

# Chapter 7:

## *Design Guidelines and General Standard*

### ***Main Sections in this Chapter***

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5. INFILL DEVELOPMENT
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8. CHILDCARE FACILITIES
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## 7.0 Introduction

Development control is a statutory process, and there is an obligation on the Council to ensure that permissions granted under the Planning Acts are consistent with the policies and objectives in the Development Plan. This part of the Plan deals with the planning standards and design criteria, which will be applied by the Town Council to development proposals within the Plan Area (see Zoning Map).

This section sets out the main guidelines in respect of the control of development and is compatible with chapter 8 of the County Development Plan 2004. There is provision for a degree of flexibility, which will apply where proposed development is otherwise consistent with proper planning and development and the following development control standards.

In respect of development proposals in the Architectural Conservation Area (ACA), the Council apply the design standard set out in the Architectural Conservation Area Design Statement (Appendix 4) in addition to the following development control standards.

### 7.1 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 control have been committed.

Contraventions of planning law undermine the successful implementation of the Council's policies and are unfair on those who have abided by planning controls.

The Council will take enforcement action whenever it is expedient to do so, having regard to the policies in this Plan and other material considerations.

### 7.2 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 and car parking.

The Council have prepared Development Contribution Schemes under Section 48 of the Planning and Development Act, 2000. These set out the contributions required in Nenagh and environs in respect of the provision of public infrastructure and facilities.

### 7.3 Land-Use Zoning Objectives

The purpose of land-use zoning is to indicate the planning control objectives of the Council. This ensures that

development is guided towards the right location and enhances both commercial stability and the environment of the town.

The use-class Matrix is intended as a general guideline in assessing the acceptability or otherwise of development proposals, although the listed uses are not exhaustive. However, they relate only to land-use, factors such as density, height, massing, traffic generation, public health, design criteria and 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.

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

### 7.4 Design Considerations

The Council will seek to ensure that all development, whether new-build, redevelopment or renovation, will be undertaken so as to enhance the living environment and appearance of the town.

Design considerations will vary depending on the location of the proposed development. However, design proposals particularly in the Conservation Area, will be examined under the following headings:

**Layout/Density**  
**Building Line**  
**Height and Mass**  
**Materials and Colour**  
**Amenity and**  
**Access**

### 7.5 Infill development

The central area of a town by its very nature generates economic activity of all sorts, which in turn creates pressures for physical changes. It is the aim of the Council to cope with these changes in a positive way, while protecting the intrinsic merits of the town, particularly within the ACA.

Good infill development does not necessarily imply an exact copy of what was there before or what the adjacent buildings are like. It is, however, important that the overall building lines and heights are retained. Proposed infill development within the ACA will be assessed against the guidance set out in the Conservation Area Design Statement in Appendix 4.

### 7.6 Access for the Disabled

In the design of buildings to which the public could be expected to have frequent access, special consideration will be given to the accommodation of people with disabilities in accordance with the requirements of Part M of the Building Regulations, 2000 and the advice set out in Buildings for Everyone (1998) as issued by the National Rehabilitation

Board. Regard must also be given to the Disability bill currently in the Oireachtas, which will require disability access for all local authority buildings.

## 7.7 Residential dwellings

It is the aim of the Council that residential new-build, redevelopment or extension should relate generally to the surrounding urban form and land-use. This does not mitigate against designs which are contemporary or unique, but simply that new development should endeavour to contribute to sense of place and environmental quality.

Development proposals within the ACA shall be assessed against the guidelines contained in the Conservation Area Design Statement.

### 7.7.1 Residential density/plot ratios in new development

The Council does not wish to set minimum or maximum residential densities, but to seek efficient and sustainable development on all residential zoned land. However, the Council will apply the guidelines contained in the Residential Density- Guidelines for Planning Authorities (DoEHLG, 1996), as amended.

Plot ratios will be influenced by general planning standards and Section 5.2 of Residential Density – Guidelines for Planning Authorities (DoEHLG, 1999).

However, the following general guidelines will apply:

#### Central Urban Areas:

To follow established densities, or create new streetscapes or courtyard type development, only in exceptional circumstances will single houses on enclosed sites be accepted:

#### Urban Fringe:

20-50 units per ha (8-20 per acre).

#### Low Density:

15-20 units per ha (6-8 per acre).

#### Serviced Sites:

15-20 units per ha (6-8 per acre).

#### Infill:

Good infill development does not necessarily imply an exact copy of what was there before or what the adjacent buildings are like. It is, however, important that the overall building lines and heights are retained.

#### Residential Estate Names:

It is an objective of the Council to take account of local distinctiveness and character and use the Irish language where possible or appropriate in agreeing the names of new streets and residential estates.

#### Sub-division of dwellings/plots:

Many older town dwellings are on large plots. Proposals for the subdivision of the houses or plots will need to conform to the following:

- Off-street parking of 1-space per unit
- Minimum of 60 sq. m private open space for 3-bed units or more and 48 sq. m for 1-2 bed units. There should also be a public open space provision of 20 sq. m per person or 15% of the site area, except in exceptional circumstances.
- A minimum distance of 22m between opposing first floor windows. However, this may be reduced where good design provides for privacy.
- Backland sites will only be considered where the above guidelines can be met.
- Have regard to the amenity of adjoining properties.

#### Light Pollution:

The Council will seek to minimise light pollution, particularly in rural areas. Lighting required for security and working purposes must be designed in a manner that will not detract from the rural character or amenities of the area. There is an increased tendency to illuminate buildings to an excessive degree, particularly in the rural locations around the town. Lighting will be confined by planning conditions to that which is deemed appropriate as part of a planning application and any additional lighting will be confined to low-level only.

### 7.7.2 Low Density Residential, Serviced Sites

The Town Council has designated areas of land specifically for low density housing. This policy is designed to meet a number of existing requirements, including:

- (i) counteracting the demand for urban generated houses in rural areas;
- (ii) opportunities for self build through serviced sites;
- (iii) demand for large plots and large housing units.

Development in areas zoned for such development will be required to provide open space and social infrastructure as required under general zoning. Requirements under Part V will also need to be met.

The layout of these areas will be 6-8 houses to the acre and will be sufficiently widely spaced to allow existing and new landscape to dominate. Boundaries will be of hedge rows and concrete boundaries will be resisted. The overall character of these areas will reflect arcadian principles with a rural character. Design briefs will be required as part of all planning applications.

### 7.7.3 Extensions to Dwellings

The Council will seek to implement the following guidelines in respect of residential extensions:

1. The extension should generally be subordinate to the main building.
2. The form and design should integrate with the main building, following window proportions, detailing and finishes, including texture, materials and colour.

3. A pitched roof will be required except on some small single storey extensions.
4. Designs should have regard for the amenities of the neighboring residents, in terms of light privacy.
5. Dormer windows should be subordinate in design, set back from the eaves line and built to match the existing roof.
6. The ground floor of the extension will be required to be accessible to all users.

## 7.8 Childcare facilities

The Planning Authority will take into account the provisions of the Childcare Facilities: Guidelines for Planning Authorities (2000). In assessing applications for childcare facilities in existing residential business areas, the Local Authority will look favourably on proposals that protect the character and amenities of the area and provide for high quality childcare facilities.

## 7.9 Open space requirements

### 7.9.1 Public Open Space

The Council will consider each planning application on its merits, considering density, house type and occupancy, location and the general quality of development. However, as a guide the Council will seek a minimum of 15% of gross site area as open space. In calculating the area of open space required, the Planning Authority will be guided by the standards contained in 5.7 and 5.8 of Residential Density – Guidelines for Planning Authorities (DoELG, 1999) as contained in the following table.

Minimum Open Space Requirements	
Type of Open Space	Ha per 1,000 people
Children's Play Space	0.7
Sports Grounds	1.7
General use	0.4
<b>Total</b>	<b>2.8</b>

### Local Areas for Play:

LAPs are small areas (approximately 100 sq. m) of unserviced play space located within 1-minute walking time (60m) of houses. These areas cater for 4-6 year old children with a limited amount of static play equipment provided. Surface will be grassed. The area should be fenced with a gate to prevent dogs accessing the site, but designed to enable visibility from adjacent areas and nearby housing.

### 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 should be of grass, bark chip or rubber carpet. Low fencing will allow supervision from nearby houses.

The Council may consider accepting financial contributions in lieu of actual provision, in order to improve the quality of existing open space or development of new public space.

### 7.9.2 Private Open Space

A minimum of 48 sq. m private open space will be required for 1-2 bed units. Each subsequent bedroom will require an additional 10 sq. m.

Private open space for apartments in the town centre will be:

- 1-bed apartment – 10 sq. m.
- 2/3-bed-apartment – 15-20 sq. m.

On the edge of the town the private open space will be:

- 1-bed apartment – 20 sq. m.
- 2/3-bed-apartment – 30-40 sq. m.

## 7.10 Parking and Loading

The Council's car parking requirements are set out in following table. In addition to the general car parking standards required, service bays may also be required. The number of service parking bays will depend on the nature of the proposed business, and will be determined by the Council in each case, in accordance with the standards contained in Section 5.9 of Residential Density – Guidelines for Planning Authorities (DoELG, 1999), as amended.

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 should be located where possible behind established building lines in the interest of good townscape. Where parking is proposed to the front of a building, it is important that planting and boundary walls/railings are used to maintain the visual appearance of the area. In town 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 a place of entertainment, car parking should be sited so as to reduce noise disturbance to adjoining residents to a reasonable level.

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

In case of a use not specified in the following table, the Council will determine the parking requirements.

Car parking Standards	
Cinema, Theatre	1 space per 3 seats
Banks, financial institutions	1 space per 30m <sup>2</sup>
Bars, restaurants, hotels, function rooms	1 space per 35m <sup>2</sup> of gross floor area
Churches.	1 space per 3 seats
Clinics, surgeries	2 spaces per consulting room
Conference facility	1 space per 15m <sup>2</sup> of public area
Crèche, playschool, nurseries	1 space per 5 children 1 space per staff member
Dance halls, discos	1 space per 10m <sup>2</sup>
Dwellings (houses, flats)	1 space per dwelling unit (<4 beds) 2 spaces (4 beds or greater)
Hotels, motels, guest houses	1 space for every 2 bed spaces
Hospitals	1.5 spaces per bed
Commercial (industry)	1 space per 100m <sup>2</sup>
Leisure Centre	1 space per 25 m <sup>2</sup> 1 space per staff member
Library	1 space per 25 m <sup>2</sup> 1 space per staff member
Nursing homes	1 space per bedroom 1 space per staff member
Offices	1 space per 30m <sup>2</sup>
Schools	2 spaces per classroom 1 space per staff member
Retail (shops, supermarkets)	1 space per 20 m <sup>2</sup>
Retail warehousing	1 space per 35m <sup>2</sup>
Takeaways	1 space per 15m <sup>2</sup> of public area
Warehousing	1 space per 100m <sup>2</sup>
Other	Individual assessment

### 7.11 Petrol and service stations

Nenagh is reasonably well served as regards retail petrol outlets. When assessing any future planning applications, the Council will consider the need for such provision, but will resist proposals where current provision is considered adequate. Where permitted, filling stations will be required to comply with adequate standards for the protection of visual amenity, environmental quality and road safety. The design and siting of filling stations shall meet the standards set out in "Geometric Design Guidelines" RT181 as issued

by An Foras Forbartha and the Dangerous Substance Regulations, 1979 as amended and the following:

- i) A minimum frontage of 30m within a 30/40 M.P.H 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 should cater for motor related goods, and ancillary convenience type shops. The standard shop/retail unit attached to petrol filling stations should take account of the Retail Guidelines for Planning Authorities. A workshop may be permitted where zoning permits and there is no adverse effect on the amenities of the area.
- x) The layout of all new or re-developed petrol stations shall permit safe access for delivery tankers up to 15.25m in length, and an adequate off-road area shall be provided for parking these vehicles safely without obstructing the access to filling pumps.

### 7.12 Commercial/retail development

The location of new retail development is crucial to the long-term vitality of Nenagh. Proposals for new retail development that is located outside the central area will be assessed against the following criteria and should demonstrate whether or not the proposal would:

- Undermine or have an adverse impact on the quality of the town centre
- Diminish the range of shops in the town centre;
- Ensure good access by car, walking, cycling and where possible by public transport;
- Link effectively with the existing town centre.

**Plot ratios** will be influenced by general planning standards and Section 5.2 of Residential Density – Guidelines for Planning Authorities (DoEHLG, 1999), but will generally be:

Town centres: plot ratio 1.0 - 2.0

Town Suburbs: plot ratio of 0.25 - 0.5

**Site Coverage** shall be a maximum of 70% in town centre and commercial zoned areas.

#### 7.12.1 Access

- Main access roadways, side roads and cul-de-sac roads should have a minimum carriageway width of 7.5 metres.
- A 2 metre wide footpath should be provided and should be separated from the carriageway by a 1.3 metre wide grass strip.
- Each site will generally be restricted to a single access.

### 7.12.2 Individual Site Layouts

- Adequate space should be provided for the loading and unloading of goods and the manoeuvring of vehicles within the site and clear of the public road – preferably behind the building line.
- Adequate turning space must be provided within each site.
- Areas between the building and the roadside boundary may include car parking spaces provided there is an acceptable landscaping scheme.
- Set back from nearest edge of roadside boundaries should be incorporated into all site layouts as follows:
  - County Roads – 18m
  - Regional Roads – 20m
  - National Secondary Roads – 30m
  - National Primary Roads – 30m
  - New National Primary Roads – 90m

(Note: the development may be located closer to the New National Primary Road if the applicant/developer can show that acceptable noise levels can be achieved, but in any event shall not be less than 50m).

### 7.12.3 Design

- A very high quality of commercial/retail design should be incorporated into the buildings, which should also include an architecturally pleasing entrance feature.
- Overly long rectangular buildings will not generally be acceptable - the impact of these structures will be expected to be softened by breaking up the mass into appropriately stepped sections.
- All external walls should be suitably clad or fully rendered and painted, save for where brick or similar finished material acceptable to the Planning Authority (such as forticrete block-work) is proposed.
- In the case of developments of two or more buildings, a uniform design, including architectural treatment, roof profiles, boundary fences, landscaping, car parking and building lines, is essential.
- Building heights should not generally exceed a maximum height of 10.5 metres and roof finishes should generally be darker than the side, rear and front elevations. Roof profiles should be varied to introduce interest and visual amenity.
- Access for the disabled is a general requirement and must conform to the recommendations set down in Technical Guidance Document M of the Building Regulations 1997, or as amended.

### 7.12.4 Car Parking & Circulation

- All new developments must provide car-parking spaces as set out in Section 7.10.
- Parking areas should be reserved solely for the parking of vehicles and should not be used for storage of materials or goods associated with the development, or for the parking of goods or other heavy vehicles.
- Car parking facilities for visitors and for disabled drivers should be provided and separate staff car parking should be provided and identified where feasible.
- Parking should also be separately provided for articulated

and fixed axle vehicles/trucks and these should be provided separate to the car parking requirements.

### 7.12.5 Fencing & Landscaping

- Proposals should be accompanied by a suitable landscaping scheme to soften the visual appearance of the buildings and to screen adjoining properties, views from public areas such as roads, footpaths etc.
- Details of boundary treatment and landscaping should accompany applications. Existing trees and hedgerows should be protected.
- Landscaping proposals should provide for planting in an informal pattern with trees and shrubs of varieties common to the surrounding area.
- All electricity and telephone service lines should be laid underground.
- No security fencing should be installed forward of the front building line of any industrial or warehouse facility.
- Definition of roadside boundaries should be by way of low walls (not to exceed 1.0 metre in height) or by means of planting and landscaping of the boundary.

### 7.12.6 Use

- Full details of the proposed uses should be submitted with the planning application if known. Changes in use may require planning permission in accordance with the Planning & Development Regulations 2001, as amended.

### 7.12.7 Storage of Goods & Fuels

- Goods, including raw materials, manufactured goods, packaging, crates etc., should be stored or displayed only within the enclosed building area. Any proposal to use external space for storage or display should be submitted to the Planning Authority for permission.
- All outdoor storage and other areas, including bin storage, oil tanks etc., should be located behind the building line and be fully screened by screen fencing or walls 2.0 metres in height.
- All over-ground oil, chemical storage tanks should be adequately bunded to protect against spillage. Bunding should be impermeable and capable of retaining a volume equal to 1.5 times the capacity of the largest tank. Filling and off-take points should be located within the bund.

### 7.12.8 Drainage

- All domestic sewage generated by the development shall be separately collected and discharged to the public sewage system where available.
- All uncontaminated roof and surface water drainage shall be collected via a separate storm water system and discharged to public storm sewer, the adjacent watercourse or soakways within the site.
- Interceptor traps shall be fitted to the storm water drainage system to prevent accidental spillage of oils, grease, solvents or other contaminated matter entering the watercourses or soakways.
- Detailed drawings of foul and storm water drainage systems shall accompany the planning application. Drawings should include layout and longitudinal sections together

with gradients, pipe diameters and invert levels and location of manholes and interceptor traps.

- Trade effluent shall only be discharged in accordance with the terms of a current licence granted under the relevant provisions of the Local Government (Water Pollution) Acts 1977 – 1990, as amended.

#### 7.12.9 Water Supply

- Water supply shall be metered (individual) and connected to the existing public supply.
- All valves and hydrants should be set in proper chambers and fitted with covers and frames and no part of the development should be greater than 50m from a fire hydrant. Hydrants should be valved, with “London Round Thread” connectors.
- Drawings submitted as part of a planning application shall show details of the water main layout to include details in respect of pipe class and diameter, location of all valves and hydrants and stopcocks, together with details of on-site water storage, including storage for fire fighting purposes and water treatment facilities.

#### 7.12.10 Lighting

- Impacts resulting from lighting of sites shall be minimised. A detailed study may be required prior to the commencement of development to outline probable impacts and suggest ameliorative measures.

#### 7.12.11 Noise Levels

- Noise levels arising from any industrial development should not exceed 55 dB(A) Leq between 08.00 to 18.00 hours. Monday to Saturday inclusive, but excluding public holidays, when measured at any point along the site boundary. At all other times the noise level should not exceed 45 dB(A) Leq when measured at the same locations. No pure tones should be audible at any time.

#### 7.12.12 Advertising

- A co-ordinated signage system throughout will be encouraged by the Council, signage should be restricted to a single sign identifying all occupiers of the site.
- No advertising signs should be erected on any premises, or within its curtilage, without a prior specific grant of permission from the Planning Authority except where it is exempt under the Planning and Development Regs. 2001. All signage on the sides of buildings shall be subject to a prior grant of planning permission.

#### 7.12.13 Retail Warehousing

The assessment of retail warehousing will be on an individual basis, but in any event shall have regard to the development management criteria set out in Section 7.13 below.

### 7.13 Industrial Development Standards

The following factors will be taken into account in the assessment of all applications for the development of new industrial (light, general and warehousing) space throughout the town.

#### 7.13.1 Access

- Main access roadways, side roads and cul-de-sac roads should have a minimum carriageway width of 7.5 metres.
- A 2 metre wide footpath should be provided and should be separated from the carriageway by a 1.3 metre wide grass strip.
- Each site will generally be restricted to a single access.

#### 7.13.2 Individual Site Layouts

- Adequate space should be provided for the loading and unloading of goods and the manoeuvring of vehicles within the site and clear of the public road – preferably behind the building line.
- Adequate turning space must be provided within each site for 15 metre articulated vehicles and 9 metre fixed axle vehicles.
- Areas between the building and the roadside boundary may include car-parking spaces provided there is an acceptable landscaping scheme.
- Set back from nearest edge of roadside boundaries should be incorporated into all site layouts as follows:
  - County Roads – 18m
  - Regional Roads – 20m
  - National Secondary Roads – 30m
  - National Primary Roads – 30m
  - New National Primary Roads – 90m

(Note: the development may be located closer to the New National Primary Road if the applicant/developer can show that acceptable noise levels can be achieved, but in any event shall not be less than 50m).

#### 7.13.3 Design

- A very high quality of industrial design should be incorporated into the buildings, which should also include an architecturally pleasing entrance feature.
- Overly long rectangular buildings will not generally be acceptable - the impact of these structures will be expected to be softened by breaking up the mass into appropriately stepped sections.
- All external walls should be suitably clad or fully rendered and painted, save for where brick or similar finished material acceptable to the Planning Authority (such as forticrete block-work) is proposed.
- In the case of developments of two or more industrial or warehouse buildings, a uniform design, including architectural treatment, roof profiles, boundary fences, landscaping, car parking and building lines, is essential.
- Building heights should not generally exceed a maximum height of 10.5 metres and roof finishes should generally be darker than the side and front elevations. Roof profiles should be varied to introduce interest and visual amenity.
- Access for the disabled is a general requirement and must conform to the recommendations set down in Technical Guidance Document M of the Building Regulations 1997, or as amended.

#### 7.13.4 Car Parking & Circulation

- All new developments must provide car-parking spaces as set out in Section 7.10.

- Parking areas should be reserved solely for the parking of vehicles and should not be used for storage of materials or goods associated with the development, or for the parking of goods or other heavy vehicles.
- Car parking facilities for visitors and for disabled drivers should be provided, and separate staff car parking should be provided and identified where feasible.
- Parking should also be separately provided for articulated and fixed axle vehicles/trucks and these should be provided separate to the car parking requirements.

#### 7.13.5 Fencing & Landscaping

- Proposals should be accompanied by a suitable landscaping scheme to soften the visual appearance of the buildings and to screen adjoining properties and views from public areas such as roads, footpaths etc.
- Details of boundary treatment and landscaping should accompany applications. Existing trees and hedgerows should be protected.
- Landscaping proposals should provide for planting in an informal pattern with trees and shrubs of varieties common to the surrounding area.
- All electricity and telephone service lines should be laid underground.
- No security fencing should be installed forward of the front building line of any industrial or warehouse facility.
- Definition of roadside boundaries should be by way of low walls (not to exceed 1.0 metre in height) or by means of planting and landscaping of the boundary.

#### 7.13.6 Use

- Full details of the proposed use, including industrial processes involved, any toxic materials, chemicals or solvents used, should be submitted with the planning application if known. Changes in use may require planning permission in accordance with the Planning & Development Regulations 2001, as amended.

#### 7.13.7 Storage of Goods & Fuels

- Goods, including raw materials, manufactured goods, packaging, crates etc., should be stored or displayed only within the enclosed factory area. Any proposal to use external space for storage or display should be submitted to the Planning Authority for permission.
- All outdoor storage and other areas, including bin storage, oil tanks etc., should be located behind the building line and be fully screened by screen fencing or walls 2.0 metres in height.
- All over-ground oil, chemical storage tanks should be adequately bunded to protect against spillage. Bunding should be impermeable and capable of retaining a volume equal to 1.5 times the capacity of the largest tank. Filling and off-take points should be located within the bund.

#### 7.13.8 Drainage

- All domestic sewage generated by the development shall be separately collected and discharged to the public sewage system where available.
- All uncontaminated roof and surface water drainage shall

be collected via a separate storm water system and discharged to public storm sewer, the adjacent watercourse or soakways within the site.

- Interceptor traps shall be fitted to the storm water drainage system to prevent accidental spillage of oils, grease, solvents or other contaminated matter entering the watercourses or soakaways.
- Detailed drawings of foul and storm water drainage systems shall accompany the planning application. Drawings should include layout and longitudinal sections together with gradients, pipe diameters and invert levels and location of manholes and interceptor traps.
- Trade effluent shall only be discharged in accordance with the terms of a current licence granted under the relevant provisions of the Local Government (Water Pollution) Acts 1977 – 1990, as amended.

#### 7.13.9 Water Supply

- Water supply shall be metered and connected to the existing public supply.
- All valves and hydrants should be set in proper chambers and fitted with covers and frames and no part of the development should be greater than 50m from a fire hydrant. Hydrants should be valved, with “London Round Thread” connectors.
- Drawings submitted as part of a planning application shall show details of the water main layout to include details in respect of pipe class and diameter, location of all valves and hydrants and stopcocks, together with details of on-site water storage, including storage for fire fighting purposes and water treatment facilities.

#### 7.13.10 Lighting

- Impacts resulting from lighting of sites shall be minimised. A detailed study may be required prior to the commencement of development to outline probable impacts and suggest ameliorative measures.

#### 7.13.11 Noise Levels

- Noise levels arising from any industrial development should not exceed 55 dB(A) Leq between 08.00 to 18.00 hours. Monday to Saturday inclusive, but excluding public holidays, when measured at any point along the site boundary. At all other times the noise level should not exceed 45 dB(A) Leq when measured at the same locations. No pure tones should be audible at any time.

#### 7.13.12 Advertising

- A co-ordinated signage system throughout industrial estates will be encouraged by the Council. Within the curtilage of industrial estates, signage should 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 such are considered necessary by the Council.
- No advertising signs should be erected on any premises, or within its curtilage, without a prior specific grant of permission from the Planning Authority except where it is exempt under the Planning and Development Regs. 2001.

All signage on the sides of buildings shall be subject to a prior grant of planning permission. Up to three flag poles in agreed locations to a maximum height of 7 metres may be permitted subject to planning permission.

#### 7.14 Guidelines on Shopfronts and Signage

Shopfronts in Nenagh are often an integral and harmonious part of the streets. The variety of different shop designs and colour is undoubtedly one of the most attractive features of the town.

Traditional shop fronts display the vernacular architecture of Nenagh and are an important expression of local history. The name and signboard of a traditional shop front may be identified with a particular family style and tradition.

The use of Irish names and signs that include the Irish language will be supported in line with the other policies set out in the development plan.

##### 7.14.1 Features of Traditional Shopfronts

The traditional shop front typically takes the form of an entablature resting on pilasters, or more rarely columns.

Highly decorative vertical mullions (vertical divisions between the panes), dividing the windows, are a common feature of the traditional Irish shop front.

The hand-painted lettering of the name board is a special Irish craft and is one of the most important components of the traditional Irish shop front. Small hand-painted advertisements on walls, old enamelled signs and hanging signs representing trades are features which add to the decorative quality of buildings. Shopfronts are traditionally painted in strong colours.

##### 7.14.2 Features to avoid in design of shopfronts

- Over use of signage
- Large undivided window displays
- Internally illuminated signage
- External security shutters
- Murals on gable walls However, architectural innovation can still exist within this framework, thus avoiding hollow pastiche styles.

##### 7.14.3 Signage

- Signage on a building shall be confined to fascia and one projecting sign;
- Signs shall be hand painted and not internally illuminated;
- Signage shall not interfere with doors or windows and shall not project above eaves level or otherwise obtrude on the skyline;
- Freestanding signs shall be licensed and sandwich boards allowed where pedestrian safety or amenity are not compromised;
- Miscellaneous advertising such as banners, flags, spotlights and neon moving message signs will not normally be permitted.

##### 7.14.4 Advertising structures and signs

The following design guidelines are in support of the general Policy relating to advertising. Advertising structures can be divided into two categories:

1. Signs to advertise a business, goods or service.
2. Hoardings or poster boards erected or rented by specialist firms.

The erection of signs is a necessary part of commercial life and in the interest of traffic direction. However, a recent survey carried out by the Council in Tipperary showed that there are a significant number of unauthorised signs in the town, particularly in the town centre.

The following guidelines will be used in assessing planning applications in order to control such development:-

- Well designed and suitably located signage will be favorably considered;
- Each application will be considered on its merits having regard to traffic safety, visual amenity and commercial interests;
- In line with Department of the Environment guidelines, strict control in relation to advertising along National Routes will be exercised in the interest of traffic safety.
- Tourism signage shall conform to the Department of the Environment "Criteria for the Provision of Tourist Attraction and Accommodation Signs".
- In scenic areas or tourist routes advertising for tourist attractions will be permitted where it does not impair visual amenity.
- The Council will promote the use of composite advance signs to avoid a proliferation of competing commercial signs.

Details of shop-front signs are set out in Appendix 4 (Conservation Area Design Statement), but can be summarised as follows:-

- Shop-front signs shall be confined to fascia level,
- Projecting signs will be confined to one, located at fascia level,
- Internally illuminated plastic box signs will not be approved;
- Projecting or hanging signs illuminated by spotlight may be permitted where visual clutter does not occur, and
- Free-standing signs such as sandwich boards will not be permitted on footpaths, where they cause an obstruction to pedestrian use.

Note: unauthorised signs on private property will be subject to enforcement procedures and the Council will remove such signs on public roads.

##### 7.14.5 Poster boards

Poster boards constitute one of the most obtrusive elements of advertising, and it is undesirable that hoardings or structures be located in the open countryside, on approach roads to the town or within the ACA. Alternatively, poster boards forming temporary screening for derelict or vacant

sites where development is taking place can carry a useful function. Boards fitting this description should not exceed 30% of the wall or screening on which it is mounted.

### 7.15 Bicycles

Cycling is a viable alternative to the car for access within the town of Nenagh. In order to promote its use and in support of the Council's aim for sustainable development, the Council will require that secure cycle parking facilities are provided for new office, industrial and commercial uses.

### 7.16 Other Development

Other development or development that is not specified elsewhere in this Plan will be assessed on an individual basis on the merits of each development or application.

### 7.17 Development in the Conservation Area

The Councils consider that this area shall be subject to special control, and detailed guidance is therefore provided in Appendix 4: Architectural Conservation Area Design Statement of this Plan. All new development proposals will be assessed against the design guidance contained in the Architectural Conservation Area Design Statement.

### 7.18 Protected Structures

Planning authorities have a clear obligation to create a Record of Protected Structures (RPS) which includes all structures or parts of structures in their functional areas which, in their opinion, are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest. This record forms part of a Planning Authority's development plan under the provisions of Sections 51-55 of the Planning and Development Act 2000.

Development plans must include objectives for the protection of such structures and the preservation of the character of such areas to ensure proper and sustainable planning and development;

New responsibilities are given to the owners and occupiers of protected structures to maintain them and planning authorities have additional powers to ensure that buildings are not endangered either directly or through neglect. Financial assistance, in the form of conservation grants, is available from planning authorities to assist in this process.

Where a structure is protected, the protection includes the structure, its interior and the land within its curtilage and other structures within that curtilage (including their interiors) and all fixtures and features which form part of the interior or exterior of all these structures. All works which would materially affect the character of a protected structure, or a proposed protected structure, will require planning permission.

#### 7.18.1 Purpose of a declaration

Where a building is a protected structure or a proposed

protected structure, works that would normally be exempt from the requirement for planning permission are NOT exempted development where they would materially affect the character of the protected structure or any element of it which contributes to its special interest.

Under Section 57 of the Planning and Development Act 2000, an owner or occupier of a protected structure may make a written request to the planning authority for a declaration as to the type of works the authority considers would or would not materially affect the character of the protected structure. It should be noted that Section 57 does not apply to proposed protected structures nor to buildings within ACAs.

Declarations may be used as a formal advice mechanism for the owner and occupier of a protected structure as issues arise which require clarification. Declarations can be issued to permit specific minor works, including enabling works that, in the opinion of the planning authority, would not materially affect the character of the protected structure. However, it is always preferable to inspect, assess and give formal recommendations for the complete structure where this is feasible, to ensure that its full character is taken into account in the declaration.

It is not necessary for the applicant to have any specific works in mind when applying for a declaration. Indeed, if the owner or occupier is contemplating major works to a protected structure, pre-planning discussions with the planning authority may be advisable and, depending on the outcome, the submission of a planning application.

A declaration must not exempt works that would have a material effect on the character of a protected structure. A declaration cannot exempt development that would not otherwise be exempt from a requirement for planning permission.

Declarations relating to places of public worship are subject to special considerations.

#### 7.18.2 Status of protected structure

A 'protected structure' is defined as any structure or specified part of a structure, which is included in the RPS. A structure is defined by the 2000 Act as 'any building, structure, excavation, or other thing constructed or made on, in or under any land, or any part of a structure'. In relation to a protected structure or proposed protected structure, the meaning of the term 'structure' is expanded to include:

- The interior of the structure;
- The land lying within the curtilage of the structure;
- Any other structures lying within that curtilage and their interiors, AND
- All fixtures and features which form part of the interior or exterior of the above structures.

## 7.19 Inventory Records: Technical Notes

### 7.19.1 Categories of Special Interest

The system of rating the buildings has been used in accordance with the Duchas National Inventory of Architectural Heritage Guidelines.

It should be noted, in this regard, that the inventory of Nenagh was undertaken largely on the basis of physical, architectural and fabric evidence, and therefore certain buildings that may only be of social or cultural importance may not have been noted. This is in accordance with the manner in which Duchas Interim County Surveys are undertaken.

#### 1. Architectural Interest

- A wide range of characteristics and features can contribute to the architectural interest of a protected structure or ACA, for example:
- A positive contribution to its setting;
- A reference to previous building styles, street lines and plot sizes relate to the communal history of settlement in a town;
- An exemplar of good-quality architectural design;
- The use of traditional construction methods and materials;
- The form and proportions of a building: volume or massing, plot size, boundary alignments and street-frontage alignment of the built environment can be part of the heritage of an urban area.

Urban design schemes initiated in the past by civic authorities or landlords are also significant.

#### 2. Historical Interest

Characteristics and features that contribute to the historic interest of a protected structure or ACA could be as follows:

- Evidence of the plots, boundaries and streets in towns and cities contain a record of past urban life;
- Historical street patterns and squares, market places and bridging points;
- Industrial heritage value, for example the remains of small local enterprises such as mills and maltings;
- Large-scale purpose-built complexes, such as Nenagh Court house and gaol.

Buildings themselves can be interpreted as a historic document that illustrates the effects of change over time. The fabric of a structure or an area may contain evidence of its former use, style or symbolic meaning.

#### 3. Archaeological Interest

Characteristics and features that contribute to the archaeological interest of a protected structure or ACA could be as follows:

- Burgage plots and evidence of medieval street patterns;
- The remains of fabric that dates to pre-1700 (and may be included on the Sites and Monuments Record);
- Defensive structures, enclosing walls and field patterns.

It should be noted that these structures can be a combination of above-ground and below-ground structures.

#### 4. Scientific Interest

Characteristics and features that contribute to the scientific interest of a protected structure or ACA could be as follows:

- Design patterns in the landscape or townscape that relate to geophysical or astronomical alignments;
- Examples of particular ecosystems or species, such as arboreta, botanical gardens, or other collections of exotic or rare plant species;
- An association with scientific measurement, for example an OS benchmark.

#### 5. Technical Interest

Characteristics and features that contribute to the technical interest of a protected structure or ACA could be as follows:

- An example of technical or structural innovation in the design or construction techniques of a structure;
- Unusual construction materials, particularly man-made materials that were novel or ground-breaking;
- An industrial-heritage landscape related to mine-working, chemical extraction or milling.

#### 6. Social Interest

Characteristics and features that contribute to the social interest of a protected structure or ACA could be as follows:

- Special social interest may be found in town parks and communal greens laid out with trees, benches and water fountains, and often sited especially to improve the surroundings of urban dwellers;
- Philanthropic housing for workers is an example of social interest;
- A place that is an essential reference point for the identity of a community;
- Fixtures and features that testify to the community involvement in the creation of a structure.

#### 7. Artistic Interest

Characteristics and features that contribute to the artistic interest of a protected structure or ACA could be as follows:

- The consistent use of crafted materials, such as paving or walling in local styles or materials;
- Styles of decoration such as moulded terracotta embellishments;
- Buildings that are finely decorated in all or in part in a particular style of carved or applied decoration, or by a particular artist;
- Public sculpture, utilities or memorials, as well as being works of art in their own right, can be the artistic focus of a public space;
- A formally laid out landscape or townscape could also be of artistic interest.

#### 8. Cultural Interest

Characteristics and features that contribute to the cultural interest of a protected structure or ACA could be as follows:

- Public spaces, which facilitate certain forms of behaviour, such as the spaces formed to facilitate

markets, fairs, outdoor theatre or communal celebrations;

- Structures with literary association or with rarity value.

### **7.20 Development in the Architectural Conservation Area**

Planning authorities are also obliged to preserve the character of places and townscapes which are of special architectural, historic, archaeological, artistic, cultural, scientific, social or technical interest or that contribute to the appreciation of protected structures, by designating them architectural conservation areas (ACAs) in their development plan.

An architectural conservation area (ACA) is a place, area, group of structures or townscape, taking account of building lines and heights, that is of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest or that contributes to the appreciation of a protected structure, and whose character it is an objective of a development plan to preserve.

An area of special planning control (ASPC) is all, or part, of an ACA which a planning authority considers of special importance to, or as respects, the civic life or the architectural, historical, cultural or social character of a city or town in which it is situated.

An objective to preserve the character of an ACA, once approved by the elected members of a council, carries through from development plan to development plan and remains an objective of the planning authority unless subsequently modified by the members.

The legislation relating to ACAs and ASPCs is contained in Chapter 2 of Part IV of the Planning and Development Act 2000. ACA legislation may be used to protect the following:

- a) groups of structures of distinctiveness or visual richness or historical importance;
- b) the setting and exterior appearance of structures that are of special interest, but the interiors of which do not merit protection;

- c) the setting of a protected structure where this is more extensive than its curtilage;
- d) designed landscapes where these contain groups of structures as in, for example, urban parks, the former demesnes of country houses and groupings of archaeological or industrial remains;
- e) groups of structures which form dispersed but unified entities but which are not within the attendant grounds of a single dominant protected structure.

In the course of preparing the Nenagh Town Development Plan an ACA was selected and designated.

The Plan provides policy support to protect, conserve and improve, where appropriate, the existing architectural and civic character of the various ACAs (Appendix 4).

#### **7.20.1 Rating**

The rating system included in the reports reflects the rating that the proposed *Nenagh Architectural Heritage Study, 2005* has placed on the various structures. In this regard, all buildings with a rating of regional or above will be the subject of a ministerial order for inclusion on the Record of Protected Structures.

### **7.21 Development in areas of archeological interest**

When considering proposals within or in close proximity to areas of archeological potential, the Council will have regard to the provisions of the National Monuments Acts 1930 to 2004, the observations and recommendations of Duchas – the Heritage Service of the Department of Arts, Heritage, Gaeltacht and the Islands and other interested bodies

The Council, on granting planning permission may impose conditions requiring completion by the applicant of an archeological assessment; and/or monitoring, testing or excavation by a professional archeologist.

The preservation of all or part of the archeological remains in the area covered by the permission may also be considered by the Council as a restriction or condition on such development.