

Chapter Eight – Mitigation Measures

Introduction

The quality of the environment within the County can, in broad terms, be concluded to be high, indicating the importance to the local authority of the various environmental resources. The rich and varied landscape and the wealth of heritage assets form the basis for the high level of amenity in the County. To this end, the mitigation and enhancement measures outlined in this chapter of the Environmental Report will ensure the continued protection of the natural and built environments throughout the lifetime of the Plan.

The mitigation measures are designed to prevent adverse impacts. It has been shown in the assessment that the overall impact of the proposed development strategy for the County will have a neutral to positive impact on the environment generally. While this is the case key measures, including mitigating and enhancement, are highlighted here.

In general terms, all proposals for development will be required to have due regard to the environmental considerations outlined in the Draft County Development Plan. Proposals for development which are deemed contrary to the objectives and policies contained within the Plan will not normally be permitted, and if permitted, not without the appropriate site and development specific mitigation measures.

Planning

Firstly however, it must be stated that South Tipperary County Council is the planning authority with responsibility for development management within its functional area. The planning process is the principal mechanism available to the local authority to primarily control development and ultimately to prevent adverse environment impacts.

Any application for planning permission for a new development, extension to existing development or intensification or change of use will be assessed in terms of its potential impact on existing adjacent developments, existing land uses and/or the environment (in its broad definition deemed to encompass all environmental themes). Where such a development would potentially have a significant adverse impact on the amenities of the area through pollution by noise, fumes, dust, grit or vibration, or cause pollution of air, water and/or soil, planning permission will not be forthcoming.

Enforcement

The Planning Acts give power to the Council to take enforcement action where development proceeds; without the necessary consent from the local authority; if conditions attached to permission are not complied with; when other breaches of planning control have occurred. The Council will take enforcement action whenever it is expedient to do so, having regard to the provisions of the Planning and Development Act 2000, as amended, and associated guidelines.

Liase with other authorities

The local authority will continue to liaise with state agencies/departments whose remit is the protection of the environment or aspects of it. Thus, the Council will continue to work closely with the Environmental Protection Agency, The National Parks and Wildlife Service, the relevant Fisheries Board and others with responsibilities for the protection of the various aspects of the environment.

Major industries and major waste facilities throughout Ireland are licensed by the Environment Protection Agency (EPA). The local authority will work with and assist the EPA in carrying out its functions within the county. The Environment Section within South Tipperary County Council

monitors and controls industries and waste activities that fall outside the E.P.A.'s remit and provide an array of essential environmental services. These include:

- Water Pollution Monitoring & Control
- Air Pollution Monitoring & Control
- Waste Management Plan Implementation
- Waste Management Permitting & Enforcement
- Control of Hazardous Waste Movements
- Pollution Incident Response
- Environmental Awareness & Education
- Burial Grounds
- Animal Control Litter Control & Tidy Towns

These activities will continue throughout the lifetime of the County Development Plan 2009-2015 and key indicators will be monitored on an ongoing basis. This is discussed in more detail in Chapter 9.

Environmental Awareness

There are obvious environmental benefits in creating an awareness of the environment generally and the contributions individuals as well as sectors/industries can make to its protection and enhancement. The Council will be proactive in promoting environmental issues and sustainable practices in the various sectors which have potential to cause a deterioration in the quality of the natural or built resources within the county.

Mitigation/Enhancement Measures – Specific Topics

Biodiversity

Biodiversity and the natural environment is of paramount importance to the county and its continued protection will be a key issue for the local authority throughout the lifetime of this Development Plan.

The key objectives and associated actions identified in the South Tipperary Heritage Plan 2004-2008 will be implemented in order to facilitate the conservation, management and sympathetic development of the county's heritage assets.

These include the following:

- (i) Enhancement of Heritage Trails in 6 Heritage towns in South Tipperary, particularly in Cashel, Tipperary Town, Cahir, Carrick on Suir, Clonmel & Fethard;
- (ii) Prepare a biodiversity Plan for South Tipperary;
- (iii) Host an annual county heritage day and Heritage Week activities;
- (iv) Continue the Schools Heritage Project and Schools Heritage Poster project;
- (v) Campaign for listing of the Rock of Cashel as world heritage site;
- (vi) Promote Heritage Tourism; and
- (vii) Support Irish Walled Town Network.

Designated Areas

The Council will be proactive in the protection of sites designated in National and European legislation, and in other relevant International Conventions, Agreements and Processes. The Council will work with the relevant statutory authorities, such as the Wildlife Service to identify, protect and conserve vulnerable, rare and threatened species of wild fauna and flora and their habitats. Proposals for development within designated areas will not be permitted save in exceptional circumstances.

This includes sites proposed to be designated or designated as:

- Special Areas of Conservation under the Habitats Directive¹ (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) and collectively form part of Natura 2000, a network of protection areas throughout the EU.
- Natural Heritage Areas (NHAs), Nature Reserves, and Refuges for Flora or Fauna under the Wildlife (Amendment) Act, 2000.
(These areas support habitats and plant/animal species that are rare or threatened in Europe and require particular measures to conserve them. A total of 58 such sites are identified in the South Tipperary functional area.)

Trees/Woodlands

The Council will seek to protect mature trees and where development is proposed on lands that contain protected trees, the submitted landscape plan will identify their protection and enhancement as part of the overall development. The local authority would advise that any person considering altering a significant woodland for any purpose other than normal maintenance is advised to contact the planning section of the Local Authority for advice.

Proposals for new development will be required to ensure that these trees are not felled or rendered vulnerable by excavation around the root system. The Council may also request that a tree survey is completed as part of a development proposal, to ensure that proposals for development will not damage or result in the loss of trees listed for preservation or of any mature hardwoods. The Council will make Tree Preservation Orders (TPO) as deemed necessary following inspection and report by a qualified arboriculturist.

Wildlife corridors and hedgerows

Important landscape features, wildlife corridors and their setting including rivers, streams and associated wetlands such as reedbeds and swamps; ponds; springs; bogs; fens; trees; woodlands and scrub; hedgerows and other field boundary types such as stone walls and ditches will be protected and enhanced where feasible. These are important because they form part of a network of habitats, corridors and 'stepping stones' essential for wildlife to flourish.

Other measures

- The local authority will encourage the planting of native trees, wildflower meadows, flowering and berry producing plants to encourage wildlife such as invertebrates, birds and bats on local authority controlled land where possible and will encourage developers to incorporate similar measures when seeking planning permission for development;
- The local authority will monitor the management of the green spaces by identifying areas for no/low pesticide and herbicide use as well as creating areas of 'wilderness' or 'no public access' spaces which can increase biodiversity and encourage use by invertebrates, birds, otters, bats, badgers and foxes.
- Where significant development is proposed outside zoned areas the local authority will require that the developer provides a full and detailed Environmental Impact Statement in accordance with EPA guidelines, detailing the receiving environment, the potential impact and proposed mitigation measures. The provision of an EIS will not automatically qualify for a grant of permission.

Soil and Geology

The soil and geology environment is an important part of the life cycle and often overlooked in terms of the significant role it plays in food production, sustaining primary producers (vegetation) and decomposers (microorganisms) and acting as major repositories for heat energy, nutrients, water and gases. The following measures are proposed to protect the soil/geology environment.

- All soils identified as agriculturally important in the Landscape Character Assessment will be protected through the prevention of inappropriate uses.

- The Council will implement the relevant EPA and Department of Agriculture guidance and regulations in the percolation and/or spreading of domestic and agricultural effluent to land to prevent soil pollution.
- Important geological or geomorphological sites in the County, including any sites proposed to be designated or designated as Natural Heritage Areas (NHAs) will be protected and the local authority will work with the Geological Survey of Ireland (GSI) in this regard.

Water

Water Quality

Most of South Tipperary is located within the South Eastern River Basin District and work is on-going to identify all waters, determine their current pollution status, identify the uses of the water bodies and the pressures on them. The draft River Basin Management Plans will be published in December 2008 and following public consultation the final plans will be adopted by the relevant Local Authorities in December 2009. The River Basin Management Plans will set the environmental objectives together with actions (known as the Programme of Measures) that will ensure these objectives are achieved in practice. South Tipperary County Council will be obliged to ensure the objectives identified in the management plans are achieved.

It will be the policy of the Council when assessing development proposals to have regard to any significant negative impact caused on groundwater resources within the county, having regard to the South Tipperary Ground Water Protection Scheme 2001 and Environmental Protection Agency guidelines applicable at the time. The Council will use statutory powers under relevant Planning and Environmental legislation to protect groundwater, including Environmental Impact Assessment, Integrated Pollution Control and/or Water Pollution legislation in balancing the need to protect the environment with the need for development

Specifically in relation to the protection of water resources in the county the council will undertake the following:

- The Council will encourage and promote compliance with the recommendations contained in the River Basin Management Plans.
- Development will be strictly controlled in the vicinity of the inland waterways of the County and will not normally be permitted. Application for such development shall be assessed, in addition to normal planning criteria, in terms of its potential impact on the visual, recreational, ecological and environmental integrity of the area.
- The Council will protect and enhance surface water and groundwater resources which are essential as part of an integrated approach to the management of water resources, necessary to ensure the highest water quality into the future, as set out in the Water Framework Directive (Directive 2000/60/EC establishing a framework for Community action in the field of water policy).
- It will be the policy of the Council to preserve an undisturbed edge or buffer zone between new developments and river corridors and other water bodies in order to maintain the natural functions of existing ecosystems and to encourage increased public access and enhance water-related recreation opportunities.

Flooding

The 'Strategic Urban Drainage Solutions' strategy proposes surface water mitigation proposals in association with the future development of urban areas, where there will be a significant increase in the quantity and quality of surface water run-off. The SUDS technique is aimed at minimising the adverse environmental effects of development on natural water courses. South Tipperary County Council is actively encouraging the adoption of SUDS techniques as part of its policy of encouraging sustainable development.

Also, the Council will seek the implementation of rainwater harvesting and best practice guidance for the collection and reuse or disposal and treatment of surface water. Such systems will be required to conserve water, protect water quality and regulate the rate of surface water runoff so as not to cause or exacerbate flooding on the relevant site or elsewhere.

Specifically the measures proposed include:

- Proposals for significant or large scale development within zoned and serviced areas will be required to apply the principles of the SUDS strategy.
- The installation of rainwater retention tanks.
- The use of porous paving to filter water to permeable layers of ground underneath, which will reduce/eliminate the need for piped solutions and also remove pollutants from the water.
- Infiltration trenches/basins to dissipate rainfall into the ground located in landscaped areas.
- Basins/ponds/wetlands to store water temporarily and release the water gradually.

The local authority also propose the following mitigation measures:

- In areas susceptible to flooding, development may be restricted and where necessary developers will be required to submit a Flood Risk/Impact Assessment and proposals for a Sustainable Urban Drainage System (SUDS).
- The local authority will access information on flooding available in the National Flood Hazard Mapping website when assessing planning applications in areas known to be prone to flooding.

The Council will require a comprehensive Flood Risk Assessment for proposals in an area at risk of flooding, adjoining same or where cumulative impacts may result in a flood risk elsewhere. All developers are advised to consult with the Council as early as possible in the planning process in order to ensure issues of flooding are adequately considered in any planning application. All flood risk assessments should have regard to predicted changes in flood events resulting from climate change and the Suir Catchment Flood Risk Assessment and Management Study (CFRAM Study) when completed by the Office of Public Works.

Air Quality and Climate Change

Fossil fuels, which affect air quality and contribute to the greenhouse effect, are used in transport and general energy consumption. While considerable advances have been made in engine design and fuel efficiency, the planning authority are advising all potential developers that they will require a clear demonstration that traffic management is a key consideration for any proposed large scale residential, industrial or commercial development. In this regard Mobility Management Plans will be required as part of a planning application for significant or large scale development proposals. This is discussed in more detail in the Transport section.

Energy Efficiency Measures:

With regard to energy usage, the following mitigation measures are proposed to reduce/compensate for potential adverse impacts on the environment and to encourage more sustainable development. The measures are categorized in three aspects:

1. Improve the energy performance of buildings and reduce the total energy requirement
 - Promote the development of low energy housing and encourage developers to design and build houses towards an “A” rating standard as set out by the national building energy rating (BER) methodology.
 - Enhanced levels of insulation in walls, roofs, floors, glazing and doors as standard for low energy domestic housing. Optimum use of insulation should also be used for non-domestic buildings.

- To allow maximum solar gain, the orientation of Windows/Glazed Openings of all buildings will be carefully considered and designed. The idea and method of Passive Energy House will be encouraged where possible.
 - The use of earth berms and shelter belts to minimise wind tunnelling and eddying.
2. Seek an Optimum and Sustainable Energy Supply
- Alternative Energy Technologies should be employed in order to save natural resources and reduce CO₂ emissions. Options such as Geothermal, Solar Heating, Wind Turbine, Biomass and PV solar panels should be considered on a site-to-site basis.
3. Improve the level of monitoring and controlling of energy use
- The Building Energy Management System (BEMS) should be employed in all commercial/industrial buildings as a standard approach to better monitoring and controlling of the heating/cooling/ventilation system and energy use.
 - Energy efficient lighting/appliance, timer and programmable controller should be employed where possible.

Material Assets - Transport

Roads

Strategic route corridors are important to the development of the county. Development along such corridors will be resisted, except where development can be accommodated in accordance with employment policies at strategic locations. In assessing such development proposals, the Council will have regard to the Policy on Development Management and Access to National Roads 2006 and the Provision of Service Areas and Rest Areas on Motorways and High Quality Dual Carriageways as published by the National Roads Authority. In all cases the Council will discourage development which by its nature and location, would result in the need for locally generated traffic movements to use national routes.

The Council will require Traffic Impact Studies and Road Safety Audits to be carried out for large-scale developments where each such development proposal will be assessed on a site-by-site basis. Where development is proposed which requires a road safety audit, the developer should requisition same to be carried out by an audit team, the members of which have been approved by the NRA. Works required as a result of the Road Safety Audits will be funded by the developer.

Developers seeking permission for significant and large scale developments with potential for significant traffic generation will be required to submit a Transportation Plan/Mobility Management Plan detailing circulation patterns and access to and from the site. Clearly the plan should demonstrate the following:

- Free and easy pedestrian movement for retail, social and recreational purposes as a high priority.
- Permeability - safe, and easily identified pedestrian networks.
- Free and unhindered flow of vehicular traffic at low speeds.
- Interconnectivity between green spaces and activity zones.
- Ease of movement and safety for the cyclist.
- Provides parking in a variety of methods to add diversity to the urban realm, while still addressing convenience. (Underground, On-Street, In Situ, Parking Courts, Grouped Visitor Car Parks).
- Proposals which will mitigate the effects of this increased traffic level are as follows:
 - Speed limits will be enforced by design;
 - Provide for cycle parking and facilities;
 - No heavy vehicle parking along residential roads;

- Priorities for pedestrians and cyclists within housing areas.

Public Transport

The improvement in public transport between larger towns and between villages and towns is of paramount importance to reduce isolation and improve mobility and community linkages. The Council will work with local bus and taxi companies to improve public transport options. The Council will continue to support pilot schemes such as Ring-a-link and those which use the school bus during off peak times for rural public transport.

Waste Management

The main objectives of the Joint Waste Management Plan for the South East Region 2006 focuses on prevention, minimisation, reuse and recycling of waste, provision of a framework for the development and operation of waste infrastructure within the region and the application of the polluter pays principle. Where conflict occurs between the WMP and the Development Plan, the WMP is given precedence.

The planning authority will promote effective waste management through the avoidance and/or reduction of waste within the county. The main strategies which will be implemented will be:

- The reuse of raw material on site, thereby reducing transportation and landfill costs, improving air and noise levels and promoting sustainable development.
- The use of building materials whose origins, processing, function and disposal meet environmental standards.
- The sorting of building waste on each development site for recycling/reuse.
- The Council will pursue the preparation, establishment and implementation of / compliance with The Waste Management Plan and The National Hazardous Waste Plan and any future updates.
- Where considered necessary, the Planning Authority will require Project Construction and Demolition Waste Management Plans as part of applications for development in accordance with “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects” (DoEHLG, 2006). Such plans should be submitted for developments above the stated thresholds within these guidelines and as required by the Planning Authority.

Construction and demolition (C&D) waste is seen as a direct by-product of the building industry. The Council will seek to reduce the quantity of C&D waste that goes to landfill and will seek to ensure that such waste is recycled and reused in the proposed development where possible, especially on brownfield sites. Where significant C&D waste is envisaged arising from a proposed development, the Council will seek the provision of a waste management plan for the scheme as part of the planning process. All such plans will be subject to the written agreement of the Council prior to the commencement of development. in compliance with the EPA Best Practice Guidelines on the Preparation of Waste Management Plans for Construction & Demolition Projects

Agricultural Waste

The Nitrates Regulations set out the storage requirements for agricultural waste and regulates the spreading of such wastes i.e. time of year, weather conditions, buffer zones etc. As part of new agricultural developments, the Council will require applicants to demonstrate compliance with the Regulations and the associated Department of Agriculture and Food building specifications.

In order to plan for the disposal of sludge effluent from agriculture, particularly intensive agriculture, the Council has prepared a number of studies, including:

- Sludge Management Plan for South Tipperary, prepared, subsequently incorporated into the Joint Waste Management Plan for the South East Region 2006; and,
- The Three Rivers Project and subsequent River Basin Management Plans.

Expansion of intensive agriculture, particularly where it would increase the areas of spread lands, in the sensitive areas such as Aherlow, Araglin, Duag and Shanbally catchments and source protection areas, shall be discouraged, along with importation of organic waste from intensive agricultural practices outside the catchments

The Council will seek improvement in the management of all agricultural organic waste in compliance with the requirements of S.I. No. 378 of 2006, European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2006 (Nitrates Regulations). Also the Council will seek improvement in existing storage facilities, and require high quality facilities for storage as part of new development

The Council will require nutrient management plan where intensive agricultural development is proposed. Intensive agricultural enterprises are considered as those which are not land dependent such as piggeries, poultry, mushrooms etc. Planning permission will only be granted where the applicant demonstrates access to a sufficient land bank to cater for the recovery of all organic waste produced

Material Assets – Water Supplies/Wastewater

Water Supplies

South Tipperary County Council prepares a water services needs assessment and programme every five years and there is currently a draft proposal prepared for the period from 2008. This assessment prioritises the strategic water investment proposals for the county, including the Primary and Secondary Service Centres of Clonmel, Carrick on Suir, Tipperary Town and Cashel, in line with the settlement strategy set out in the Draft County Development Plan.

In exceptional circumstances, the Council may consider an independent or group water supply where it can be demonstrated that it is not possible to connect to the existing water supply network for reasons of;

- excessive distance from the network
- incapacity in the network to cater for the requirements of the proposed development or
- where inadequate water pressure is experienced at higher O.D. levels

Significantly, the local authority will identify major catchment areas of surface water bodies, capable of use as a potable water resource or other beneficial use and areas of aquifer vulnerability will be identified. Development which potentially may pollute such resources will be prohibited.

Wastewater Treatment

European and Irish legislation continues to place a consistent emphasis on maintaining and improving water quality. The 1998 Phosphorus Regulations require that baseline water quality recorded in 1997 be maintained and improved to achieve water quality targets by 2007 while the Water Framework Directive requires that “good status” is achieved in all water bodies by 2015. As the water quality standards become increasingly strict and greater development pressure is experienced within existing settlements, the Council considers that the need for improved wastewater treatment technologies and facilities is an on-going priority. It is important to stress that this “good status” will not be achieved by improving municipal wastewater treatment plants only as it is essential that storm overflows, urban run-off and un-intercepted wastewaters all receive treatment prior to discharge to surface or ground water.

The recently published Waste Water Discharge (Authorisation) Regulations 2007 have placed increased obligations on Water Service Authorities regarding the licensing of discharge from waste water treatment plants, facilitating greater implementation of the Water Framework Directive and other relevant EU Directives. Having regard to these requirements, the Council has identified a number of policies on how best to ensure all new development is appropriately serviced within the context of the settlement strategy.

General funding for the provision of waste water treatment is available under the major capital schemes, small schemes investment programme and the grouped design build and operate scheme from the DEHLG. These funding streams are augmented by the Serviced Land Initiative, which is available to promote and fund supplementary water and sanitary schemes throughout the County. South Tipperary allocates these funding streams through the Water Services Investment Programme (the current programme is 2007-2014). Under the previous programme the Council provided mains drainage works in Carrick on Suir, wastewater treatments in 8 new locations and upgrades of 7 existing schemes, rehabilitation and extension of sewer networks and collaborative wastewater schemes with North Tipperary.

The local authority are proposing the following measures which should ensure that the quality of receiving waters is not adversely affected by such discharges:

- The Council will facilitate the provision of waste water and effluent treatment services by private developers in order to promote development in identified settlements where significant deficiencies exist and where it is not proposed to provide such services within the life of the current Development Plan. Any proposed treatment plants shall be purpose designed to the required County Council standards, appropriate in capacity and scale, and have a suitable outfall and method of disposal.
- It is the policy of the Council, in granting planning permission for single houses in the open countryside and pressure areas, to require an applicant to provide an on site waste water treatment system, designed, installed and operated in compliance with Environmental Protection Agency (EPA) Codes of Practice in force at the time of grant of permission
- It is the policy of the Council to implement the Urban Waste Water Regulations, the relevant River Basin Management Plans and EU requirements, and will take account of the drainage system and the quality and quantity of receiving waters in the area when assessing development proposals. Proposals will be required to comply with the development management standards set out in Chapter 9 of the Draft County Development Plan
- All applications for residential developments in areas where public sewerage mains are not present will need to be accompanied by the documentation as required by the relevant EPA Treatment Manual (or subsequent update), certified by a fully indemnified professional, indicating the suitability of the site for the disposal of effluent. These treatment plants shall be subject to legally binding maintenance and management agreements, indicating the day-to-day caretaking and maintenance contract for the plant, and the developer shall lodge a bond with the Planning Authority in order to secure the continuing operation, management and maintenance of the plant in accordance with the relevant guidelines.
- Where it is proposed to dispose of treated effluent direct to a watercourse, the applicant shall submit an Assimilative Capacity Report on the receiving water, prepared by an experienced hydrologist and containing the following information;
 - Assessing the chemical, biological (Q rating) and bacterial condition of the receiving water.
 - Assessing the flow data of receiving waters, indicating 95 %ile flow and Dry Weather Flow.
 - Provide an assessment of the associated impacts of the proposed discharge on the chemical, biological and bacteriological quality of the receiving waters with regard to the relevant legislation.
- Where it is proposed to dispose of treated effluent by percolation, a detailed site assessment and characterisation should be submitted in accordance with EPA standards. The Council may require an experienced hydro-geologist report to be submitted on the likely impact of the discharge on ground water quality.

- Where residential development is proposed within reasonable distance of an appropriate mains water supply, the developer will generally be required to connect to the mains system in favour of using bored wells on-site for domestic water supply purposes.

The expansion of the settlements in South Tipperary will require the construction of waste water treatment plants and the Council would recommend that developers enter into pre-planning discussions with the Council at an early stage in the design process in order to ensure that development proposals are acceptable and in compliance with the settlement strategy and general policies of the County Development Plan

Groundwater contamination is caused by a number of sources including septic tanks and unmaintained or inefficient waste water treatment plants. The Council has adopted a Groundwater Protection Scheme (amended 2001), which identifies the vulnerability of groundwater in the County. The Council require that sewage treatment systems shall be designed in accordance with the EPA Waster Water Treatment Manuals for 'Single Houses' and 'Small Communities, Business, Leisure Centres and Hotels' as they apply at the time of granting of any planning permission.

The Council in granting permission for such development will require the applicant to submit a maintenance agreement with an approved agent. Where it is proposed that more than one party will be serviced by the system, the Council will require that a management company is incorporated to manage the upkeep of the system and other infrastructure that services the development

Landscape and Visual Amenity

For any development of significant scale, visual impacts are inevitable, however, with considered, high quality building and landscape design, these impacts can be minimised. However, inappropriate development within sensitive areas will not be permitted. This provides for the protection of visually sensitive areas, landscapes of intrinsic value and unique to the county in general. The Council will also preserve views and prospects within the county which are of importance.

In addition to the above, the Council will implement the following general measures in order to protect the landscape of the county.

- Proposals for development within built up areas such as villages and towns will be required to maintain existing streetscape style and character. Visual coherence is thus a significant issue and both the scale and character of new development will be required to be in harmony with the architectural style and scale present.
- All proposals for development will be required to retain, protect and, where necessary, enhance the appearance and character of the existing local landscape. The local authority will not grant permission for proposed developments which will have a detrimental impact on the landscape.
- The Planning Authority shall endeavour to identify important landscapes and habitats and the importance of local character, identity and distinctiveness, in both the natural and built heritage of the County. This shall include an investigation in the proposed Heritage Plan for the County into locally important and small scale heritage sites. Where these have been identified as important under the Heritage Plan, they shall be afforded the relevant protection
- The Landscape Character Assessment will be reviewed and monitored on an ongoing basis and updated where necessary.
- The Council, in co-operation with The Forest Service (Coillte) and the Department of Communication, Marine and Natural Resources, shall encourage and promote the preparation and adoption of an Indicative Forestry Strategy for the County, as an

- important means of contributing to its objective of protecting and enhancing the County's biodiversity, natural resources and landscape.
- The Planning Authority shall control development in protected areas (scenic views and prospects, ridge lines, broad zones of the lakes, European sites etc.) which has the potential to negatively impact on the scenic, heritage and cultural assets of the County.
 - It is the policy of the Council to protect primary and secondary amenity areas from inappropriate development which by its scale, design and siting would detract from the character and quality of sensitive landscapes. In assessing applications for development that would impact negatively on designated landscapes, the Council will balance the need to protect the landscape character against the requirement for the appropriate and sustainable socio-economic development of the area.
 - It is the policy of the Council to protect views of special amenity value and mature trees as set out respectively in Appendix 6 and Appendix 8 of the Draft County Development Plan.

Critical to the protection of landscape amenity areas are the protection of views and prospects both to and from these uplands. In this regard the key aim of the Council is to:

- (i) Prevent development which would interfere or detract from a view which is designated;
- (ii) Place conditions on planning permissions where minor modifications may render an otherwise negative development acceptable.

Existing trees are also of value to the general rural character of the landscape and form a valuable part of the environment. They provide visual amenity, screen unsightly features and add to the diversity of the landscape and wider environment, provide a roosting place for birds and food for a wide variety of wildlife. Appendix 8 sets out a number of important trees that are considered significant landscape features.

During the lifetime of the county development plan, the Council will complete Phase 2 of the LCA and identify 'archaeological landscapes' as part of an ongoing landscape character assessment of the County.

Cultural Heritage

The Cultural Heritage element of the environment is a broad issue encompassing architecture, archaeology and historical features. All aspects are non renewable and are an important aspect of the county and indeed the nation, ultimately they are part of our identity. The following measures are divided by category.

General

- Any proposed development which may impact on the integrity and/or setting of any monuments, sites, objects or areas of archaeological, cultural, architectural, historical or Heritage importance under the protection of this Development Plan and/or the Department of the Environment, Heritage and Local Government shall be referred to the relevant section of the DoEHLG for observations/comment prior to a grant of permission/approval being obtained.
- The Council will strictly control development proposals on unzoned lands which may be detrimental to, any area, site, structure, monument or object of archaeological significance, or detract from, its interpretation and setting. Development will only be permitted where the Council, in consultation with the DoEHLG, considers it acceptable, in view of its objectives and policies, and where all necessary mitigation has been carried out.
- Where necessary, the Planning Authority may impose, through the Development Management Process, conditions to safeguard that adequate measures are taken to identify and mitigate the archaeological impacts of any development, including where required the completion of a licensed excavation.

- It is the policy of the Council to implement the key objectives and associated actions identified in the South Tipperary Heritage Plan 2004-2008 and any revision thereof.

Protected Structures

- As part of the County Development Plan, the local authority will outline a record of Protected Structures based on the recommendations of Draft NIAH for the County.
- The local authority will issue Section 55 notices to owners of proposed Protected Structures when the Minister for the Environment, Heritage and Local Government has recommended structures for inclusion on the Record of Protected Structures.
- The local authority will assess the List of Protected Structures and will make additions to the list on the advice of the Department of the Environment, Heritage and Local Government.
- In all cases the Council will have regard to the Architectural Heritage Protection Guidelines for Planning Authorities 2004 (DEHLG) when assessing development proposals to protected structures.
- The Council will, where possible and feasible acquire protected structures, if this is necessary to protect the structure. On acquiring the structure, to its use or sale shall be considered by the Council.
- It is the policy of the Council to conserve and protect buildings, structures and sites contained in the Record of Protected Structures that are of special interest and when considering proposals will have regard to the Architectural Heritage Protection Guidelines for Planning Authorities and relevant Conservation and Management Plans where applicable. The Council will proactively work with developers/applicants to facilitate the appropriate reuse/redevelopment of Protected Structures.
- It is the policy of the Council to conserve and enhance the special character of the ACA's included in this plan. The special character includes its traditional building stock and material finishes, spaces, streetscape, landscape and setting.
- The Council will insist on the protection of structures included in the Record of Protected Structures generally and in particular by:
 - Controlling development which would alter the character of protected structures and proposed protected structures
 - Monitoring the condition of protected structures and proposed protected structures to identify those endangered by neglect, vandalism or unauthorized development and taking appropriate action
 - Preventing the endangerment of protected structures in the Council's ownership

In addition to the RPS, the Council has also identified a number of Architectural Conservation Areas (ACA's) throughout the county, the physical quality and character of which is derived from the grouping of buildings and their relationship to one another. The quality of the townscape can be harmed if individual buildings fall into disrepair or where successive alterations may result in a loss of architectural character. Normal exempted development rights do not apply in an ACA which means that development to the exterior of a building or structures within its curtilage may require planning permission. Where unauthorised development takes place which materially affects the character of the ACA, the Council may require the owners or occupiers to restore the character of the building. ACA's designated under this Plan include Ahenny, Cahir, Fethard, Killenaule, Marfield, Nine-mile-house. Further guidance is provided in the Architectural Heritage Protection Guidelines for Planning Authorities 2004 (DEHLG).

Archaeology

- The Council will favour of the physical preservation insitu of archaeological remains and their settings, where appropriate, feasible and in accordance with the proper planning and sustainable development of the County. The approach will be favoured in these circumstances as the most appropriate means of protecting the heritage of the County, in accordance with government policy.

- It is the policy of the Council to safeguard sites, features and objects of archaeological interest generally and will protect (in-situ where practicable or as a minimum, preservation by record) all monuments included in the Record of Monuments and Places and of sites, features and objects of archaeological and historical interest generally.

A number of key settlements within the county are of particular significance due to the quality of historic features, town walls and fortifications, street layouts, building orientation, amenity spaces etc. Fethard, along with Cashel and Clonmel form part of the Irish Walled Town Network (IWTN)

South Tipperary County Council, in conjunction with local interest groups, The Heritage Council and Fáilte Ireland has appointed consultants to compile the Fethard Town Wall Conservation and Management Plan 2007 which will guide and manage the refurbishment/repair of the historic town wall (RPS ref. no. 645, Appendix 5 of the Draft County Development Plan) and will identify a suite of policies and objectives which will manage the development of lands bounding the wall and in its vicinity. The Council is also directly engaged in the refurbishment and restoration of sections of the town wall and will continue such works in compliance with the Conservation and Management Plan and the requirements of the DEHLG.

The Council owns a number of underutilised historic properties throughout the county such as the West Gate in Clonmel, the Tholsel and old mill building in Fethard. These properties are located in prominent locations and as such have a substantial impact on the surrounding streetscape. In recent years the Council, in association with the Office of Public Works, has renovated the Main Guard in Clonmel, the Mill Buildings and the Erasmus Smith School in Cahir which now function respectively as an event centre, an arts centre/office/restaurant and the Council area and administrative office. The Council, in conjunction with The Heritage Council is currently carrying out a feasibility study into the reuse of the Tholsel in Fethard with a view to re-establishing the community function of the property, along with commercial uses which could be facilitated on the site. Where funding allows, the Council will consider similar approaches to other properties in its ownership in consultation with statutory bodies and community interest groups.