision of public open space should be based on an assessment of the existing public open space network and where possible new public open space should be integrated into this network. 15% of the gross site in greenfield suburban areas should be provided as public open space. Chapter 8: Natural Heritage and Recreation details the policy on public open space provision.

**11.20**

Small pocket spaces fronted by housing should be provided on secondary streets to reinforce the urban structure. On minor streets and spaces safe, well designed shared-surface play streets and courtyards may also be considered as fulfilling or part-fulfilling the overall requirement for public open space.

**11.21**

**11.22** Planning applications for major schemes should include a landscaping plan and a planting schedule that will provide an attractive and varied environment. Proposals for the management of the open space should also be included. Such information in respect of large schemes should be detailed as part of a requirement for a Design Statement. Planning applications which include proposals for development on public open spaces, including access across public open space, will be referred to Council for decision.

### Private Open Space

**11.23** In the City Centre and the inner urban areas the quality of private open space will be crucial to successful residential development. Table 11.2 sets out private open space standards. A reduction in private open space standards will be considered to facilitate the development of small infill sites in City Centre and inner-urban areas.

**11.24** In apartment developments, private open space should be provided in a number of ways including: balconies, winter gardens, indoor amenity spaces, shared internal courtyards and roof gardens. In town-house and mews developments private open space should be provided in small rear yards and balconies. A detailed landscape plan should be submitted with any application for development containing shared semi-private open space.

**11.25** In suburban areas focus must be placed on the quality of private open space rather than quantity alone.

**TABLE 11.2**

*Private open space standards (minimum requirements where practicable)*

Unit Type	Area (sq.m.)	
	City Centre and Inner Urban Areas	Suburban Areas
Apartments (1 bedroom)	10	15–20
Apartments (2 and 3 bedrooms)	15–20	30–40
Townhouses/Terraced Houses	30	48–60
Detached/semi-detached Houses (1–2 bedrooms)	30	48–60
Detached/semi-detached Houses (3–5 bedrooms)	30–50	60–75

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

### Residential Parking Standards

**11.26** Parking is an integral element of overall landuse and transportation policy within the City (see Chapter 4: Transportation). The purpose of the parking standards is to ensure that an appropriate level of parking is provided to serve new development.

**11.27** In order to encourage a change in the modal split away from car-based commuting, the City Council will charge a transportation levy in lieu of on-site parking provision towards the cost of providing facilities for public transport routes, cycle routes or other traffic management options.

**11.28** Car parking space should generally be sited within established building lines in such a manner as to ensure minimal injury to the amenity of adjoining premises. Where parking will be open to public view, adequate landscaping and tree planting must be provided to counteract the appearance of the parking areas.

**11.29** Car parking should be considered having regard to potential of the site to accommodate it, the needs of the residents and proximity to local public transport and local services. It should be located where it will not detract from the quality of the street or the development and it should satisfy appropriate layout standards. On unrestricted sites the standards outlined in Table 11.3 below apply.

**TABLE 11.3**

*Residential car parking standards*

Areas	Parking Space Per Unit	Visitor parking space per unit
City Centre - Apartments	0.5	0
Townhouse	0.5	0
Inner urban	0.5	0
Protected Structure	0	0
Living over the Business	0	0
Suburban house or apartment	1	1:4

*These spaces will be for the use of occupants of the apartments and shall not be rented out to non-residents. See paras. 11.101–11.102 for cycle parking requirements.*

## Student Accommodation

Given the growth in recent years in the numbers of third level students, together with the planned expansion of the City's major educational facilities there is a demand for specific residential accommodation to cater for students. The introduction of *Section 50 Tax Relief* (Finance Act 1999), has created interest in the provision of such accommodation and also sets out guidelines for formulating proposals for student residential development. Chapter 5 outlines the City Council's policy on student housing. When dealing with planning applications for such developments a number of criteria will be taken into account including:

11.30

- The location and accessibility to educational facilities and the proximity to existing or planned "green routes" or other quality transport corridors and cycle facilities.
- The potential impact on local residential amenities.
- The level and quality of on-site facilities, including storage facilities, waste management facilities, cycle storage, leisure facilities (including shop/café uses), car parking and amenity facilities.
- The degree to which the proposed development satisfies the minimum requirements of Section 50 (Finance Act 1999).
- The architectural quality of the design and also the external layout, with specific reference to materials, scale, height and relationship to adjacent structures. Internal layouts should take cognisance of the need for flexibility for possible changes of use in the future.
- In larger schemes a Design Statement will be required.
- In all schemes the applicant will be required to provide written documentary confirmation for a 'Qualifying Lease' as defined in the *Guidelines on Residential Developments for Third Level Students* (Department of Education and Science, 1999), to prove that the accommodation is let to students within the academic year;
- All permissions for student housing shall have a condition attached stating that planning permission is required for change of use from student accommodation to other type of accommodation. Such applications will be resisted except where it is demonstrated that an over provision of student accommodation exists in the City.

## House and Apartment Design

A high quality of house and apartment design will be sought. In considering applications for new developments in the Designated Areas and elsewhere, the Planning Authority will refer to the Department of the Environment and Local Government Guidelines: *Residential Developments in Urban Renewal Designated Tax Incentive Areas* (1995).

11.31

All new housing and apartment developments should:

11.32

- Reflect the existing character of the street by paying attention to the proportion, pattern, massing, density and materials of surrounding buildings.
- Maintain existing building lines, roof pitches and heights and window proportions.
- Incorporate variations in window design, roof type etc. around a common theme, in housing estates of more than 20 houses.

Any proposal which promotes the incorporation of higher residential densities must take into account the need for proper internal space planning which ensures adequate standards in relation to overall dwelling and individual room sizes.

11.33

The *Guidelines on Residential Developments in Urban Renewal Designated Tax Incentive Areas* will be applied as an absolute minimum for apartment developments. With regard to local authority dwellings, the *Social Housing Design Guidelines* (Department of the Environment and Local Government, 1999) will apply.

11.34

The Planning Authority will encourage the provision of dwellings in higher density developments which are capable of being adapted and extended. Aside from the normal single storey extensions, the conversion of the attic space for additional floor-space will be promoted as a method of providing extra living/sleeping space or storage without increasing site coverage (see Chapter 6, Policy BE 28 on the adaptability of building design).

11.35

### Housing Estate Completion

**11.36** Developers will be required to give security to the City Council in the form of a cash deposit, bank bond or insurance company bond, to ensure satisfactory completion and maintenance of the estate. Developments should be phased to ensure that new residents have the benefit of proper access and services when the houses are occupied. Developers should be aware that under the provisions of the *Planning & Development Act 2000*, future planning permissions may be refused on the basis that previous developments have not been satisfactorily completed.

### Naming of Residential Estates

**11.37** The names of residential estates should reflect local Cork and Irish placenames. The naming of residential developments shall be approved by the Planning Authority in order to avoid confusion with regard to similar names in the City. Agreement on naming should be reached prior to the launching of any advertising campaign for a development. Nameplates of an approved type shall be provided on all estate roads and all houses shall be provided with numbers which are legible from the adjoining roadway. All estate road and street name plates shall be provided in bilingual format (Irish/English).

### Infill Housing

**11.38** Within the City Centre, the design of infill development and refurbishment schemes shall pay particular attention to the local architectural character and materials in use.

**11.39** In the wider suburbs or older housing areas, infill or backland development will only be considered if it is considered that the proposed development:

- Will not detract from the character of the area.
- Will not be detrimental to the residential amenities of the area.
- Will not be prejudicial to the proper planning and development of the area.
- Will comply with the basic minimum standards for such development as set out in the *Cork: Residential Design Guidelines*, which are currently being prepared.

### Institutional Land

**11.40** There are a number of large institutions in the established suburbs of the City which may be redeveloped in the coming years. The principal aim of redeveloping these lands is to achieve a sustainable amount of development while ensuring the landscape setting of the lands and the integrity of the main buildings is retained. Public access to the lands will be promoted. The main guidelines for residential development in suburban areas set out above will apply.



## Change of Use and Alterations to Dwellings

### Extensions to dwellings

The design and layout of extensions to houses should have regard to the amenities of adjoining properties particularly as regards sunlight, daylight and privacy. The character and form of the existing building should be respected and external finishes and window types should match the existing. **11.41**

Extensions should: **11.42**

- Follow the pattern of the existing building as much as possible.
- Be constructed with similar finishes and with similar fenestration to the existing building so that they will integrate with it.
- Have a pitched roof, particularly when visible from the public road.
- Dormer extensions should not obscure the main features of the existing roof, i.e. should not break the ridge or eaves lines of the roof. Box dormers will not be permitted where visible from a public area. Traditional style dormers should inform the design normally.
- Front dormers should normally be set back at least three-tile courses from the eaves line and should be clad in a material matching the existing roof.
- Care should be taken to ensure that the extension does not overshadow windows, yards or gardens or have windows in flank walls which would reduce the privacy of adjoining properties.

### Granny Flat Extensions

The following criteria will be taken into account in the assessment of 'granny flat' applications: **11.43**

- Where a *bona fide* need for such a unit is demonstrated.
- Where the unit acts as a physical extension of the main house with full integration proposed between the existing house and the proposed extension.
- Where such a unit is located at ground floor level.
- Where the unit is capable of re-integration for use as part of the main dwelling following its cessation of use as a 'granny flat'.

In general, entrances to same should be provided via the main dwelling unit. Where separate own door access is proposed, these should be located to the side or rear of the extension. **11.44**

Planning applications for 'granny flat' extensions should be accompanied by a covering letter detailing the need for the proposed structure and the relationship between the occupant(s) of the main dwelling house and the occupant(s) of the proposed structure. Where such applications are permitted, conditions may be imposed restricting the use/sale of the structure to a granny flat unit and requiring the reintegration of the unit for use as part of the main dwelling in the event of the cessation of its use as a 'granny flat'. **11.45**

### Conversion of existing houses – General

Conversion of houses and apartments to other uses will not normally be permitted apart from the areas zoned for mixed uses, neighbourhood centres, district centres and the commercial core area within the City Centre. Exceptions to this may be made in the cases of Protected Structures and other buildings of architectural merit where a thorough restoration to an architecturally high standard is involved. **11.46**

### Conversion of existing houses to flat accommodation

Houses suitable for family accommodation may not be subdivided and converted to flats. However, the subdivision of large houses, housing above business premises and housing on primary traffic routes may be permitted. Permission to convert to flats will not normally be granted unless: **11.47**

- The minimum size of unit is 38 sq.m. for a 1-bed unit.
- Flats are self-contained or, when this is not possible, have at least one bathroom and toilet for every two units or one for every floor of a house.
- The parking space provided is not at the expense of a garden or courtyard.
- There are areas provided for amenity purposes.
- Each flat has a refuse bin storage area and washing/drying facilities which are accessible to the occupants of that unit.

- 11.48** Proposals for conversion into multiple units should take account of standards set out in the *Guidelines on Residential Development in Designated Tax Incentives Areas* (DOELG, 1999). The City Council, as Housing Authority, has adopted bye-laws setting minimum standards for controlling private rented accommodation.

### Home-based Economic Activity

- 11.49** In dealing with applications for such developments the Planning Authority will have regard to the following:
- The nature and extent of the work.
  - The effects on the amenities of adjoining properties particularly as regards hours of operation, noise and general disturbance.
  - The anticipated levels of traffic generation.
  - The generation, storage and collection of waste.

- 11.50** Permissions for such partial change of use will be restricted to use by the applicant and may be granted on a temporary basis, in order to enable the Planning Authority to monitor the impact of the development.

### Conversion of Existing Dwellings to Medical and Dental Surgeries

- 11.51** Conversion of a dwelling to a medical or dental surgery will normally be permitted provided part of the dwelling remains in residential use and a local need has been demonstrated. A traffic and car parking statement shall accompany any application for such a change of use.

### Parking in Front Gardens

- 11.52** The cumulative effect of removal of front garden walls and railings damages the appearance of suburban streets and roads. Consequently proposals for off street parking need to be balanced against loss of amenity. The removal of front garden walls and railings will not be permitted in areas such as Sundays Well, Glasheen Road and Magazine Road. Where permitted, "drive-ins" should:
- Not have outward opening gates.
  - Have a vehicular entrance not wider than 3m.
  - Have an area of hardstanding (parking apace of 2.5m x 5m).
  - The balance of the space to be suitably landscaped.
  - Have gates, walls and railings made good.

- 11.53** Where adjoining householders intend to construct drive-ins, a more efficient use of garden space can be achieved by the use of a shared vehicular entrance to serve both houses. Alterations necessary to the footpath will be carried out by the City Council at the applicant's expense.

## Commercial Development: General Considerations

- 11.54** The general principles guiding the location of commercial development in the City have been set out in preceding chapters. Chapter 6: Built Environment and Urban Design establishes design principles which should be taken into account when developing proposals. In assessing planning applications a number of considerations will be taken into account:

- 11.55**
- Conformity with the land use policies set out in the Development Plan in respect of commercial development as outlined in Chapters 3, 9 and 10.
  - The mix of uses being proposed particularly in mixed use areas (the City Centre, District Centres and Neighbourhood Centres) where redevelopment and changes of use need to be orientated towards creating urban environments that are vibrant and lively (see Chapter 6: Policy BE 29).
  - The high quality design requirement that protects but also enhances the architectural character of the City, particularly in relation to landmark structures and viewpoints (see Policy BE 30).
  - The potential impact of traffic movement, parking provision and desirability thereof and whether or not consideration has been given to a Mobility Management Plan (see paras. 11.98–11.99).
  - Whether or not the proposed development will have a significant detrimental effect on the amenities of the surrounding areas.

- The energy efficiency and overall sustainability of the development which includes practical considerations, such as servicing, deliveries, waste recycling and overall management thereof (energy efficiency is explained in more detail in Chapter 6: Policy BE 31 and Chapter 7).
- Whether or not a land contamination assessment is necessary and is required as part of the planning application.
- Whether or not an EIS has been deemed necessary and should be provided as part of the planning application.

In all significant retail and office developments in the City, a Design Statement (see para. 11.3) will be required. Demolition within the City Centre will not be permitted unless fully justified by structural assessment and positive redevelopment proposals within the context of preceding objectives outlined above.

**11.56**

## Commercial Development other than Shopping and Office Development

### Warehouses and Industrial Uses

The guiding policy considerations are set out in Chapter 3: Enterprise and Employment. In cases where these developments generate heavy traffic, they may not be sited where they would encourage movement of heavy vehicles through residential areas.

**11.57**

The criteria for assessment of such developments will include:

**11.58**

- The nature/activities/processes of the proposed development including size and location factors.
- The compatibility with adjoining uses.
- The traffic implications, alternative access servicing, mobility management plans/commuting arrangements.
- The quality of building design.
- The site layout including car parking arrangements.
- Landscaping plans.
- The energy efficiency and overall sustainability of the proposed development.
- The provision of waste management measures.

### Public Houses/Night Clubs/Disco Bars

Night clubs, disco bars and public houses play an important role in the City providing a night time use which adds to the attractiveness of the City. The City Council's approach to such developments is outlined in Chapter 9, paras. 9.35–9.39. Such uses will not be permitted in residential areas. Noise at the boundaries of establishments will be carefully monitored and noise insulation and reduction measures will be required to be submitted as part of the planning application. An over concentration of such developments in a particular area, either through redevelopment, refurbishment, or extension will not be permitted.

**11.59**

In applications for such developments the onus will be on the applicant to demonstrate that the proposed new entertainment use, an extension to an existing entertainment use or variation in opening hours would not cause harm to residential amenity, environmental quality or the established character and function of the area.

**11.60**

### Petrol Filling Stations

Applications for petrol filling stations should take account of the following:

**11.61**

- Access to filling stations will not be permitted closer than 35 metres to a road junction.
- Frontage on primary and secondary routes must be at least 20 metres in length.
- All pumps and installations shall be set back at least 5 metres from the roads.
- A wall, of a minimum height of 0.5 metres, must separate the forecourt from the public footpath.
- All external lighting should be cowled and directed away from the public roadway to prevent traffic hazard.

- A proliferation of large illuminated projecting signs will not be permitted at filling stations. Generally only one such sign will be permitted.
- Turbo-drying or car washing facilities will be located so as not to interfere with residential amenities.
- Any shop being provided shall be ancillary to the principal use of the premises as a filling station and shall be a maximum size of 100 sq.m. excluding storage.
- An undue concentration of filling stations shall not be permitted as in the past it has been found that such a concentration has led to problems, with some closing down after a short period and leaving behind unsightly derelict filling stations.
- Late night opening will only be permitted if it does not impact adversely on nearby residences.
- A landscaping plan will form part of any planning application.

### Amusement Centres

- 11.62** Amusement centres will not be permitted in residential areas, and undue concentration of amusement arcades will not be permitted in any location. The character of the area and adjoining business will be taken into account when planning applications for amusement arcades are being considered.

### Taxi/Hackney Cab Bases

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

### Hot Food Take-Aways

- 11.64** Within the commercial core area and historic centre a proliferation of hot food “take-aways” will not be permitted. No additional takeaways will be permitted where there is a loss of office and retail frontage, in order to preserve the character of these areas. Regard will be had to the impact of hot food take-aways on the residential amenities in an area. Free-standing take-aways not attached to restaurants will not be permitted. The Planning Authority may impose restrictions on opening hours of hot food take-aways where they are permitted. The loss of prime retail space in the City Centre Commercial Core Area will also be an important consideration.

### Childcare Facilities

- 11.65** The provision of childcare facilities is subject to the *Child Care Act* and the *Child Care (Pre-School Services) Regulations 1996*. The City Council recognises the need for properly run and conveniently located childcare facilities throughout the City and will implement the *Planning Guidelines on Child Care Facilities 2001* (see Chapter 5: Policies H27 and H28 for the City Council’s policy on childcare facilities).

- 11.66** Applications for childcare facilities in residential areas will be assessed on the basis of their impact in terms of noise, loss of residential amenity, traffic generation and general disturbance. In general, the factors to be considered in determining applications for childcare facilities are as follows:

- The *Child Care (Pre-School Services) Regulations 1996*, in relation to the planning implications of these regulations.
- Suitability of the site for the type and size of facility proposed.
- Availability of an outdoor play area and details of management of same.
- Convenience of site to public transport nodes.
- Safe access and convenient parking for customers and staff.
- Local traffic conditions.
- Number of such facilities in the area.
- Intended hours of operation (in certain residential locations, extended opening hours could be problematic).

## Signage

### Advertising Hoardings/Billboards

Excessive outdoor advertising will be strictly controlled. Such advertising will not be permitted in the following locations:

**11.67**

- Fronting onto the new Mallow Road and Blackpool By-pass, South City Link Road.
- Along the frontages of the River Lee, especially along the Lower Glanmire and Carrigrohane Roads, in order to preserve the river's amenity.
- In the Blackpool area, in view of the importance of improving its physical appearance.
- Close to a listed building, a public open space or an important view.
- In predominantly residential areas, especially on prominent gable walls.
- Where a proliferation of such signage already exists.
- On street elevations.
- On buildings in the City Centre area.
- On stone walls in suburban areas.
- Where they may cause a road hazard.
- Where it is considered there may be a detrimental visual implication.

Permanent cross street banners/advertisement symbols will not be permitted in any location within the City unless an agreed timetable for use has been approved by the City Council. Tri vision signage will not be permitted, particularly within the City Centre.

**11.68**

### Advertising on Buildings

Detailed standards on advertising are set out in the City Council's *Shopfronts and Advertisements Design Guidelines*. In general advertising on buildings should conform with the following:

**11.69**

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

### Fingerpost Signs

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

**11.70**

- Directional signs for major tourist attractions and community facilities will be considered but product advertising will not be permitted.
- Signs must be of a standard size and colour and where permitted will be provided by the licensee but will be erected by the City Council.
- Signs which interfere with the City Council's or the National Roads Authority's (NRA) directional signs will not be permitted.

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

**11.71**

### Shopfronts and Commercial Facades

Control over alterations to shopfronts and facades of commercial premises is necessary in order to maintain good architectural standards, especially in the commercial core area and historic centre of the City.

**11.72**

The Planning Authority's objective is to maintain and over a period of time, raise the general quality of advertisement and shopfront design and to limit the situations where excess signage spoils the character of particular shopfronts and streetscapes. It is with this objective in mind that the following design guidelines

**11.73**

will be applied when assessing planning applications. It is intended that there will be active co-operation between traders, designers and the City Council in implementing these guidelines.

**11.74** The scope of these design guidelines encompasses not only shops, but also all other business frontages such as restaurants, pubs, banks and offices.

- Statutory protection is given to buildings of special merit or historic interest which are on the Record of Protected Structures. Any alterations to shopfronts that are part of such should be consistent with the age and style of the buildings and must be shown to be necessary.
- In general the need to alter old shopfronts will be closely examined as it is the policy of Cork City Council to preserve and retain traditional shopfronts of townscape importance. The condition of the existing frontage should be expertly examined as the automatic replacement of shopfronts in a poor condition may be a premature solution. A careful repair can make good a neglected shopfront without incurring the considerable cost of a new shopfront. In addition, refurbishment of shopfronts can often offer an opportunity to strip away later additions and to re-establish the proportions and details of the original framework. An existing shopfront of distinctive character, which is repaired and decorated usually looks far better than a standardised replacement.
- The repair, restoration and replacement of shopfronts must be sympathetically carried out. It may be necessary to accept that modern shop fronts are not appropriate in certain old buildings or traditional shopping parades. Where new shopfronts are considered acceptable, the quality of design and finish should be of the highest standard and accurate facsimiles of period fronts may be necessary.
- Where existing shopfronts are of no special merit, total replacement with a contemporary design is acceptable and if sensitively handled can greatly enhance the appearance of the whole street.



### Fascia Signage and Illuminative and Projecting Signs

**11.75** As a general principal fascia signs and projecting signs should be simple in design and not excessive in illumination or size. The following basic guidelines will be applied when assessing such planning applications:

- Plastic derived fascias with product advertising will not be permitted.
- Projecting signs should be of 2.4m clearance above street level.
- Internally illuminated fascias will not be permitted.
- Internally illuminated signs shall be restricted.
- Illumination of fascia signage, shopfronts or distinctive architectural features should be discreet and limited to spot-lighting, up-lighting or disguised minimalist strip lighting.
- The use of banners, flags, billboards and other forms of commercial and cultural advertising will be strictly controlled in the City Centre and restricted to buildings housing cultural/entertainment activities.
- Product advertising on canopies will not be permitted.

- The over-riding principle is the avoidance of visual clutter and an improvement in the built environment and public realm of the City.

### Security Screens

The City Council's *Shopfront and Advertisements Design Guidelines* set out the following in respect of security screens. **11.76**

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

### Canopies

Planning permission is required for the erection of canopies. Canopies of traditional design and of a retractable design will be favoured. **11.77**

### Bus Shelters/other Structures

Advertising on bus shelters will be permitted only within the proposed structures and in locations where it will not detract from the primary purpose of the transport shelter. Planning permission will be required for all such structures in the City Centre Commercial Core Area. General advertisements and promotional design advertisements on telephone kiosks within the City Centre will not be permitted. Further detailed design guidance is given in the City Council's *Shopfront and Advertisements Design Guidelines*. **11.78**

## Telecommunications

An efficient telecommunications system is important in the development of the economy. In considering locational requirements the City Council will take into account the following factors outlined in the Department of the Environment and Local Government's *Planning Guidelines for Telecommunications Antennae and Support Structures* (1996) and the *Planning and Development Regulations* (2001): **11.79**

- Telecommunication installation will not be favoured in residential areas, in landscape protection zones and ridge protection zones, in parts of the City which are architecturally important, or in locations which may affect air traffic into Cork Airport or affect security installations.
- Nor will they be favoured unless it is clear that the developer has made reasonable efforts to co-locate with other users on existing or proposed sites in the vicinity of the proposed installation.

If the proposal is contrary to any of the above, the City Council will need to be satisfied that the installation is of strategic importance if permission is to be granted. A report as to the public safety implications of the proposal should accompany any planning application. Regard should be had to locating new masts in existing industrial areas, where their impact would be less. **11.80**

In assessing telecommunications facilities and structures, the Planning Authority will have regard to the technical advice of the Irish Aviation Authority where such proposed locations may have an inappropriate or detrimental impact in proximity to Cork Airport and the flight paths of aircraft. **11.81**

## Environmental Issues

### Environmental Impact Assessment

In compliance with EU Directives, Environmental Impact Statements (EIS) are required for projects which are likely to have significant effects on the environment. EISs are obligatory for certain major developments and may be required for a wide range of other developments. The *EU Environment Impact Assessment (EIA) Regulations* (1989-99) specify the types of development and threshold levels for which EISs are required. The purpose of EIA is to ensure that the environmental effects of a development are properly considered along with, for example, the social and economic aspects of development. An integrated pollution control licence (IPCL) may also be required. **11.82**

- 11.83** In respect of the City, the following urban development projects will require an EIS:
- Construction of more than 500 dwelling units.
  - Construction of car parks providing more than 400 spaces.
  - Construction of shopping centres with a gross floor space exceeding 10,000 sq.m.
  - Urban development (other than that already referred to) which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area, and 20 hectares elsewhere.

**11.84** The Planning Authority also have the discretion under the *Planning & Development Regulations 2001* in circumstances where a development would in its opinion be likely to have significant effects on the environment and may request an applicant to submit an EIS with a planning application. Pre-planning agreement on the matters to be included in an EIS (Scoping) will be a requirement.

### COMAH Directive (Seveso II)

**11.85** The provisions of the EU *COMAH Directive* apply to five sites within Cork City. The objectives that apply to these sites are detailed in Chapter 7: paras. 7.55-7.57.

**11.86** Article 12 of the Directive provides that appropriate consultation procedures must be put in place so as to ensure that, before decisions are taken, technical advice is available to Planning Authorities in respect of the relevant establishments. The Health & Safety Authority (NAOSH) provides such advice where appropriate in respect of planning applications within a certain distance of the perimeter of the subject sites (this distance varies depending on the nature of the activity at the site). The sites currently designated in Cork City are:

- Calor Gas Ltd., Tivoli.
- Flogas (Ire) Ltd. Tivoli.
- Vita Cortex, Kinsale Road.
- Irish Shell Ltd., Centre Park Road.
- The National Oil Reserves Agency Ltd, Centre Park Road.
- Irish Oxygen Co. Ltd., Waterfall Road (Cork County Council).

**11.87** Such technical advice will be taken into account in the consideration of an application for planning permission. It should be noted that there may be additional sites designated in the future.

## Conservation & Archaeology

**11.88** Cork has a unique and varied historic heritage, not only in its surviving architectural environment but also in its hidden archaeological secrets. Policies in relation to archaeology and conservation of the built environment are set out in Chapter 6. In assessing planning applications that impact upon this historic character, the following general guidelines based upon the *Draft Architectural Heritage Protection Guidelines* (2001), Part IV of the *Planning and Development Act 2000*, the *National Inventory of Architectural Heritage*, the *Historic Monuments (Misc. Provisions) Act (1999)*, *Conservation Guidelines 1998* (Draft) (DOELG), the *National Monuments Acts 1930-1994* and the *Cork Archaeological Survey*, shall apply.

**11.89** The following information should be submitted with applications for permission for restoration, refurbishment, demolition, development or change of use of Protected Structures and other buildings of significant heritage interest:

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

### Gardens of historic significance

**11.90** Where the setting of a Protected Structure or other buildings of significant heritage interest, comprises in part or whole of a garden or parkland of special historical and/or archaeological interest then an assessment of the importance of the garden/parkland and the impact of any proposed development on same, shall be submitted with the planning application.

## Areas of Special Character/Architectural Conservation Areas

The requirements for planning application documentation for development within Areas of Special Character and for their subsequent assessment are set out in the *Draft Architectural Heritage Protection Guidelines* (2001). Further refinement in respect of development control policies will be provided through subsequent special planning control schemes detailing relevant development requirements for each selected area. The overall guiding principle is positive enhancement of the unique qualities that make such areas special because of their particular character. Detailed policies are set out in Chapter 6.

**11.91**

## Archaeological considerations when assessing planning applications

Since 1991 the potential impact of proposed development has been reviewed for over 650 applications. Where the proposed development is clearly incompatible with the archaeological resources of the site, a small number of developments have been refused. More frequently archaeological considerations have been required as conditions of planning permission. Developers are encouraged to submit an archaeological assessment and method statement outlining construction procedures. When applying for planning permission within the Zone of Archaeological Potential (see Chapter 6: Fig. 6.1) or adjacent to other Recorded Monuments, assessment of the proposal can be greatly facilitated by the inclusion of an archaeological assessment, submitted by a suitably qualified archaeologist. These assessments should include, *inter alia*,

**11.92**

- A detailed account of the historical and archaeological background of the site, including examination of all relevant maps.
- The nature, extent and locations of any archaeological fabric including industrial archaeological features or buildings within the areas proposed for demolition and redevelopment. This shall be based on detailed external inspections of standing structures.
- Identification of all constraints on the study such as occupied buildings.
- The likely impact of the proposed development on any archaeological fabric.
- Suggested mitigation procedures for addressing these impacts.

## Archaeological Investigations

The Zone of Archaeological Potential is based on the *Urban Archaeological Survey* commissioned by the Office of Public Works in 1985 (see Chapter 6: Fig 6.1). Within this Zone of Archaeological Potential, a zone of primary archaeological importance, centering on the medieval core of the City, has been identified. The Department of Environment Heritage and Local Government (DOEHLG) has designated the Zone of Archaeological Potential a Recorded Monument. In addition other sites and monuments both within and outside the Zone of Archaeological Potential have been designated Recorded Monuments. In relation to Archaeological investigations, the following shall apply:

**11.93**

- The archaeological remains of potentially significant sites within the Zone of Archaeological Potential will be preserved or investigated.
- Outside the Zone of Archaeological Potential, where in the opinion of the Planning Authority developments involve major ground disturbance, archaeological conditions may also be applied, particularly in the vicinity of known monuments.
- The City Council will require that archaeological investigation be undertaken prior to the commencement of development. All such investigations must be undertaken by a qualified archaeologist in consultation with Cork City Council and the Department of Environment, Heritage and Local Government.
- Conditions which modify the development may be imposed, in order to facilitate the archaeological investigation or preserve the archaeological record.
- Similar requirements apply when dealing with sites of industrial archaeological importance. A detailed survey of features, buildings and their environs is essential in addition to historical information and assessment of the likely impact of the proposal. The impact on the aesthetic and architectural merits of the buildings is an additional consideration.

## Community Development

As a general principle the proper location and provision of community facilities is a pre-requisite to the creation and enhancement of viable, sustainable and attractive residential communities. In assessing

**11.94**

planning applications, existing provision and the need for leisure facilities, sports grounds, playing fields, play areas, community halls, organisational meeting facilities, medical facilities, childcare facilities, new school provision and other community orientated developments, will be taken into account. Regard will be taken of considerations such as:

- Overall need in terms of deficiency of amenities and facilities and opportunities to enhance or develop local or City facilities.
- Practicalities of site location in terms of the proposed use, impact on local amenities, desirability of such facilities, and accessibility.
- Conformity with the requirements of appropriate legislative guidelines: eg. childcare and educational facilities.

**11.95** A Design Statement (as outlined in para. 11.3 above) will be required in respect of any significant community developments to be submitted as part of the planning application.



## Access for All

**11.96** Where buildings are intended for public access they should be accessible to all people. Facilities should be designed so as to accommodate easy access for people with mobility difficulties. Part M of the *Building Regulations 2000* aims to ensure that buildings should be accessible and usable by everyone, including the aged, people with disabilities and people with children. Reference has previously been made to the requirements of older people in policies outlined in Chapter 5: para.5.44. Dwellings should be designed and constructed so that:

- All people can safely and conveniently approach and gain access.
- All people can have access to the main habitable room at entry level, it is considered adequate to provide for such access to the storey containing the main living room.
- A WC is provided at entry level, or where there are no habitable rooms at entry level, in the storey containing the main living room with adequate provision for access and use of the WC by people with disabilities.

**11.97** Access considerations for people with mobility difficulties is extended to the public realm, with the positioning of street furniture and other elements being assessed on an ongoing basis.

## Accessibility

### Significant Developments proposed by Major Employers

#### **Mobility Management Plans: Transport impact assessments**

**11.98** Where significant developments are proposed it will be necessary for applicants to demonstrate the impact of their proposal on the integrated transport system by means of a Transport Impact Assessment, in accordance with the objectives set out in Chapter 4 and best practice. This will include an assessment of the impact of the proposal on the full range of modes of transport and incorporate measures to maximise accessibility of non-private car related movements.

Mobility management plans are explained in Chapter 4 (see paras. 4.52–4.56). Where significant developments are proposed consideration should be given to limiting traffic generation as far as possible. Planning permission may be made subject to an agreement setting out measures to reduce dependency on private car use for journey to work. The scope of such an agreement would include:

- Measures to promote use of public transport, cycling and walking.
- Car sharing/car pooling.
- Charges for parking.
- Staggered working hours.

**11.99**

### Car-parking Standards

In the City Centre, the City Council strictly controls the provision of parking and has a policy of encouraging alternatives to car commuting. The Council will require a contribution towards the provision of car-parking to serve traffic generated by new developments and for alternative methods of transport which would also have the effect of improving access to such developments. Chapter 4 outlines the City Council's policies on car parking requirements.

**11.100**

Development	City Centre	Suburbs
Shopping: Retail Floor Space	50 sq.m.	20 sq.m.
Offices: Gross Floorspace	100 sq.m.	50 sq.m.
Banks: Gross Floorspace	100 sq.m.	50 sq.m.
Surgeries/Clinics/Group Medical Practitioners	Consulting Room	2 per Consulting Room
Public Houses (including Hotel Bars) Public Area	25 sq.m.	10 sq.m.
Restaurants (including Hotel Restaurants) Public Area	50 sq.m.	20 sq.m.
Hotels (excluding Public Areas)	2 Bedrooms	Bedroom
Dance-halls: Public Area	25 sq.m.	10 sq.m.
Cinemas, Theatres, Stadia	25 seats	10 seats
Churches, Church-halls	25 seats	10 seats
Hospitals/Nursing homes	Bed	Bed
Manufacturing Industry/Light Industry: Gross Floorspace	200 sq.m.	80 sq.m.
Warehousing: Gross Floorspace	300 sq.m.	200 sq.m.
Showrooms: Gross Floorspace	150 sq.m.	50 sq.m.
Amusement Centres/Entertainment: Gross Floor Space	100 sq.m.	50 sq.m.
Conference Centres: Public Area	50 sq.m.	20 sq.m.
Schools	Classroom	Classroom
Creches	6 students	6 students
Leisure Centres	50 sq.m.	50 sq.m.
Retail Warehouses	n/a	30 sq.m. net retail space

**TABLE 11.4**

*Areas for which one parking space is required (maximum provision)*

### Cycle Provision

Cycle stands will be required for developments in the City Centre and in all major developments in the suburbs. Stands should be of an approved type and should be in a secure location. Where stands cannot be provided on-site, a contribution will be required towards the provision of public cycle stands by the City Council. The number of stands required will be a third of the number of car spaces required for the development, subject to a minimum of one stand.

**11.101**

Cycle provision (access and storage) will be particularly important in respect of developments for apartments, student accommodation, public services, hospitals, colleges, community facilities, bus and rail stations and retail/office developments. Details of such provision for same will be required as part of the planning application for such developments.

**11.102**

## Development Contributions

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

- Churches, community halls, development for public social purposes, provision of sporting facilities (excluding licensed premises attached to clubhouses) and extensions to dwellings.
- Provision of Living over the Shop Accommodation (LOTS) in selected City Centre and other inner city streets.
- Renovation to a high standard of a Protected Structure or other building of architectural interest currently in poor condition, provided the renovation is faithful to the building's design and period.

**11.104** The details and basis for the determination of the contributions will be set out in a Development Contribution Scheme in accordance with the provisions of Section 48 of the *Planning and Development Act 2000*.