

9: DEVELOPMENT MANAGEMENT

9.0 Introduction

Development management is a statutory process, and the Council is required to manage development by ensuring that permissions granted under the Planning and Development Acts 2000 - 2007 are consistent with the policies and objectives of the County Development Plan. Set out in this Chapter are the relevant planning standards and design criteria that will be applied by the Council to development proposals within the County Development Plan area. The Council will require all permitted development to have regard to the requirements and standards of Chapter 9.

Policy DM 1: Development Standards

It is the policy of the Council to require all development to comply with the relevant standards identified in Chapter 9 Development Management of the County Development Plan.

9.1 Enforcement

The Planning Acts give power to the Council to take enforcement action when development is started without planning permission, if conditions attached to permission are not complied with, or when other breaches of planning have occurred. Section 155 of the Planning and Development Acts 2000 - 2007 states that "Any person who has carried out or is carrying out unauthorised development shall be guilty of an offence." Section 156 of the Act sets out the penalties for an offence that may lead to a considerable fine or prison sentence. The Council will take enforcement action whenever it is expedient to do so, or where planning conditions have been breached, having regard to the provisions of the Planning and Development Acts 2000 - 2007 and associated regulations and guidelines.

9.2 Development Contributions

Considerable sums of money have been and will continue to be expended by the Council in the provision of public services. The Council will require financial contributions towards the capital expenditure necessary for the provision of infrastructure works required which facilitate development. Such works include drainage, water supply, roads, footpaths and traffic management, open space, community facilities and car parking. The Council may also seek special contributions in respect to particular developments where specific exceptional costs not covered by a Development Contribution Scheme are incurred by the Local Authority in respect of public infrastructure and facilities that benefit the proposed development.

The Council has adopted a Development Contributions Scheme for the period 1st March 2009 to 28th February 2011 inclusive in compliance with the requirements of Sections 48 and 49 of the Planning and Development Acts 2000-2007. Funds raised through this and subsequent contribution schemes will be used for the provision and development of infrastructure and facilities. Copies of the Development Contribution Scheme are available at the offices of South Tipperary County Council. All permitted developments will be subject to the requirements of the Development Contributions Scheme.

9.3 Bonds

Developers shall be required to give adequate security by way of a cash deposit or bond to ensure the satisfactory completion and maintenance of developments. To this effect the Council will impose conditions in terms of Section 34(4)(g) of the Planning and Development Acts 2000 - 2007 on planning permissions. The amount of the bond will be calculated on the basis of 25% of the estimated cost of site development works. The developer will be required to provide written certification that infrastructural services have been completed to the required standards before the bond can be released.

9.4 Design Considerations.

The Council will seek to ensure that all new residential, commercial, industrial and other developments are designed to obtain maximum energy performance ratings during their construction, operation and lifetime use. Sustainable designs shall seek to provide units with zero-heating requirements through the use of innovative design solutions and innovative building/insulation materials. Where this is not feasible, designs shall incorporate alternative energy technologies such as bio-energy, solar energy, heat pumps and heat recovery, while larger developments shall consider the use of district/block heating/cooling systems, combined heat and power and wind energy. All design solutions shall ensure reduced resource requirements during their life through surface water reuse and applicants for development shall demonstrate how such considerations are incorporated at pre planning and planning application stage.

The Council will seek to ensure that all development, whether new-build, redevelopment or renovation, will be undertaken so as to enhance the environment and shall conform to principles of sustainable development and the Settlement Strategy set out in Chapter 3. It is the aim of the Council that all developments shall relate generally to the surrounding landscape/streetscape. This will not mitigate against designs that are contemporary or individual, but simply that new development shall endeavour to contribute to sense of place and environmental quality. Design proposals will be examined in terms of layout and density, building line, height and mass, materials and finishes, services, amenity, landscape and boundary treatment, access and traffic safety and the impact on the quality of the receiving environment.



The Council will seek to ensure that low density residential developments sympathetic to the village structure is promoted along with the provision of serviced sites, extendable plots, a variety and choice of house types, sizes and finishes with comprehensive landscaping so as to enhance the visual quality of the settlement on appropriately zoned lands.

9.5 Residential Development in the Open Countryside

The design, orientation, landscaping and other features of all proposed development outside designated settlements shall comply with the relevant policies of the County Development Plan and the Rural Design Guide for Individual Houses in the Countryside set out in Appendix 4 which provides detailed guidance. The minimum standards contained in Table 9.1 below apply.

Table 9.1 Minimum Standards for Residential Development in the Open Countryside	
Site Size	0.2 hectares (0.5 acres). Floor areas shall be related to site size.
Building Line	20 metres subject to sight line requirements and building size.
Orientation	Determined by maximising solar gain, prevailing winds and landscape features.
Boundary/Landscape	All existing natural site boundaries should be retained where practicable. On new site boundaries a double row of hedging shall be planted which reflects in species and diversity other field boundaries in the vicinity. All planning applications shall require a robust landscaping plan and all planting will be required to take place in the first planting season following the commencement of the development. External lighting for security purposes only will be considered where such lighting will not detract from the visual amenity of the area.
Roadside boundary	The existing hedgerow shall be retained, where, in the opinion of the Council, there is no conflict with the requirements for the provision of safe site access. Where the roadside boundary is required to be removed, a new boundary hedge which replicates the existing boundary shall be set back behind the sight line to the technical requirements of the Council. Land between the roadside site boundary and carriageway edge shall be suitably drained, set level with the public road and replanted with grass, save where the Council requires an alternative treatment. Any roadside drains shall be piped before the area is surfaced.
Entrance	Shall be of masonry or rendered and capped block construction or timber fencing. Wing walls/fences shall be splayed at 45 degrees so as to give a maximum opening at the front boundary of 13 metres and the height of such walls/fences shall not interfere with the required sight lines. All pillars shall be appropriate in scale to the new entrance walls so as not to detract from the existing roadside character.
Supporting Information	<ul style="list-style-type: none"> • A 1:2500 map illustrating the total landholding from which the site is taken. • Details of all immediate family members of the landowner who may require sites from the landholding noting that the sale of sites may prejudice sites for family members at some future date. • A suitably researched statement from a suitably qualified agent that the proposed development will not obviously sterilise substantial natural resources such as aggregates or agricultural land.

9.6 Residential Development in Settlements

The Council will seek appropriate, efficient and sustainable development on all residential zoned land and will apply the guidelines contained in the Sustainable Residential Development in Urban Areas December 2008 (DoEHLG) or any amendments thereto as appropriate. The Council will require all development proposals to incorporate the standards set out in Table 9.2 below:

Table 9.2 Minimum Standards for Residential development	
Design	The establishment of building design and urban design criteria by a suitably qualified Architect, experienced designer or similar, which shall place an emphasis on modern architecture with a varied building language, avoids standard suburban designs, enhances and augments local vernacular buildings. Opportunity shall be provided for landmark buildings at key nodes and focal points to promote legibility throughout the new development. All proposed residential units will attain high standards of energy efficiency, incorporating sustainable energy technologies, water conservation/reuse, ventilation, daylight analysis and bio-climatic site design.
Amenity	Provision of at least 15% of site area for public open space. Integration of buildings and public amenity areas to ensure overlooking and passive supervision. Provision of pedestrian and cycle linkages within and outwit the site. Existing vegetation such as hedgerows, trees and natural features shall be retained and incorporated into the design where practicable. Where it is demonstrated to the satisfaction of the Council that tree removal must take place and is supported by a tree surgeon/arborist report, the developer will be required to provide replacement semi-mature native Irish trees as part of the overall proposal. Rear gardens that will facilitate private vegetable growing shall be provided in low-density developments, and where higher densities are proposed, dedicated vegetable allotment space will be supported.
Housing mix	Satisfactory mix of dwelling types including 1-2 bed room units with direct access from ground level, extendable/flexible housing which can accommodate change over their life cycle, semi-detached and detached units, serviced sites and large detached units on generous plots etc, ensuring that a range and choice of building types and sizes are available. All designs, overall layouts and general densities shall comply with the policy requirements and the appendices of the County Development Plan.
Separation Distances	A minimum separation distance of 4m between the gables of dwellings, 22m between directly opposing transparent windows at first floor level, 35m between directly opposing transparent windows at second floor level.
Road Layouts	Road layouts shall be designed so that traffic calming is naturally integrated, in accordance with the recommendations in the Traffic Management Guidelines 2003 as produced by the DoEHLG, DTO and DoT. Traffic calming shall be provided on a phased basis as each section of the road is opened to traffic and turning areas must provide for emergency and service vehicles. Proposals should also accommodate improved vehicular and pedestrian access links to the existing settlement centres and priority of movement and accessibility throughout the development for pedestrians and cyclists. Increased utilisation of shared/communal and well defined on-street and off-street car parking shall be considered;
Public Infrastructure	The provision of satisfactory public infrastructure and other services in compliance with the relevant objectives/policies of the County Development Plan.
Waste	The provision of a waste management plan covering the construction phase of the development and the provision of adequate waste storage facilities to accommodate the 3 bin scheme for the proposed development.
Built and Natural Heritage	The protection of all existing historical monuments, buildings, building fragments, archaeological material, trees and hedgerows where appropriate.

Childcare and other Social Capital Requirements	Proposals for the provision of childcare places at a location to be agreed with the Planning Authority and the South Tipperary County Childcare Committee (refer to Chapter 8) and other amenity/community facilities as considered appropriate to support and sustain the proposed development in accordance with the outcomes of the Development Impact Assessment.
Maintenance and Management	Proposals for the management and maintenance of residential developments are to be submitted at the planning application stage. In this regard developers are advised to consult South Tipperary County Council Taking in Charge Policy. Management Companies will not be deemed acceptable as a maintenance proposal for traditional housing developments, but only for multi-unit buildings. Prior to their taking in charge, developers will be responsible for the maintenance and management of residential developments, where management companies are not employed.

9.7 Apartment Buildings

The development of apartment buildings will be considered only at appropriate locations such as part of a mixed use scheme on lands zoned for Village Centre. The Council will apply as minimum standards the guidelines contained in the Sustainable Urban Housing: Design Standards for New Apartments 2007 (DoEHLG). The predominant issues of concern to the Council will be the appropriate zoning, the provision of adequate floor areas, storage space, circulation, public and private open space, access, parking, bin storage (should facilitate segregation of waste into 3 fractions - dry recyclable, residual & organic/food waste), balconies, daylight and sunlight, facilities for children and overall building design and finish. Developments, which fail to meet the standards set out by the DoEHLG will not be favourably considered. The Council will also require the setting up of a management company to maintain the infrastructure of the site and the communal and amenity areas of the development.

9.8 Development Impact Assessment (DIA)

The Council will require that all new residential development proposals [which are subject to the provisions of Part V of the Planning and Development Acts 2000 - 2007 be accompanied by a DIA. The preparation of DIA shall consider the guidelines and recommendations as set out in the Sustainable Residential Development in Urban Areas Guidelines for Planning Authorities December 2008(DoEHLG). Scoping for DIA should consider the impact of the proposed development on the visual qualities and distinctive characteristics of the settlement and streetscape, phasing of the development dependent on the relevant



function of the settlement within the Settlement strategy, sequential testing, capacity of schools and childcare places, capacity of community facilities including bring bank facilities, open space, retail and other commercial uses, trip generation, car parking particularly in the settlement centre, pedestrian movements and general traffic safety and infrastructure such as waste and surface water treatment/disposal and water supply. Where constraints are identified in the assessment, the developer will be required to identify mitigating measures to address deficits and the Council will require that the assessment is submitted as part of the planning application.

The Council will assess each development on its own merits, having regard to the statutory requirements of the development, the nature and use(s) proposed, the range of existing services available to the community and having regard to other relevant policies and standards of the County Development Plan. Developers are encouraged to consult with the local community as part of the preparation of the Development Impact Assessment. Where an enhancement scheme has been endorsed by the Council, developers will be required to conform to the provisions of the Scheme and to include for same under the submitted DIA.

9.9 Settlement Centre Master Plan Designations

Master Plan designations are outlined on designated sites located within settlements as set out in Volume Three. The purpose of these Master Plan designations is to ensure a co-ordinated approach to the development of strategic village lands. Master Plans shall be prepared by landowners(s)/developer(s) and shall be to the written agreement of the Council. It is recommended that landowners and developers of adjoining lands subject to Master Plans designation liaise with each other regarding the overall approach to adjoining lands.

In assessing a Master Plan proposal the Council will require that the following issues are addressed:

- (a) Cohesive approach to access and circulation throughout the entire Master plan area.
- (b) Focus on permeability and sustainable modes of transport throughout the Master plan area.
- (c) Identification of infrastructure/service requirements and proposals for entire area.
- (d) Identification of significant natural heritage features and proposed amenity features throughout the Master Plan area

No development will be permitted on lands designated with Master Plan status prior to the preparation of a Master Plan and its written agreement with South Tipperary County Council.

9.10 Traffic and Road Safety

In the interest of safety for *all* road users, the following sight lines are required for all development that proposes vehicular access onto the public road network. Adequate sight visibility at the entrance to the development is vital to enable you to see oncoming traffic when using the entrance and also to enable other road users to see you when you are waiting at the entrance. In exceptional circumstances such as demolition of a dwelling and rebuilding of a dwelling, a derogation of sightline requirements may be considered subject to a net road safety benefit being achieved with the agreement of the Roads Section.

The sight visibility triangle is measured at the proposed entrance from a set-back distance of 4.5m (the 'X' distance) from the road edge²⁴ at the centre of the entrance, to points in both

Table 9.3 Sight Line Requirements	'Y' Distance
Roads with 100kph speed limits	215m
General Regional Roads	130m
General Local Roads greater than 4.25m wide ²³	90m
Local Roads 4.25m wide ¹ or less and all Local Tertiary Roads	70m
Within 50kph speed limits (built up areas)	70m
Within 60kph speed limits (built up areas)	90m

directions on the nearside road edge which are the sight distance ('Y' distance) away. For lightly used accesses, for example those serving a single dwelling or a cul-de sac development of not more than 2 no. dwellings, then the set-back 'X' distance may be reduced to 2.4m. The Value of the sight distance 'Y' relates to typical road speeds and can be obtained from Table 9.3.

²³ Road width refers to the typical road width (over approximately 70% of the road) when approaching an entrance rather than the width at the entrance. The County Council has predetermined the applicable width for many of the County Roads.

²⁴ The 'road edge' is the edge of road surface (bituminous material) subjected to general vehicular traffic.

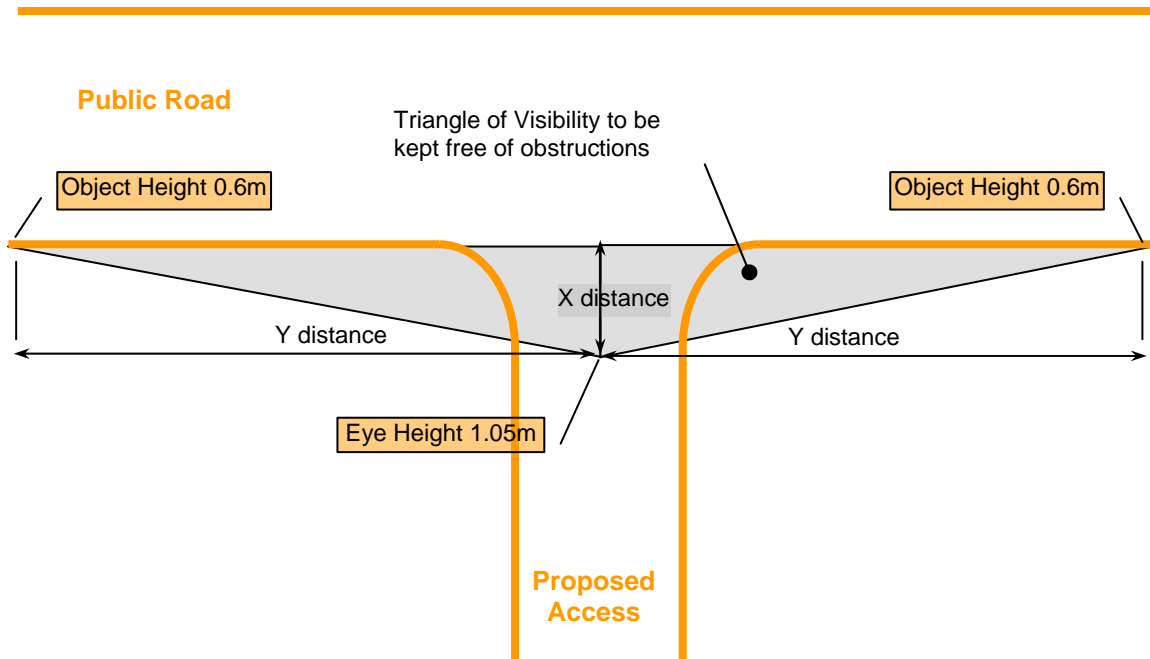


Figure 9.1 Safe Access Sightlines

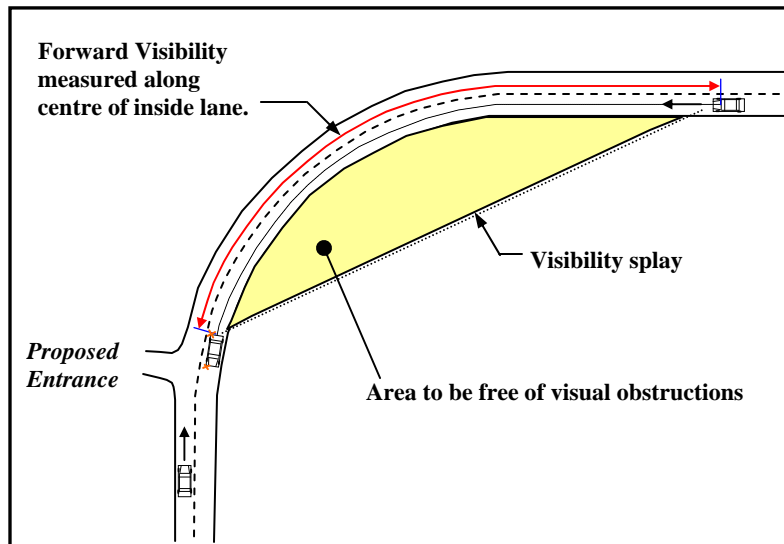


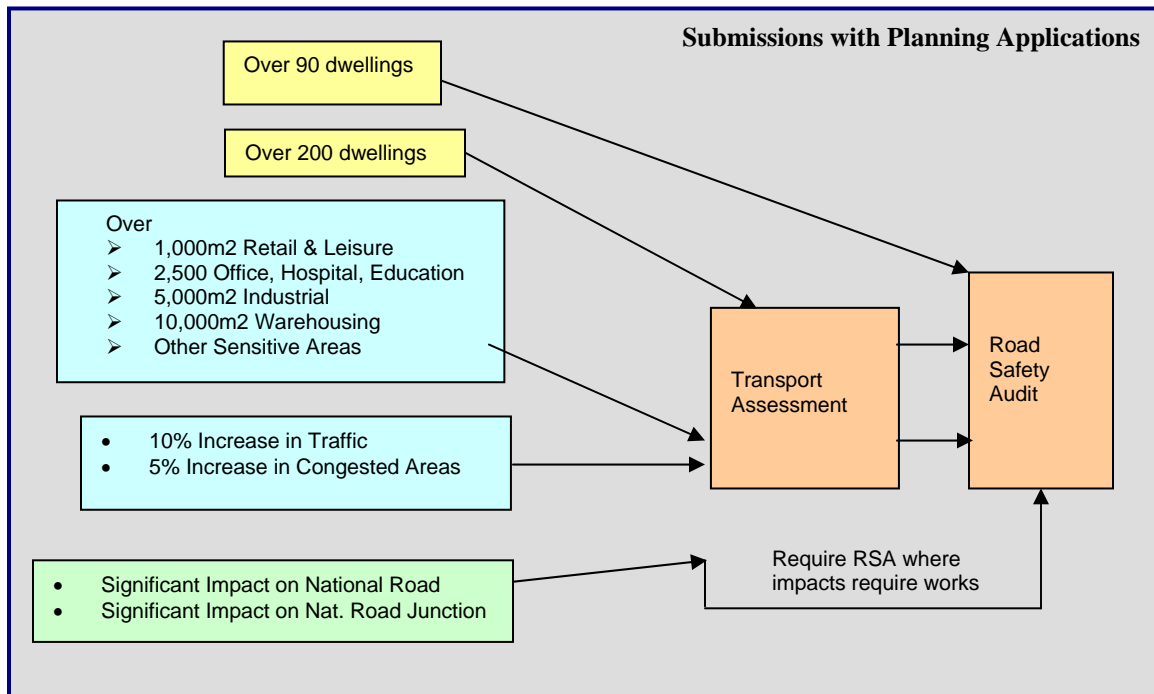
Figure 9.2 Forward Visibility Requirements

Proposals for developments with access from roads that are insufficient in width to cater for passing vehicular traffic will be required to upgrade the width/alignment of the lane or provide passing bays. Any such upgrade or passing bays will be required to be a minimum of 6 metres in width while the separation distances between passing bays will be dependent on the alignment of the road and other local conditions. All such development proposals will be considered on a case by case basis having regard to the anticipated traffic generated by the proposal and the volume and type of traffic using the road and shall be subject to the agreement of the landowner(s) on the lane²⁵.

²⁵ Details of landowner(s) agreement to be submitted as part of the planning application.

Where certain types of large-scale developments are proposed, the Council will require traffic and transport assessment in accordance with recommendation from the National Roads Authority (NRA) (Policy INF 2). Further details of these can be obtained from the NRA Design Manual for Roads and Bridges (HD 19/01 Road Safety Audits) (HA 42/01 Road Safety Audit Guidelines) and the NRA Traffic and Transport Assessment Guidelines 2007. Thresholds for development types and sizes, which may be subject to these requirements, are set out in the Traffic Management Guidelines 2003. In particular the Council will insist on the satisfactory completion of stage 1, 2 and 3 Road Safety Audits.

Figure 9.3 Traffic and Transport Assessment



9.11 Open Space Requirements

Private open space for all residential developments shall, as a minimum, conform to the standards set out in the Residential Density Guidelines for Planning Authorities 1999 (DoEHLG) as amended noting that the Council reserves the right to seek increases in open space provision as appropriate. For development proposing four or more residential units a minimum of 15% of the site area shall be reserved and set out as useable²⁶ public open space. The schedule set out in Table 9.4 below indicates the extent of community facilities required per head of population for each respective development. In deciding on the extent and type of facilities to be provided, the developer(s) will be required to consult with the Council to ensure the optimum benefit is obtained from the amenity facilities to be provided as part of the development. In calculating the area of open space required, the Planning Authority will be guided by the standards contained in the Sustainable Residential Development in Urban Areas Guidelines for Local Authorities December 2008 (Sections 4.14 – 4.20) (DoEHLG) or any amendments thereto.

²⁶ No account will be taken of incidental open space such as grass margins, left over areas or areas that due to nature or topography are deemed unsuitable for play.

In addition, where development is proposed which is subject to Part V of the Planning and Development Acts 2000 - 2007 and which is bounded by undeveloped residentially zoned land, the Council will require the developer to consult with the neighbouring land owner in order to put forward a proposal to assemble amenity and open space areas in order to provide large multi-purpose amenity areas (e.g. parkland and playing pitches) in addition to small incidental open spaces within individual housing schemes. Developers should also have regard to the specific objectives identified for each settlement as set out in Appendix 13 (Volume Three).

The Council will seek the provision and suitable management in accordance with the South Tipperary County Council Play Policy 2003 (as may be amended or reviewed) of Local Areas for Play and Local Equipped Areas for Play in new housing estates and to implement measures to find suitable sites for their provision in existing residential areas. These shall be provided as follows unless the South Tipperary County Council Play Policy 2003 is amended or reviewed to necessitate alternative standards/requirements:

Local Areas for Play: LAPs are small areas (approximately 100 sqm) of unserviced play space located within 1-minute walking time (60m) of houses.

Local Equipped Areas for Play: LEAPs are unsupervised play areas for 4-8 year old children located within 5-minutes walking time (240m) of houses. The area will provide at least five types of play equipment with seating for adults. The surface shall be of grass, bark chip or rubber carpet. Fencing will allow supervision from nearby houses. The Council will require LEAPs to be provided at locations that are accessible by the wider community.

Table 9.4 below identifies the minimum quantity and type of open space facility required depending on the number of dwellings in any settlement. Developers will be required to have regard to these requirements in preparation of the Development Impact Statement and will be required to contribute to the provision of open space facilities as set out hereunder either by way of contribution, direct provision or a combination of the two in agreement with the Planning Department.

Table 9.4 Recreational Facility Requirements		
Cumulative Number of Units	Total Dwelling Units	Minimum Quantity and Type of Facility Required
25	-50	Open space 2.8 hectares per 1,000 persons. A minimum of 0.25 hectares to be provided.
51	-100	Public open space to include: A neighbourhood play area incorporating a local equipped area of play. If a suitable local equipped area of play is already provided within the settlement then a multiple use games area is to be provided.
101	-150	Equipped public open space to include: One full size grass pitch; One local equipped area of play; One court multi-use games area with Community/Club Association.

151-300	Public open space to include: One full sized grass sports pitch; One district play area or one local play area and additional neighbourhood play area; One court multi-use games area; Two tennis courts or appropriate alternative based on community requirements; One community/leisure building including full sized badminton/basketball court, meeting and facilitation rooms with Community/Club Association.
300 plus	Equipped public open space to include: Two full sized grass sports pitches; One district play area or one local play area and additional neighbourhood play area; One court multi-use games area; Two tennis courts or appropriate alternative based on community requirements; One community/leisure building including full sized badminton/basketball court, meeting and facilitation rooms with Community/Club Association.

9.12 Waste Water Treatment Infrastructure

Many of the settlements in South Tipperary have existing waste water treatment systems that have capacity or may require upgrading. Other settlements do not have existing wastewater treatment systems (refer to Appendix 13 Volume Three for details on each settlement). Therefore, the expansion of the settlements in South Tipperary may require the construction or upgrading of waste water treatment plants and the Council would advise developers to enter into pre-planning discussions with the Water Services, Environment and Planning Sections of 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.

9.12.1 District Service Centres

The Council will prioritise investment in the upgrading of waste water treatment facilities in District Service Centres. Where development is proposed prior to the implementation of upgrading works, the council will require developers to comply with Option 1 or 2 as set out below.

Option 1: The developer will pay 100% of the cost of the upgrade of the existing facility where this is possible for use by the development. Option 1(b) would provide the opportunity for a developer to finance the upgrade of the facility but the Council would cover the marginal cost of that aspect which was over and above the developers requirements. However; the developer is required to frontload and carry the full 100% cost initially and be reimbursed through development contributions as and when subsequent development occurs.

Option 2: This option will be appropriate where Option 1 is considered impractical by the Council and where the size of the development will not cause any detrimental effects on the operation of the municipal waste water treatment plant or on the quality of receiving waters. A temporary treatment facility would be considered for development where the effluent was treated on site to an agreed standard and then disposed of through the networks to the Council's system. The temporary waste water treatment plant would be decommissioned by the developer and removed from the site once the new upgraded municipal facility was provided. There will also be a limit placed on the number of temporary treatment plants in any one settlement and the developer must also provide for eventual connection to the municipal facility. The developer will pay the full standard development contribution. The developer would maintain the treatment facility until decommissioning takes place and may be subject to licence or legal arrangement.

9.12.2 Local Service Centres/Settlement Nodes

Within Local Service Centres/Settlement Nodes the Council will facilitate appropriate sustainable development by requiring developers to provide enabling waste water treatment infrastructure for a proposed development subject to the agreement of the Council. The provision of waste water treatment plants (wwtp) shall be as follows:

- (i) Where there is an existing facility, the developer will upgrade and consolidate this facility where possible or cover the cost of same; or,
- (ii) Where no existing facility exists and/or where the existing facility is not at the optimum location (not operating satisfactorily and not reasonably possible to make it so) the developer will locate the wwtp on a site identified and/or purchased by the Council or on a site which meets the necessary standards as set out by the Council where no site is purchased.

In all cases the wwtp shall be capable of servicing the proposed development and the existing and future requirements of the settlement and of being upgraded in the future by the Council where required. The developer is advised to have proposals agreed with the Water Services, Environment and Planning Sections of the Council prior to making any planning application and submit evidence of same with the planning application. The Council will also require the developer to enter a contract providing ownership of the wwtp site to the Council, along with necessary way leaves and other rights of way required to operate the facility.

Where development is proposed adjacent to a waste water treatment plant site; set back distances will be required from the plant itself in order to minimise impact on the user(s) of the proposed development. Such set back distances will be dependant on the size or potential size of the waste water treatment plant (in terms of person equivalent) and the proposed use. The Environment and Water Services sections of the Council should be contacted for site specific guidance.

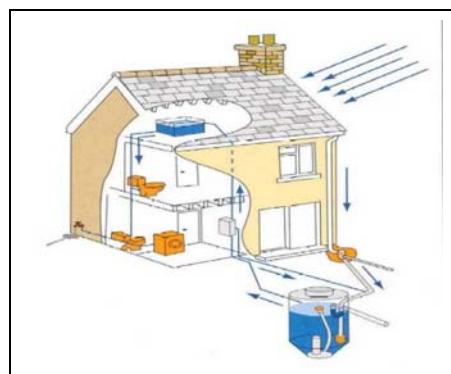
Where the development of single houses is proposed outside of the identified settlement centres, the Council will require the developer(s) to provide an on site waste water treatment system, designed, installed and operated in compliance with Environmental Protection Agency (EPA) Codes of Practice in force at the time.

9.13 Construction and Demolition Waste

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 reduced, reused and recycled 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 submission of a waste management plan for the construction phase of the development for the written agreement of the Council, which shall be in compliance with the EPA Best Practice Guidelines on the Preparation of Waste Management Plans for Construction & Demolition Projects.

9.14 Reuse of Surface Water

Toilets, washing machines and outdoor use (watering plants, washing cars, etc) can account for up to 50% of domestic water consumption. Correctly collected and stored, rainwater can meet all these requirements without further treatment. The simplest rainwater collection method is the garden water butt that can collect and store surface water from roof surfaces and allow this to be reused for external use. These systems are very appropriate and economical solutions for existing buildings. Household rainwater systems are, however, more sophisticated and are best suited to new build developments.



There are two main types of systems in use i.e. header tank systems and direct pumped systems, the former utilising a gravity feed to power all applications. While there is no provision for these systems in the current building regulations, the Council, in granting permission will require surface water reuse in all new developments and will seek design solutions that provide for collection, recycling and reuse of surface water to meet the non-potable needs of the proposed development. Benefits accrued from the use of these systems are particularly relevant for large scale commercial/industrial users leading to reduced bills for metered water supply taking cognisance of the large roof surfaces available to collect rainwater.

9.15 Waste Maceration

The use of maceration units increases the organic load discharged from residential development by up to 30%. For commercial developments such as restaurants, hotels, etc, this figure can exceed 50%. The Council will therefore discourage the use of under the sink and other waste maceration units for household and other organic waste where discharge to the public sewer is proposed. Where a private waste water system systems are proposed the developer should ensure that the system is designed to accommodate the additional load.

Furthermore, where planning permission has been granted for development which does not propose the use of such maceration units and the units are subsequently installed, the council will consider their use to be unacceptable due to the additional unanticipated loading placed on the public sewer network on the basis that this gives rise to new or fresh planning issues. Taking cognisance of these factors the Council will take enforcement action against any development where the unauthorised use of maceration units has been established.

9.16 Petrol Filling and Service Stations

The traditional role of filling stations is expanding to include the provision of general convenience retail and sometimes delicatessen. Petrol filling stations can provide a wide range of retail goods in an associated shop. While the important role of such provision is recognised, such shops shall, in general, remain secondary to the use as a filling station. The Retail Planning Guidelines 2005 stipulates that generally the maximum net retail floor space shall not exceed 100sqm. Where floor areas in excess of this figure are proposed, the development shall be subject to the retail sequential test approach.

The Council will facilitate new filling stations or redevelopment of existing stations on appropriately zoned land where they comply with the following:

- (i) The proposed development is within a settlement boundary or the 50 kph or 60kph speed limits as appropriate,
- (ii) The proposed development is in accordance with land use zoning objectives;
- (iii) The net retail sales area does not exceed 100 sqm or detracts from the viability of the settlement centre;
- (iv) The proposed development complies with the requirements of the Retail Strategy and the Retail Planning Guidelines 2005 (DoEHLG), or amendments thereto; and,

The Council will require compliance with the requirements of S.I. 311 of the 1979 Dangerous Substances (Retail and Private Petroleum Stores Regulations), Building Regulations 2000 and the following:

- (i) A minimum of frontage of 30m within a 50 kph area and 45m in other speed limit areas;
- (ii) A minimum distance of 7m from the pump island to the road boundary;
- (iii) Two access points, between 7-9m wide, with a minimum junction radius of 10.7m;
- (iv) A minimum distance of 50m from entrance to nearest major junction and 25m to nearest minor junction;
- (v) A footpath of 2m wide with 0.5m high wall along the front boundary;
- (vi) A petrol/oil interceptor to the surface water drainage;
- (vii) Adequate facilities for storage of refuse and waste on site;
- (viii) A scheme of landscaping;

- (ix) Any associated retail unit shall cater for motor related goods, and ancillary convenience type shops limited to a floor area not exceeding 100 square metres gross. An associated workshop may be permitted where there is no adverse effect on the amenities of the area.

The Council will discourage car wash facilities in unserved areas and new filling stations outside speed limits and rural locations unless there are robust planning reasons that support isolated rural communities.

9.17 Industrial Developments

Table 9.5 below sets out the minimum standards for light and general industrial developments.

Table 9.5 Minimum Standards for Industrial Developments	
Access	Single access to multi-unit developments. Access roads shall have a minimum carriageway width of 7.5m with 1.3m wide grass strip and 2m wide footpath(s).
Site Layouts	Adequate space shall be provided for the loading and unloading of goods and the manoeuvring of vehicles within the site. Turning space for 15 metre articulated vehicles and 9 metre fixed axle vehicles. Building line set back of at least 12 metres from estate roadside boundaries.
Fencing & Landscaping	A comprehensive landscape plan providing for a suitable landscaping scheme including details of boundary treatment and planting shall accompany applications. Existing trees and hedgerows shall be incorporated where practicable and new planting shall utilise trees and shrubs that are indigenous to the area. All services shall be laid underground.
Use	Full details of the proposed use, including industrial processes involved, any toxic materials, chemicals or solvents used, shall be submitted with the planning application if known. Changes in use may require the grant of a new planning permission in accordance with the Planning & Development Regulations 2001 (as amended).
Storage of Goods & Fuels	Goods, including raw materials, manufactured goods, packaging, crates etc., shall be stored or displayed only within the enclosed factory or industrial unit area behind the front building line. All over-ground oil, chemical storage tanks shall be adequately bunded to protect against spillage. Provide adequate storage to facilitate the segregation & storage of waste materials at source.
Signage	Within the curtilage of industrial estates, signage shall be restricted to a single sign identifying all occupiers of the site at the entrance and to fingerpost signs at junctions throughout the estate where the Council considers such necessary.

9.18 Industrial and Enterprise/Employment use in the Open Countryside

Such economic activities can conflict with the rural amenities of certain locations and as such the Council will encourage employment/industrial uses into served settlements throughout the county. However, the Council may, in exceptional circumstances, facilitate such development in the open countryside where the following criteria are met:

- (i) There are robust planning reasons and intrinsic links between the proposed development and its location;
- (ii) The proposed development is a new start-up enterprise or an appropriate expansion of an existing authorised use;
- (iii) The proposal does not impact adversely on traffic safety and environmental quality;
- (iv) The proposal is accompanied by a robust business plan;
- (v) The proposal is compatible with the neighbouring land uses; and,
- (vi) The proposed building/use would not detract from the rural character of the landscape.

All proposals will be required to demonstrate the full extent of anticipated development (including any ancillary development) on the site as over-development of inappropriate employment/industrial uses in the open countryside will not be permitted. In all cases the onus will be on the developer to demonstrate that exceptional circumstances exist and should liaise with the County Enterprise Board when developing proposals.

Where small-scale employment activity such as tele-cottages, eco-projects and agri-tourist projects need to locate in the open countryside, the Council will facilitate same provided that such development:

- (i) Is a conversion of an existing building or a new building which visually enhances its setting and is ancillary to the existing residential element/use;
- (ii) Does not detract from the rural character of the landscape or protected views; and,
- (iii) Generally has no more than one person engaged/employed in the activity.

9.19 Tourism activities and ancillary development

Chapter 5 identifies the need to provide for tourism activities in a sustainable manner in order to protect amenities from inappropriate development. In general it is considered that tourism related developments should be provided in settlements in order to maximise the service base and “value-added” potential.

In exceptional circumstances the Council will consider the provision of tourist activities outside settlements subject to the proposed tourist development being based on an Integrated Sustainable Tourism Plan directly linked to, and singularly operated by a major tourism facility such as a golf course, hotel, equestrian tourist venture or a combination of such facilities. Tourist accommodation will be ancillary to and necessary to support the new use on the site and will ensure that the rural landscape and environmental quality of the area is maintained.

9.20 Forestry

The Council will ensure that all afforestation is carried out in compliance with the Code of Best Forest Practice - Ireland (2000) as produced by the Department of Communication, Energy and Natural Resources and to monitor forestry against impacts on the following:

- (i) Designated views, Primary and Secondary Amenity Areas and exposed/elevated landscapes;
- (ii) Archaeological and historic monuments/sites, NHA's, SAC's, Geological Sites;
- (iii) Marginal land with high biodiversity, and
- (iv) Groundwater source protection areas.

As initial afforestation is exempt under Class 15, Part 3, Schedule 1 of the Planning and Development Regulations 2001 - 2008, the Council shall, through its consultative role, seek to implement the following guidelines:

- The use of geometric shapes, particularly on uplands, shall be avoided.
- The edge of the afforestation shall relate to landscape features and not to contours or straight lines.
- Variety of species is important and a minimum of 50% hardwood should be incorporated.
- The convergence of forest edge and the skyline shall be avoided.
- Afforestation shall be set back from roads and not impact on distant or protected views.
- An assessment shall be carried out on potential impact on adjacent or nearby watercourses and designated habitats.

9.21 Agriculture Development

Any farm or industrial yards must make adequate provision for run-off. Where there is a danger of groundwater or surface water contamination the council will require treatment of run-off. The council will encourage the use of constructed wetlands for such purposes, where such a constructed wetland will be suitable. The Council will require that any such wetland is designed, constructed, operated and monitored to the appropriate scientific and engineering standards. The construction of wetlands are subject to planning permission, and effluent discharge licences under the Local Government (Water Pollution) Acts.

Proposals for both intensive and non-intensive farming practice(s) must provide adequate storage for effluent.

New buildings should:

- Avoid breaking the skyline
- The colour of buildings should help assimilate buildings into the landscape – dark brown, dark green and roofs darker in shade to walls
- Use existing landscape and hedgerow cover to screen buildings

Sometimes conflicts can arise between established farmers and agricultural practices and new residents to a rural area. For example, persons who reside in the open countryside must recognise that agriculture is the prevailing land use in rural South Tipperary and must accept that standard agricultural practices, including the land spreading of slurry, occur on a regular basis.

The Council will have regard to Teagasc guidelines on good farming practice, and will endeavour to ensure that where new applications for rural homes are granted or are minded to be granted, the prospective new residents to a rural area are advised that agricultural practices are likely to be carried out in this area.

Please note that the erection of fencing in any land habitually open to or used by the public for recreational purposes or as a means of access, requires a grant of planning permission under the Planning and Development Acts 2000-2007.

9.22 Shopfronts

The shopfronts of South Tipperary form an important architectural feature within the county's towns and villages. The variety of different shop designs and finishes contribute to the identity and character of our settlements.

Planning applications for new shopfronts will be considered on their own merits and of importance will be the sympathetic integration of the proposal into its setting. In general, the design of new shopfronts should have regard to the Guidelines set out in Appendix 2 Section 3.0. The external fitting of security shutters does not constitute exempt development and can affect the character and appearance of the property to which they are fitted and the overall streetscape. Therefore the Council will seek alternative proposals for security shutters, which meet the requirements of the developer and the Council.

9.23 Advertising Structures and Signs

Advertisement signs should be sensitively designed and not be excessive in terms of scale, size and number. In particular, free-standing advertisements on forecourts, signs or advertisements above fascia level, and more than one projecting sign per commercial/retail unit need careful design and consideration. The Council will discourage excessive advertisements in any designated Architectural Conservation Area or on a Protected Structure. Illuminated box signs are particularly inappropriate in these areas and on such buildings. The Council also recognises the importance of providing appropriate tourist signage from national routes and motorways and will facilitate same subject to compliance with the policies of the County Development Plan and the technical satisfaction of the National Roads Authority.

The Council will facilitate advertising and support structures where the following criteria are met:

- (i) The proposed development would not detract from the visual appearance of a building, a Protected Structure or the character of the an Architectural Conservation Area or settlement centre by reason of size, siting, design, materials or illumination; and,
- (ii) The proposed development would not adversely affect public/traffic safety; and,
- (iii) The proposed development is appropriate in terms of scale and mass to the principal structure and its use.

9.24 Retaining Retail Function in Settlement Centres

The Council will seek to maintain main shopping areas of Primary, Secondary and larger District Centres free from inappropriate development that would reduce the vitality, viability or amenity of the centre or give rise to noise, odour and litter, and cause disturbance to nearby residents.

9.25 Taking in Charge

The Council will require by condition attached to a grant of planning permission the submission of "as constructed" drawings on any grant of planning permission for multi-unit, medium and large scale developments. Such details shall be submitted in both hard copy and digital format and will be required in order to ensure satisfactory compliance with the development management standards and the conditions of the relevant planning permission. Sub surface infrastructure and networks will not be taken in charge and no bonds will be returned prior to the submission of these documents for the written agreement of the Council. Such documents will be required to be submitted as soon as possible following completion of construction.

9.26 Archaeology

Permitted developments located within the Zone of Archaeological Potential and/or within close proximity to Recorded Monuments may be required as part of the planning application process or by condition on a grant of permission to carry out archaeological assessment, monitoring, testing or excavation within the area covered by the application/permission, either prior to the planning decision or prior to any development works proceeding on the site following the grant of planning permission. The Council, as a condition on such developments, may also consider the preservation of all or part of the archaeological remains in the area covered by the permission. Each planning application for development within the Zone of Archaeological Potential and within close proximity to recorded archaeological sites shall be assessed on its own merits.

- (i) An archaeological assessment shall establish the extent of archaeological material associated with the monument or site. This assessment shall also define the buffer area or area contiguous with the monument which will preserve the setting and visual amenity of the site.
- (ii) The area of the monument and buffer shall not be included as part of the open space requirement demanded of a specific development but shall be additional to the required open space.
- (iii) If a monument or place included in the RMP lies within the open space requirement of a development, a conservation plan for that monument is required as part of the landscape plan for that proposed open space.
- (iv) Shall a monument or site included in the RMP be incorporated into a development the monument and attendant buffer area shall be ceded to Local Authority Ownership once the development and associated landscaping works are complete so that the future protection of the monument can be assured.

9.27 External Lighting

The lighting and illumination of buildings can have an effect on the surrounding environment and especially impact on residential, amenity, visual amenity, public and traffic safety. Lighting proposals should consider the following:

- (i) The illumination scheme would not have a detrimental impact on residential or visual amenity;
- (ii) Ensure that all lighting and related equipment is so positioned that it will not interfere with or

- have an otherwise negative impact upon traffic and pedestrian safety and/or flow.
- (iii) Incorporate motion sensors, solar power and low wattage units in external lighting schemes so as to appropriately limit the energy used in the development.

A detailed study may be required prior to a grant of planning permission in order to outline probable significant impacts and suggest mitigating measures. The Council will have regard to the guidelines outlined in the E.S.B. booklet "Public Lighting in Residential Estates", the relevant Building Regulations and any other applicable legislation and guidance which pertains at time of granting planning permission.

9.28 Noise Levels

The generation of noise in the community can have undesirable effects on residential areas and the community at large. Noise emissions from specific activities are controlled by the Environmental Protection Agency through Integrated Pollution Prevention Control licensing and Waste licensing (refer to the Guidance Notes for Noise In Relation To Scheduled Activities 2006 (EPA)). The Environmental Noise Directive (END) (2002/49/EC) relates to noise from industries, road, rail & air traffic and requires authorities to assess and manage noise from these sources. The Directive mainly addresses noise emitted by a range of transport sources (road, rail, and air traffic), although the definition of 'environmental noise' includes noise from industrial sites. Where planning applications are submitted in close proximity to the national road network (both proposed and existing) and would result in a breach of the NRA's design goal for sensitive receptors exposed to road traffic noise, the developer shall identify and propose noise mitigation measures within the zone of influence. In this regard the developer should refer to the Environment Noise Regulations 2006. The cost of implementing mitigation measures shall be borne by the developer.

9.29 Satellite Dishes

Satellite dishes and telecommunications apparatus are now a regular sight on buildings and other structures in towns and villages and can affect the character and appearance of historic buildings and important townscapes. Some satellite dishes may be erected as exempted development under the Planning and Development Regulations, 2001 (as amended). Where planning permission is required to erect satellite dishes, special consideration will be given to:

- (i) Protected Structures where the special character may be harmed;
- (ii) On the front or side of buildings in an ACA; and,
- (iii) In locations where they would cause unacceptable harm to the visual amenities of the area.

On multi occupancy buildings such as apartment blocks, office blocks etc, the Council will permit one single dish only which should be for communal use.

9.30 Parking and Loading

Table 9.6 sets out the Council's car parking requirements. In addition to the general car parking standards required, service bays may also be required. Within settlement centres the Council will require the provision of off street car parking as part of new developments. The number of service parking bays will depend on the nature of the proposed business, and will be determined by the Council on a case by case basis. Where the developer is unable to meet the requirements relating to car parking, a contribution, commensurate with the shortfall in spaces, shall be paid to the Council to facilitate the provision of car parking facilities elsewhere.

Car parking shall be located, where possible, behind established building lines in the interest of good streetscape. Where parking is proposed to the front of a building, it is important that planting and/or boundary walls/railings are used to maintain the visual appearance of the area. In settlement centre mixed-use development proposals, consideration will be given to dual parking where peak times do not coincide. Where parking is associated with late night uses such as places of entertainment, car parking shall be sited so as to reduce noise disturbance to adjoining residents to a reasonable level.

The following design dimensions shall apply and all parking facilities shall secure and be subject to passive supervision:

1. Each car space shall be 4.8m x 2.5m with 6.1m wide circulation aisles;
2. Loading bays shall be generally 9m x 5m (but at least 6m x 3m), and
3. Disabled spaces shall be 3m wide, with a one space per 20 provision.

Table 9.6 Car Parking Standards		
Land-use	Operational Standards	Non-Operational Standards
Cinema	4 spaces	1 space per 3 seats
Bars/Restaurant	0.5 space per staff member	1 space per 15 sqm public area
Clinics/Surgeries	1 space per staff member	2 spaces per consulting room
Caravan Park	1 space per staff member	2 space per unit of accommodation
Crèches	1 space per staff member	1 space per 4 children
Dance halls/Discos	0.5 space per staff member	1 space per 10 sqm.
Dwelling (up to 2 bedrooms)	Nil	1 space(s) per dwelling unit
Dwelling (3 bedrooms or more)	Nil	2 spaces per unit
Multi Residential Unit Development	2 visitor spaces per 5 dwelling units	1 space per 1 or 2 bed unit 2 spaces per 3 bed + unit
Golf courses	0.5 space per staff member	4 spaces per hole
Hotel/Motel/Guest House	0.5 space per staff member	1 space for every 2 bed spaces
Leisure Centre	0.5 space per staff member	1 space per 50 sqm.
Light Industry		1 space per 35 sqm plus 1 HGC space
Manufacturing	0.5 space per staff member	1 space per 35 sqm plus 1 HGV space
Nursing Homes	1 space per staff member	1 space per 4 residents
Offices	0.5 space per staff member	1 space per 35 sqm.
Retail Shops/Supermarkets	0.5 space per staff member	1 space per 20 sqm.
Retail Warehousing	1 space per staff member	1 space per 35 sqm.
Science & Technology Based Enterprises/Business Park	1 space per staff member	1 space per 25 sqm.
Warehousing	1 space per staff member	1 space per 100 sqm.
Other	Individual assessment	Individual assessment

The provision of circulation and designated loading space will be assessed on a case by case basis depending on the nature and scale of the proposed use. The Council will require that secure and covered cycle parking facilities of 10% of total car parking space requirements are provided for new office, industrial and commercial uses.

9.31 Landuse Zoning Objectives

The purpose of land-use zoning is to indicate the development management objectives of the Council for all zoned lands within the County Development Plan boundary. This ensures that development is guided towards the right location and enhances both commercial stability and the environment of the county.

Nine such zones are indicated in this development plan and are set out in Table 9.7. The Land-Use Zoning Matrix is intended as a general guideline in assessing the acceptability or otherwise of development proposals, although the listed uses are not exhaustive. Factors such as density, height, massing, traffic generation, public health, design criteria, visual amenity, and potential nuisance by way of noise, odour and pollution are also significant and relevant to the proper planning and development of the area.

Table 9.7 Key to Development Plan Zoning Objectives	
Zone	Objective
VC	To preserve, enhance and/or provide for village centre facilities. Proposals for development on lands zoned for Town or Village Centre are to comprise of mixed use developments consisting of a combination of retail, office, service, community and/or residential uses.
R1	To preserve and enhance existing residential amenity, ensuring that any new development does not result in excessive overlooking of existing residential properties, does not reduce general safety for existing residents and does not reduce the usability and security of existing public and private open space.
R2	To provide for low density new residential development. Proposals for development on lands zoned for low density new residential shall provide for a range of housing types, sizes and finishes. Proposals may include cluster developments, serviced sites, large plot sizes, extendable dwellings and executive style housing. As a guide, low density housing provides for an average of 10 units/hectare (4 units/acre).
R3	To provide for medium density new residential development. Proposals for development on lands zoned for medium density new residential shall provide for a range of housing types, sizes and finishes. As a guide, medium density housing provides for an average of 25 units/hectare (10 units/acre).
LI	To provide for light industrial and related uses
GI	To provide for general industrial and related uses
A	To provide open spaces and amenity uses .
SP	To protect and provide for social and public facilities including education, religious and community uses.
Ag	To provide for agricultural needs and to protect and enhance rural amenity.

Appendix 1 lists the land-use activities referred to under each zoning objective. It indicates the acceptability or otherwise (in principle) of the specified land-uses in each zone.

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