

# Fingal Development Plan 2011-2017

## TECHNICAL GUIDANCE NOTES FOR USE CLASSES



# **Fingal Development Plan 2011-2017**

## **Technical Guidance Notes for Use Classes**

These technical guidance notes are to be used in the context of the adopted use classes as they are used in Chapter 9 of the Fingal Development Plan 2011-2017 'use classes related to zoning objective'. They do not provide for any explanation of land use classes outside those already adopted in the Development Plan. While in some instances an existing legal or dictionary definition has been appropriate to use or adapt, the purpose of these technical notes is to provide guidance to the particular use class as it relates to the Development Plan. Therefore, this guidance does not purport to provide legal definition and in some instances, because of its context as indicated above, may differ from a general understanding of the relevant word or term.

**Abattoir**

A building or part thereof or land used as a slaughter house. This includes facilities for meat processing and storage.

**Advertising Structures**

Any structure which is a hoarding, scaffold, framework, pole, standard, device or sign (whether illuminated or not) and which is used or intended for use for exhibiting any word, letter, model, balloon, kite, poster, notice, device or representation employed for the purpose of advertisement, announcement or direction.

**Aerodrome/Airfield**

A defined area of land or water, including buildings, intended to be used, either wholly or in part, for or in connection with the landing, departure, or surface movement of aircraft.

**Agri-Business**

A business that is directly related to the agricultural or horticultural sector involving the processing of produce of which a significant portion is sourced locally. It may also include support services for the agriculture or horticulture sector. See Chapter 8, page 314 of Fingal Development Plan 2011-2017 for further guidance.

**Agricultural Buildings**

Use of a building(s) for the purposes of horticulture and agriculture including for the purposes of housing livestock, dairy farming, training of horses, growing of produce, storage and other uses directly related to primary food production and the rearing or breeding of livestock.

**Agricultural Farm Supplies**

A business outlet that is primarily engaged in wholesaling farm supplies, such as animal feeds, fertilizers, agricultural chemicals, pesticides, plant seeds, and plant bulbs (but not farm machinery).

**Agricultural Machinery Sales and/or Maintenance**

A business outlet that is directly related to the sale and/or maintenance of machinery associated with an agricultural use.

**Agri-Tourism**

The use of land for activity carried out on a working farm that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, horticulture, historical, cultural, harvest-your-own activities, or natural activities and attractions. Examples of such activities include, among many other activities, farm holidays (a day or a week on the farm: living, working, enjoying), pony riding, biking, heritage trails, corn maze, flower arranging workshops, bed and breakfast, farm cooking.

**Air Navigation Installations**

A structure and/or equipment used for the purpose of aiding in the navigation of aircraft.

**Air Transport Infrastructure**

Infrastructure and/or land-use mainly associated with the movement or maintenance of aircraft, or with the handling of passengers and goods at an airport. See Fingal Development Plan 2011-2017, Zoning Objective "DA" Dublin Airport for further detail.

**Amusement Arcade**

Premises used for the playing of gaming machines, video games and/or other amusement machines.

**Bed and Breakfast**

A dwelling house which is occupied as a primary residence and where part of the bedroom accommodation is available for overnight rental by members of the public. Breakfast may be provided as part of the service but not other meals.

**Betting Office**

Premises for the time being registered in the Register of Bookmaking Offices kept by the Revenue Commissioners under the Betting Act, 1931 (No. 27 of 1931).

**Boarding Kennels**

A building, or part thereof, or land used for the temporary accommodation of domestic animals for reward.

**Builders Providers/Yard**

A building and/or land used for the storage, sale or hire of builders materials.

**Burial Ground**

Ground laid out expressly for the interment of the dead.

**Car Hire Holding Area**

A building and/or land used for the storage of cars available for rent.

**Caravan Park - Holiday**

The use of land for the accommodation of caravans, tents, recreational vehicles and/or mobile homes in which people may stay for a holiday.

**Caravan Park - Residential**

The use of land for the accommodation of caravans, chalets, mobile homes, recreational vehicles and/or tents which are intended for permanent habitation. This does not include any accommodation that may be provided as part of the Traveller Community Accommodation Programme.

**Cargo Yards**

Land used for the purpose of storing bulk goods and produce which is in transition from its place of arrival to its next destination.

**Car Park Non-Ancillary**

A building or land for the purposes of stand-alone car parking e.g. long term car parking. Such use would not include a public road used for the parking of vehicles or use of a car park which is ancillary to the principal use.

## **Casual Trading**

The use of land or buildings for occasional trading including for example 'Sunday markets', and areas designated under the provisions of the Casual Trading Act, 1995.

## **Childcare Facilities**

Use of a building, or part thereof, for the provision of full day and/or sessional care and services for pre-school age, and/or for school-going children out of school hours. It includes services involving care, education, and socialisation opportunities for children. As such, services such as pre-schools, naíonraí (i.e. Irish language play groups), day care services, crèches, and after school groups are included, but child minding, schools (including primary and secondary schools) and residential centres are excluded.

Sessional Childcare: This category is defined as the provision of a service which offers a planned programme to pre-school children of up to 3.5 hours per day by trained personnel. Sessional services include playgroups and Montessori groups.

Full Day Childcare: The provision of a structured day-care service for children for more than 3.5 hours per day, supervised by competent personnel. Full day care includes crèches and nurseries.

After school childcare: This involves extended day care for school-going children, usually Monday to Friday.

Childminding This is the minding of not more than six children including the child minder's own children, in his or her own home. This category of childcare is categorised as exempted development in the Planning and Development Acts 2000 to 2010.

Where the facility is provided in a house within a residential area, the following conditions will generally apply:

- It should be operated by the resident living in the house;
- The use should be subordinate to the use of the dwelling as a main residence.

In all cases, the use shall not be injurious to the residential amenities of the area [e.g. it will not result in unacceptable levels of noise or on street car parking etc].

See Chapter 7, page 267 of Fingal Development Plan 2011-2017.

## **Civic Waste Facility**

The use of a building and/or land where the public can dispose of recyclable household and non-putrescible waste (other than non-commercial garden waste) such as paper, glass, metal, plastics, textile, white goods and electronics. The facility may provide for the segregation, mixing, baling, storage and/or low impact treatment of waste prior to its recovery and/or disposal.

## **Community Facility**

A building, or part thereof, used for community, leisure and/or social activities organised primarily by and for the local community, to which the public may be admitted on the payment of a fee or free of charge.

**Concrete/Asphalt**

A structure and/or land used for the purpose of manufacturing concrete, asphalt, and/or related products usually in or adjacent to a quarry or mine.

**Conference Centre**

A building or part thereof used for the meeting of groups of people, hosting of large business meetings/seminars/training sessions and/or used for various other entertainment purposes.

**Cultural Facility**

Use of a building, or part thereof, or land, for cultural purposes to which the public may be admitted with, or without, the payment of a fee. This does not include a dancehall or nightclub, an explanatory note for which is provided below.

**Dancehall/Nightclub**

A building or part thereof where the primary function is the provision of commercial entertainment in the form of dancing facilities.

**Education**

The use of a building and/or land as a school, college, university, technical institute, academy, lecture hall or other educational centre.

**Enterprise Centre**

The use of a building for small scale (starter type/micro-enterprise) industries and/or commercial services, usually sharing grouped service facilities.

**Exhibition Centre**

The on-going/frequent use of a building for the display for viewing, usually by the public, of products, services, and/or activities related to an exhibition.

**Extractive Industry/Quarrying**

Use of land for the purposes defined in Section 2 of the Planning and Development Act 2000 as amended. Extractive industry is as defined by "mine" and quarrying as defined by "quarry". This is set out below:

"*mine*" means an excavation or system of excavations made for the purpose of, or in connection with, the getting, wholly or substantially by means involving the employment of persons below ground, of minerals (whether in their natural state or in solution or suspension) or products of minerals.

"*quarry*" means an excavation or system of excavations made for the purpose of, or in connection with, the getting of minerals (whether in their natural state or in solution or suspension) or products of minerals, being neither a mine nor merely a well or bore-hole or a well and bore-hole combined, and shall be deemed to include -

- I. any place on the surface surrounding or adjacent to the quarry occupied together with the quarry for the storage or removal of the minerals or for the purposes of a process ancillary to the getting of minerals, including the breaking, crushing, grinding, screening, washing or dressing of such minerals but, subject thereto, does not include any place at which any manufacturing process is carried on;

- II. any place occupied by the owner of a quarry and used for depositing refuse from it but any place so used in connection with two or more quarries, and occupied by the owner of one of them, or by the owners of any two or more in common, shall be deemed to form part of such one of those quarries as the Minister shall direct;
- III. any line or siding (not being part of a railway) serving a quarry but, if serving two or more quarries shall be deemed to form part of such one of them as the Minister shall direct;
- IV. a conveyor or aerial ropeway provided for the removal from a quarry of minerals or refuse.

### **Fast Food Outlet/Take-Away**

The use of a building, or part thereof, for the sale of hot food that is served and prepared quickly for consumption on or off the premises.

### **Farm Shop**

The use of a building, or part thereof, and/or land for the sale of produce derived from the attendant farm or surrounding local farms. A farm shop is of a scale and nature such that it sells a particular range of goods relating to the direct provision of local farm produce to the local community. It should be noted that caveats apply to farm shops according to the applicable zoning.

### **Food, Drink and Flower Preparation/Processing**

The use of buildings and/or land for activities related to the commercial growing, preparation, processing, ripening, packaging, storing and distribution of and/or logistics relating to, food, flowers and related products.

### **Fuel Depot/Fuel Storage**

The use of land and/or structures for the storage and/or distribution of fuel.

### **Funeral Home/Mortuary**

The use of a building, or part of a building, for the laying out of remains, the holding of burial services and the assembling of funerals. A building, or part thereof, used solely for making funeral arrangements is considered to be an office use.

### **Garden Centre**

The use of land, including buildings, for the cultivation, storage, display, and sale of horticultural products and the display and sale of related goods and equipment.

### **General Aviation**

A building, or part thereof, or land required for the operation of civilian aircraft for purposes other than large scale commercial passenger or freight transport, and including personal, business, and instructional flying.

**Golf Course**

An area of land designed for the playing of golf (includes ancillary buildings, car park and club house).

**Guest House**

A building or part thereof, providing overnight guest accommodation and to whom meals, usually breakfast, are available and which qualifies as a guest house under the Registration and Renewal of Registration for Guest Houses Regulations 2003 under the Tourist Traffic Acts 1939-2003 or other as revised.

**Health Centre**

The use of a building, or part thereof, for the provision of health care services, including medical, dental, prophylactic or social assistance services, for the local community and including group practices and clinics.

**Health Practitioner**

The use by a health practitioner of part of a dwelling house for the provision of medical or healthcare professional services, such use being subordinate to the use of the dwelling as a main residence.

**Heavy Vehicle Park**

The use of a building, or part thereof, or land for the parking of Heavy Goods Vehicles (including buses).

**High Technology Manufacturing**

The use of lands for industries producing product(s) the nature of which are derived from scientific, professional, and /or technical research and understanding, often conducted on site and from advanced manufacturing that entails rapid transfer of science and technology (S&T) into manufacturing products and processes.

**Holiday Home/ Holiday Apartments**

The use of a building, or part thereof, for short term holiday-related accommodation.

**Home-Based Economic Activity**

Small scale commercial activity carried out by the resident of a dwelling, activity generally being service based, where such use is subordinate to the use of the dwelling as a main residence. For clarity, this excludes light industry.

**Hospital**

A building or part thereof or land used for general medical treatment. This excludes nursing homes.

**Hotel**

A building, or part thereof, where sleeping accommodation and meal services are available to residents and non-residents and where there are a minimum of twenty rooms ensuite. Function and meeting rooms/conference facilities may also be incorporated as part of the use.



### **Industry General**

The use of a building, or part thereof, or land for any industry other than a light industry or high impact industry (explained below). Ancillary uses which are subservient to the main industrial use such as small office and car park are included in the use class.

### **Industry Light**

The use of a building, or part thereof, or land for industry in which the processes performed, or the machinery installed, are such as could be carried on or installed adjacent to a residential area without detriment to the amenity of that area by reason of impacts such as noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

### **Industry High Impact**

The use of a building, or part thereof, or land for any industry which requires special assessment due to its potential for detrimental environmental effects.

### **Logistics**

The use of buildings and/or land for the import, receipt, processing (including packing and repackaging, bottling, labelling, sorting and grading) and distribution of products generally in accordance with the requirements of 'just in time' technology.

### **Offices Ancillary to Permitted Use**

A building or part thereof, where the office use is subordinate to, and associated with, the permitted land use on site.

### **Office (subject to specified sizes in Fingal Development Plan, Chapter 9)**

A building in which the sole or principal use is the handling and processing of information and research or the undertaking of professional, administrative, financial, marketing or clerical work, and which may include services provided to visiting members of the public and includes a bank or building society but not a post office or betting office.

### **Open Space**

Any land, including water, whether enclosed or not, used primarily for active or passive recreation on which there are no buildings, or on which any buildings are intrinsically linked to the active or passive outdoor recreational use, and the remainder of which is laid out as a garden or for the purposes of recreation or lies vacant, waste or unoccupied.

### **Park and Ride Facilities**

Car park to facilitate the users of private cars to complete their journey by public transport.

### **Petrol Station**

A structure or land used for the retail sale of fuels generally for use in motor vehicles, and the provision of minor services required in transit (air, water, car wash, and/or vacuum). It does not include a service garage or motor sales outlet but may include a retail element subject to the criteria outlined in the Fingal Retail Strategy, Section 11.4 and the Retail Planning Guidelines.

**Place of Worship**

A building, or part thereof, or land used as a church, chapel, oratory, mosque, temple, synagogue, meeting house or other place of public devotion. It also includes use of such a structure for the social or recreational activities of the associated local community.

**Plant Storage**

The use of buildings or land for the storage of plant machinery, equipment or appliances.

**Public House**

A building, or part thereof, licensed for the sale of intoxicating liquor to the public for consumption on the premises.

**Public Transportation Station**

A building, or part thereof, or land used for the transfer of people to public modes of transport.

**Recreational Facility/Sports Club**

A building or part of a building, access to which is available to the public on payment of a fee or otherwise (including membership), and which is intended for recreational use (excluding dance halls, band halls, discotheques or similar uses).

**Research & Development**

The use of a building, or part thereof, or land for knowledge activities involving increasing the stock of knowledge, and the use of this stock of knowledge to devise new or enhance existing products, produce or applications.

**Residential**

The use of a building or part thereof including houses, apartments, duplex designed for human habitation.

**Residential Care Home/Retirement Home**

A building or land for the provision of accommodation for people in need of care by reason of age, disability or past or present drug or alcohol abuse. Generally, a retirement home is a multi-residence housing facility for older persons with varying levels of associated facilities.

**Residential Institution**

A building or part thereof and any associated lands providing accommodation for people living together as a community (e.g. a convent or monastery).

**Restaurant/Café**

A building or part thereof where the primary function is the sale of meals and/or refreshments for consumption on the premises.

**Retirement Village**

An integrated residential complex containing separate and independent homes for people who have retired, and which includes a range of care needs to serve the residents of the complex. Occupants of any such retirement village will have entered into contracts with the operator of the complex to ensure that the individual homes are retained for occupation by retired persons.

**Retail - Local <150 sqm nfa**

Retail Local refers to a building or part thereof which provides convenience retailing, such as convenience store/corner shop, newsagent, butcher or other similar basic

retail service, to serve a local catchment. Such a shop is a maximum of 150 sq m net floor area (nfa). Net floor area refers to net retail sales area and is the area of a shop or store which is devoted to the sale of retail goods (including the area devoted to checkouts). See also the Retail Strategy, Appendix 2 to the Development Plan 2011-2017.

### **Retail - Convenience ≤ 500 sqm nfa**

Convenience outlets have the same meaning as identified in the *Retail Planning Guidelines for Planning Authorities, January 2005* as being, “single level, partially self service stores..., selling food and other convenience items, with a net sales area of less than 500 sqm, and a product range less than is carried by a supermarket”. See also the Retail Strategy, Appendix 2 to the Development Plan 2011-2017.

### **Retail - Comparison**

Comparison sales outlets are shops which sell comparison goods. Comparison goods have the same meaning as identified in the *Retail Planning Guidelines* as including “clothing and footwear, furniture, furnishings and household equipment (excluding non-durable household goods), medical and pharmaceutical products, therapeutic appliances and equipment, educational and recreation equipment and accessories, books, newspapers and magazines, goods for personal care and goods not elsewhere classified”. In the land use classes, the size of such a shop or store has been broken down to ≤ 500 sqm nfa and > 500 sqm nfa where nfa is the net retail sales area, the area of a shop or store which is devoted to the sale of retail goods (including the area devoted to checkouts). See also the Retail Strategy, Appendix 2 to the Development Plan 2011-2017.

### **Retail – Supermarket ≤ 2500 sqm nfa**

Supermarkets have the same meaning as identified in the *Retail Planning Guidelines* as being, “.... stores selling mainly food, with a net sales area less than 2,500 sqm”. Supermarkets in this land use class include discount foodstores which are described in the Retail Planning Guidelines as being normally up to 1,500sq m gross. Discount foodstores are recognised as offering an alternative retail offer to the traditional supermarkets extending the existing choice and range of retailing facilities. See also the Retail Strategy, Appendix 2 to the Development Plan 2011-2017.

### **Retail – Superstore > 2500 sqm nfa**

Superstores have the same meaning as identified in the *Retail Planning Guidelines* as being, “single level, self service stores selling mainly food, or food and some non-food goods, usually with at least 2,500 sqm net sales floorspace with dedicated surface car parking”. See also the Retail Strategy, Appendix 2 to the Development Plan 2011-2017.

### **Retail – Hypermarket > 5000 sqm nfa**

Hypermarkets have the same meaning as identified in the *Retail Planning Guidelines* as being “single level, self service stores selling both food and a range of comparison goods, with a net sales floorspace in excess of 5,000 sqm with dedicated surface-level car parking”. See also the Retail Strategy, Appendix 2 to the Development Plan 2011-2017.

### **Retail - Factory Outlet Centre**

Factory outlet centres have the same meaning as identified in the *Retail Planning Guidelines* as being retail outlets which specialise in selling seconds and end-of-line goods at discount prices. See also the Retail Strategy, Appendix 2 to the Development Plan 2011-2017.

**Retail - Warehouse**

Retail warehouses have the same meaning as identified in the *Retail Planning Guidelines* as being “single-level stores specialising in the sale of bulky household goods such as carpets, furniture and electrical goods, and bulky DIY items catering mainly for car-borne customers”. See also the Retail Strategy, Appendix 2 to the Development Plan 2011-2017.

**Retail - Warehouse Club**

Warehouse clubs or discount clubs have the same meaning as identified in the *Retail Planning Guidelines* as being “out-of-centre retailers specialising in bulk sales of reduced price, quality goods in unsophisticated buildings...(which)...may limit access...through membership restrictions”. They often combine an element of cash and carry wholesaling with sales to qualifying members of the public. See also the Retail Strategy, Appendix 2 to the Development Plan 2011-2017.

**Road Transport Depot**

Use of a building or land as a depot associated with the operation of road transport business to include parking and servicing of vehicles, particularly HGVs.

**Sustainable Energy Installation**

Installations for the generation of sustainable energy using processes which do not compromise the abilities of future generations to satisfy their needs for energy production and typically employing wind, solar, hydro-electric or bio-mass based-energy.

**Taxi Office**

A building, or part thereof, where a taxi can be reserved by the public and where clients can wait for a taxi.

**Telecommunications Structures**

Structures the purpose of which is to provide for the operation of telecommunication facilities. This includes the land forming the curtilage of the facility and ancillary structures such as antennae, cabinets and support structures necessary for the operation of the facility.

**Training Centre**

The use of a building and/or land for the acquisition of knowledge, skills, and competencies (such a building and/or land use excludes primary and secondary schools and third level educational institutes).

### **Traveller Community Accommodation**

The use of a building or land for the temporary and/or permanent residential facilities specifically provided by the Council for occupation by members of the Travelling Community including group housing schemes, halting sites and standard housing.

### **Utility Installations**

A structure composed of one or more pieces of equipment connected to or part of a structure and/or a facility designed to provide a public utility service such as the provision of heat, electricity, telecommunications, water or sewage disposal and/or treatment.

### **Vehicle Sales Outlet – Small Vehicles**

A building or part thereof or land used for the display and sale of small motor vehicles such as cars and including vans.

### **Vehicle Sales Outlet – Large Vehicles**

A building or part thereof or land used for the display and sale of large vehicles including HGVs and buses.

### **Vehicle Servicing/Maintenance Garage**

The use of a building and/or land for the maintenance and repair of small motor vehicles and vans (excluding HGV's and buses).

### **Veterinary Clinic**

A building or part thereof or land used as a clinic or surgery for the treatment of the health of animals. Animals may be housed on the premises for short periods for treatment purposes but not as part of a boarding kennel operation.

### **Warehousing**

A building or part thereof where goods are stored or bonded prior to distribution and sale elsewhere. It may provide for the storage of commercial vehicles where this is ancillary to the warehousing function.

### **Waste Disposal/Recovery Facilities (Excluding High Impact)**

The use of land or buildings for the removal or re-use of industrial or domestic refuse which has a low potential for odour, noise, dust and other nuisances and includes non-putrescible waste. Examples of such waste management facilities may be: transfer stations, processing of dry recyclable material which are contained within buildings, short term storage of small quantities of garden waste, civic waste facilities accepting material for recycling including the acceptance of WEEE and household hazardous waste, facilities for the treatment of end of life vehicles provided there is no stacking of vehicles, processing storage of de-polluted vehicles, scrap metal or recycling residues outside of buildings. Excludes landfills and waste facilities with high potential for odour, noise, dust, fire, and other nuisances in particular operations dealing with putrescible waste.

### **Waste Disposal/Recovery Facilities (High Impact)**

The use of land or buildings for facilities with high potential for odour, noise, dust and other nuisances including putrescible waste. Examples of high impact facilities are transfer stations and treatment plants for organic waste and residual waste which have a potential for odour, crushing and processing of construction and demolition waste, and facilities where waste is stored outside of buildings and which is visually intrusive or otherwise likely to be a nuisance, including scrapyards. Excludes landfills.

### **Wholesale**

The use of a building, or part thereof, for the sale of goods to traders on a cash-and-carry basis.