



Dublin City Council
Comhairle Cathrach Bhaile Átha Cliath

Guidelines for Open Space Development and Taking in Charge

2009

Parks & Landscape Services Division Dublin City Council

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‘New public space should contribute to the development of the public domain, which, through the provision of improved opportunities for social interaction and children’s play, is conducive to the development of vibrant communities.’

Dublin City Development Plan 2005-2011

Guidelines for Open Space Development and Taking-in-Charge

These are general guidelines for the development of open space issued by the Parks and Landscape Services Division of Dublin City Council to ensure quality standards are met. Persons preparing planning applications, including landscape professionals, should be aware of the specific European and national standards relating to open space and landscape development works. Refer to landscape objectives in the Dublin City Development Plan 2005-2011 under Policies RO-RO21 for specific requirements.

Tree surveys will only be accepted if carried out by a suitably qualified Arboriculturist.

Landscape plans will only be accepted from a competent Landscape Architect or other suitably qualified landscape professional.

Landscape works are to be completed before occupation of the development or initial phase of the development, whichever is earliest.

Landscape proposals must comply with all relevant European and Irish legislation, including the Disability Act 2005, current building regulations and wildlife legislation. Written opinions on compliance may be requested. Refer to the Dublin City Council Biodiversity Action Plan 2008-2012 for a summary of legislation relating to natural heritage applicable to open spaces.

1. Trees & Hedgerows

1.1 Survey

A detailed survey should be made of existing trees/hedgerows to assess their condition and to evaluate their potential for retention in the context of the development. The survey should include a detailed layout of the site with each tree accurately plotted and individually identified by a tag number on the drawing and on site. The tree survey should contain the following information:

Tree Number (omit: All trees should be individually identified and tagged on site), Size/girth, Species, Age, Condition, Remarks/Future Potential, Ecological Value.

A hedgerow survey should include: Species, Age (refer to earlier Ordnance Survey maps), Length and Depth of Hedgerow, Condition, Remark/Future Potential, Proximity to other nearby Hedgerows, Ecological Value including Faunal Survey.

Trees in woodlands may be defined as land spanning more than 0.5ha, with trees higher than 5 metres and a canopy cover of more than 10%, or trees able to reach these thresholds in situ (GFRA 2005). Trees surveyed in woodland should include attributes as for trees and: Proximity to other nearby woodlands and Age (refer to earlier Ordnance Survey maps).

Survey information should be specific to each tree and should include confirmation of the future potential of the tree and whether a scheme of surgery works will be required. It should also include the specific recommendations regarding the retention or removal of individual trees/hedgerows, having regard

to their health/condition/ecological value and taking into account the proposed layout of the site.

1.2 *Schedule of Works to Trees/Hedgerows*

Based on the survey information, a schedule and programme for surgery works and/or felling works is to be agreed with DCC. In the case of hedgerows and areas of woodland, the recommended treatment may be in the form of a Management Plan. Vegetation supporting the nests and eggs of breeding birds may only be cut back, breasted or pruned, between the period of 1st September to the 1st February each year, in the interest of protecting wildlife and nesting birds and in accordance with current wildlife legislation.

1.3 *Protection/Preservation*

It will be the responsibility of the developer/landscape consultant to ensure that the main contractor and all subcontractors on site are made aware of trees/hedgerows to be retained. Each of those trees shall be protected by stout timber post and rail or wire fencing, to be erected outside the crown spread of the trees prior to the commencement of any site works. No incursions of any kind or storage of materials will be permitted within the area covered by the protective fencing. Refer to standards specified in BS 5837:2005 Trees in relation to construction for detailed guidance.

For hedgerows, measures should include a protective fence beyond the branch spread and where a ditch occurs in association with the hedgerow, measures must be put in place to prevent run off and pollution of waterbodies.

1.4 *Tree/Hedgerow Bond*

Where trees and hedgerows are to be retained as part of a development, the Council will require a developer to lodge a bond to cover any damage caused to them either accidentally or otherwise as a result of non-compliance with agreed/specified on site protection measures. This bond will be returned on completion of the development once it is established that the trees/hedgerows are in a satisfactory condition and have not been unnecessarily damaged by construction works.

2. Agreeing a Landscape Plan

A detailed landscape plan should firstly be submitted for approval by the Parks and Landscape Services Division. The consultation is a two-stage process, the first stage should be completed *prior* to the submission of a planning application, as follows:

2.1 *First Consultation (prior to planning application being lodged)*

Drawings to be submitted at this stage should include the following:

- Site survey /analysis map

- Landscape concept plan at an approved scale
- Images
- Sections/elevations
- Written description

Site Survey/Analysis Plan

The site survey/analysis plan should incorporate any provisions in the planning brief/area action plan.

The plan should indicate the location and configuration of public open space in the context of the overall development. This plan should detail the existing features/attributes of the designated open space including circulation/access topography, levels, boundaries, views and vistas and existing buildings etc. Important wildlife habitats (including trees, hedgerows and wetlands), historic landscape/listed features present on the site, should also be indicated on the drawing.

Concept Plan

Based on the site analysis and survey plan, alternative concept proposals for the design and layout of the open space, including the relationship with existing Dublin City Council parkland in the area, should be provided. These outline proposals for the development of the open space, showing how the proposed design concept is to be achieved, will form the basis of discussion with the Council.

2.2 *Second Consultation*

The landscape consultant should submit detailed proposals for the development of the open space(s) within the scheme for agreement as part of formally lodging the plans in compliance to the Planning Department.

In respect of any public open space/streetscape to be taken-in-charge by the Council, landscape submissions shall consist of the following;

- Landscape plan at an approved scale
- Location plan with areas intended for taking in charge
- Sections/elevations
- Images
- Specialist opinions
- Landscape maintenance specification

Landscape Plan

To include details of proposals for contouring drainage, footpaths, services, boundary treatments, playing pitches and other recreational facilities, entrances

and seating, where appropriate. A detailed planting plan for the open spaces and street tree planting will be required and should include working drawings, bill of quantities, plant specification and density.

Special care should be taken to provide sufficient topsoil and drainage and/or irrigation when it is proposed to plant trees adjacent to or over underground car parking.

Specification

A detailed written specification for the proposed works shall be provided. This should cover all aspects of the open space works to be carried out. The specification shall be unique to the site and shall not take the form of a standard document. The landscape consultant shall satisfy the Council that the contractor(s) carrying out site works are aware of the specification and are complying with it in full.

Failure to comply with the details of the specification on the part of the landscape consultant or the contractor will result in delays to the approval of the landscape plan, the subsequent works to be carried out on site and consequently the taking-in-charge process. All works proposed in relation to construction of park entrances, footpaths, steps etc. should comply with the Disability Act 2005, current Health and Safety legislation and current Building Regulations.

Services

The proposed location of underground/overground services should be subject to agreement with the Council. Overground services such as unit sub-stations, free-standing cabinets and mini-pillars etc. will not, under normal circumstances, be permitted on public open space. The principle of sustainable urban systems (SUD's) should be adopted in the treatment of surface water drainage.

Maintenance Programme

A detailed maintenance programme is an essential part of a landscape plan. In general the developer will be responsible for the maintenance of the public open space for an eighteen-month period after the completion of all works. During this time the developer will be responsible for all maintenance works to the open space including the replacement of dead plant material, the cutting of grassed areas, trimming of hedges, replacement and repair of fencing/railings, watering, litter control, fertilising, etc. Failure to do so will result in delays in taking-in-charge.

At the end of the maintenance period the Council and the landscape consultant will inspect the open space prior to taking-in-charge.

It is the responsibility of the landscape consultant to ensure that all development, construction and maintenance works are completed in accordance with the relevant standards, prior to the taking-in-charge inspection by the Council.

Any works required for completion of the taking-in-charge process should be completed within the agreed timeframe from said Council inspection by the developer.

3. Landscape Works

As a general rule, areas designated for public open space purposes should be fenced off prior to the commencement of any development works on site and should not be used for site compounds etc. unless otherwise agreed with the Council. Staging of construction works should be programmed to minimise disturbance and compaction of grounds planned as future public open space.

3.1 *Open Spaces and Grassed Areas*

Basic Development

All development works should ideally be carried out during the summer when weather conditions are suitable, and the potential for damage to soil structure is minimised. All such works should be carried out under the supervision of the landscape consultant. In general all gradients in grassed areas shall not be greater than 1:4.

Soil Compaction, Quality Assurance and Storage

In circumstances where the Council has permitted public open space to be used as a location for a site compound or for the storage of topsoil/spoil etc, all excess material shall be removed from the open space, prior to the commencement of basic development works, to achieve specified/agreed levels. Any excess topsoil to be removed from the site is subject to agreement with the Council. The developer will be obliged to store any topsoil to be used in future public open space in accordance with the requirements of the Council. Existing topsoil is to be viewed as a resource to be valued and managed in accordance with the Council's Biodiversity Action Plan and sustainable development practices.

Where the dumping of spoil or rubbish has taken place on the open space and soil compaction has occurred, the developer shall arrange to have the area in question deep ripped, prior to top soiling and seeding.

Where it is suspected that unauthorised dumping of spoil or rubbish has taken place, the developer may be required by the Council to dig a number of trial pits on the open space. Any extraneous materials shall be removed from the site and the open space reinstated to the satisfaction of the Council. Any removal of soil is subject to national waste management legislation.

The Council may require testing of material to be used as topsoil on any future public open spaces, at the cost of the developer, to ensure quality control. Any import of topsoil is subject to national legislation and the Council may request information from the developer about the source of any imported materials, and may reject such materials, to be used in future public open spaces to protect public health.

Depth of Topsoil

All areas to be grassed on public open space should be provided with an adequate layer of good quality topsoil on the surface. In general, a minimum depth of 150mm depth of topsoil freely draining subsoil is acceptable. The finished level of the topsoil shall remain 50mm above adjoining road kerbs/footpaths to allow for settlement.

Seeding

Seeding operations shall be carried out during appropriate weather conditions using a grass seed mix agreed between the landscape consultant and the Council.

3.2 Planting Areas

Depth of Topsoil

All areas for planting shall be provided with a minimum of 300mm depth of topsoil, with a minimum depth of 300mm of subsoil underneath.

Tree and Shrub Planting

Shrub planting should be used to form focal points at the entrance to estates and in general should be kept to a minimum. Where planting is proposed on public open space adjacent to gable or garden boundary walls, this should be restricted to the use of standard trees or hedge planting with suitable climbing plants provided at the base of walls. Planting shall be of sufficient density to ensure quick establishment. The Council may require the use of plant materials other than grass seed in the establishment of roadside verges in the interest of sustainable long-term management.

Bulb Planting

All planting schemes undertaken as part of development should include the provision for bulb planting. In general, bulbs will be planted in drifts to complement areas of shrub planting or under areas of woodland or groups of mature trees.

3.3 Grass Verges

All grass verges within estates will be provided with a minimum of 150mm depth of topsoil over a 300mm minimum depth of free draining subsoil.

Services

Underground services located in grass verges, should be laid at an appropriate depth so that their presence does not restrict the area available for planting.

Structures such as public lighting mini-pillars and telecom junction boxes should be located on footpaths or against garden walls.

Street Trees

To provide adequate spread of tree roots, a 600mm depth of topsoil, at a radius of 1m from the base of the tree, should be provided at all street tree planting positions. It is the Council's policy that street trees should not be planted under or within three metres of street lights. The species of street tree chosen should reflect the size of the grass verge and quality/depth of soil into which the tree is to be planted and should be agreed with the Parks & Landscape Services Division, prior to the commencement of planting works on site. Note: The landscape consultant will be responsible for ensuring that the correct depth of topsoil and subsoil exists within the grass verges of the estate. The Council may require the digging of a number of random trial pits to confirm the depth of topsoil provided. The Council may reject and require replacement of topsoil if it is found to be inferior, compacted, or containing spoil/debris from roadworks.

3.4 *Boundary Treatment*

Boundary treatment is an essential element of any landscape plan. The following points illustrate the different requirements for various types of boundary treatments.

Boundary Hedges

If a developer has been required to retain a hedge as a boundary to public open space it should be protected during development work to ensure its retention. The treatment recommended would differ according to the circumstances. In some cases a permanent fence may be required, in others it may be sufficient to provide planting to strengthen the hedge.

Walls and Railings

Where it is proposed to use a railing and low wall to define areas of public open space, the information to be provided to the Council shall include detailed drawings and measurements of the proposed boundary, the finish proposed for the wall (i.e. whether it is to be of stone, brick, dashed etc.), and confirmation that the proposed wall and railing complies with the relevant European and Irish standards and current legal requirements. The specification shall also show the proposed finish for the railing to be used. In general, railings should be galvanised and powder-coated unless otherwise agreed.

Detailed specifications will also be required where a boundary is to consist of a wall on its own, a railing on its own, a retaining wall or where steps are required to rationalise changes in level. Drawings should always include the bedding pattern and capping style for stone walls and the number and location of steps where proposed. In general, stone walls should be constructed using local stone with horizontal bedding to respect landscape character and context of the urban environment in accordance with the Dublin City Development Plan 2005-2011.

Taking in Charge

The landscape consultant will be responsible for the preparation of a snag-list setting out the outstanding items to be dealt with to complete the open space development and street tree planting works. On completion of these works the Council will carry out a final inspection of the open space and street tree planting prior to taking-in-charge.

Once all outstanding matters have been dealt with and the open space developed in accordance with the landscape plan, the developer shall forward three sealed copies of a conveyance or transfer conveying full legal title in respect of the conditioned open spaces to the Council as soon as possible after the development.

The developer should also attach with the indenture three copies of an as-constructed map (made available on computer disc) and completed to Land Registry requirements, outlining the area to be transferred and taken-in-charge and showing clearly all of the services therein.

The area in hectares of the open space to be taken in charge should also be confirmed on the documentation. Developers will be required to continue the maintenance of all open spaces until the formal taking-in-charge process is completed.

4.0 Protected Species

4.1 Bats in bridges, buildings and mature trees

Bats and their roosting places are protected under the 1992 EU Habitats Directive. Site development works involving the removal of large trees, or the demolition or refurbishment of bridges or buildings likely to hold bats or their roosting places require a full bat survey by an appropriate expert. Should bats be found occupying or using the site, appropriate timing of works or methods of operation would be required. A license may also need to be obtained from National Parks and Wildlife Service (NPWS) and mitigation measures put in place where appropriate. Should bats be found during the course of operations, the NPWS should be contacted immediately. Further advice in this regard can be obtained from the Dublin City Council Biodiversity Officer. Refer to the Bat Mitigation Guidelines (2006) issued by the NPWS.

4.2 Otters along waterways

Otters and their breeding places (holts) are protected under the 1992 EU Habitats Directive. Site development works involving the canalising or altering of waterways, the removal or disturbance of river embankment or vegetation associated with waterways, including wetland and riparian woodland, require an otter survey identifying use as breeding, foraging or commuting habitat. Should

otters be found occupying or using the site, appropriate timing of works or methods of operation would be required. A license may also need to be obtained from National Parks and Wildlife Service (NPWS) and mitigation measures put in place where appropriate. Should otters be found during the course of operations, the NPWS should be contacted immediately. Further advice in this regard can be obtained from the Dublin City Council Biodiversity Officer.