

Chapter 9: Development Management



Aim 10 Development Management Standards

To ensure the orderly development of the Plan area through setting out development policies and standards for a range of development types.

- 9.1** Land Use Zoning
- 9.2** Land Use Zoning Classes
- 9.3** Development Management Principles
- 9.4** Site Development Standards
- 9.5** Commercial, Retail and Non-Residential Use Standards
- 9.6** Community Use Standards
- 9.7** Vehicle Accessibility
- 9.8** Development Charges

9.1 Land Use Zoning

- 9.1.1 The purpose of land use zoning is to identify to property owners, developers and the general public, the types of development that are considered most appropriate in each zone. In this context, the zoning objectives allow the developer to plan development proposals with some degree of certainty, subject to other conditions and requirements as set out in the Plan. In the management of development, zoning seeks to remove incompatible uses and to promote greater environmental quality for the land use pattern of the town.
- 9.1.2 It will be noted that these zoning objectives relate only to land-use. Factors such as density, height, massing, traffic generation, public health, design criteria, visual amenity, and potential nuisance by way of pollution are also significant and relevant to the proper planning and sustainable development of the area.

Policy DM.1: Land Use Zoning

It is the policy of the Council to determine applications for development in accordance with the Land Use Zoning Maps and Zoning Matrix and other guidelines set out in the Plan in order to:

- a) Promote development and direct compatible land uses to the areas reserved for such purposes;**
- b) Ensure that the environmental quality of land use zones are protected from intrusion by competing or incompatible uses; and**
- c) Rationalise land use patterns within the town and environs according to sustainable development principles.**

- 9.1.3 The land use zoning policy is intended as a general guide to assessing the acceptability or otherwise of development proposals, although uses listed in the Zoning Matrix are not exhaustive. The various land use designations have been formulated on the following principles:
- Ensuring that land use designations will accommodate the anticipated population and growth needs of Clonmel within and beyond the lifetime of the Plan;
 - Encouraging the development and re-development of the town centre as a compact and coherent settlement;
 - Ensuring an acceptable balance of land uses in proximity to one another and the appropriate interaction of land use activities within the town and its environs;
 - Supporting the principles of proper planning and sustainable development of the area; and
 - Identifying the characteristics of various primary land use categories in order to provide a broad planning framework, which guides development to appropriate locations.
- 9.1.4 The following land use zoning objectives are indicated in this Plan and incorporated on the Land Use Zoning Maps and the Zoning Matrix:
- R1: To preserve and improve Existing Residential amenities***
- 9.1.5 This zoning applies to established residential areas. Within this zoning it is the policy of the Council to:
- Protect and, where appropriate, enhance existing amenities;
 - Accommodate a range of other appropriate uses that support the overall residential function of the area where an acceptable standard of amenity can be maintained and where the amenities of existing residents/occupiers are protected; and

- Discourage the expansion or intensification of existing uses that are incompatible with residential amenity.

R2: To provide for New Residential development

9.1.6 This zoning provides for new residential development and other services incidental to residential development. While housing is the primary use in this zone, recreation, education, childcare, clinic/surgery uses, sheltered housing and small local shops are also envisaged, subject to the preservation of neighbouring residential amenity. Permission may also be granted for home based economic activity within this zone, subject to the preservation of residential amenity and traffic considerations. Within this zoning it is the policy of the Council to:

- Conserve and enhance the quality and character of the wider area;
- Facilitate the expansion of the town in a balanced and sustainable way;
- Encourage development on land zoned for new residential development mainly for housing, associated open space, community uses;
- Promote the provision of community, and other facilities, such as childcare, as an integral part of established residential areas subject to overall residential amenity;
- Provide for a range of house types and sizes to meet the various housing needs of existing and future residents;
- Ensure that new residential developments facilitate permeability and legibility within the town; and
- Encourage a high standard of residential design in new residential areas and to improve permeability and accessibility.

R3: To provide for Residential Serviced Sites

9.1.7 This zoning provides for the provision of serviced sites at suitable locations where services already exist. Within this zoning it is the policy of the Council to:

- Strengthen and consolidate the settlement structure and help provide an alternative to one-off houses in the countryside;
- Facilitate the provision of sites to accommodate individually-designed houses within a high quality landscape setting; and
- Facilitate the provision of housing types not necessarily accommodated within existing housing developments.

PS: To provide for Public and Social facilities

9.1.8 The purpose of this zoning objective is to protect existing public and social uses within the Plan area and to ensure the provision of adequate community facilities including health centres/clinics, places of worship, cultural uses, schools, nursing homes, community halls, sports clubs, recreational buildings and parks/ playgrounds.

I: To provide for Industrial and related uses

9.1.9 The purpose of this zoning objective is to protect existing industrial uses within Clonmel and its environs and to facilitate their development and expansion. The expansion or intensification of existing industrial land uses will be accommodated where the amenities of surrounding properties and land uses will be preserved.

CA: To provide for Central Area uses

9.1.10 The purpose of this zone is to protect and enhance the character of Clonmel Central Area and to provide for and improve retailing, residential, commercial, office, cultural and other mixed uses appropriate to the centre of a developing town. It will be an objective of the

Council to encourage the use of under-utilised buildings and backlands and especially the full use of upper floors.

- 9.1.11 The Central Area embraces the main commercial core of the town as indicated on the Borough Zoning Map 1B. In this area, developments will be judged on their merits insofar as they do not conflict with other objectives and policies for the Central Area and would not be prejudicial to residential or other amenities. Warehousing and other industrial uses will not be permitted in the area. Within this zoning it is the policy of the Council to:
- Support the development of Clonmel as the principal location for retail and commercial uses that provide goods or services;
 - Maintain the mixed use character of Clonmel by supporting the variety of uses within the town;
 - Encourage the redevelopment of under-utilised sites and buildings;
 - Encourage the integration of residential uses;
 - Provide for anticipated car parking and commercial delivery demands;
 - Improve the quality of the public realm generally; and
 - Promote improved pedestrian accessibility, permeability and safety.

C: To provide for Commercial development and related uses

- 9.1.12 This zoning objective facilitates the development of a vibrant business community in Clonmel. For the purposes of this policy, commercial uses cover retail; financial and professional services; pubs, restaurants etc; and hotels and hostels.

AG: To provide for Agricultural development and to maintain a rural character

- 9.1.13 The purpose of this zoning is to provide for the development of agriculture by ensuring the retention of agricultural uses, protect them from urban sprawl and ribbon development and to provide for a clear physical demarcation to the adjoining built up areas. Uses which are directly associated with agriculture or which would not interfere with this use are open for consideration.

A: To protect and provide for Amenity and Open Space uses

- 9.1.14 This zoning objective includes both public and private (e.g. recreational) existing and planned open space areas. The Council will not normally permit development that would result in a loss of open space except where specifically provided for in this Plan. Existing agricultural uses in open space areas will continue to be permitted, and reasonable development proposals in relation to this use will be considered on their merits. The Council will support the provision of development for playgrounds, parks, other areas for outdoor activities, sports centres, sports pitches, outdoor recreation training centres and landscaped areas. Within this zoning it is the policy of the Council to:
- Protect, improve and provide for open space and amenity provision;
 - Protect, improve and maintain public open space; and
 - Promote the provision of recreational and community facilities.

HA: To provide for and protect areas of Visual Importance and High Amenity

- 9.1.15 This zoning objective provides for the protection of views and prospects of special amenity value or special interest. Within this zoning it is the policy of the Council to:
- Prevent development which would interfere or detract from a view which is designated; and
 - Impose conditions on planning permissions where minor modifications may render an otherwise negative development acceptable.

E: To provide for Educational, Scientific, Technological, Research and Development

- 9.1.16 This zoning objective provides for the continued development of educational facilities and a good mix of uses and opportunities for employment.

MU: To provide for Mixed Uses

- 9.1.17 The purpose of this zone is to allow for the development of a range of uses appropriate to individual sites to provide for and improve retailing, residential, commercial, office, cultural and other uses. Generally the sites are located within or close to the town centre, and are therefore recognised for their development potential and contribution to the consolidation of the established Central Area. Within this zoning it is the policy of the Council to:
- Maintain the mixed use character of Clonmel by supporting a variety of uses;
 - Encourage the redevelopment of under-utilised sites and buildings;
 - Encourage the integration of residential to create live / work environments;
 - Provide for anticipated car parking and commercial delivery demands; and
 - Improve the quality of public realm including hard and soft landscaping.

9.2 Land Use Zoning Classes

- 9.2.1 The following use classes apply:

P: Permitted in Principle

A use which is Permitted in Principle is one which the Council accepts in the relevant zone. However, it is still subject to the normal planning process including policies and objectives outlined in the Plan.

O: Open for Consideration

An Open for Consideration use is one which the Council may permit where it is satisfied that the suggested form of development will be compatible with the policies and objectives for the zone, will not conflict with the permitted uses and conforms with the proper planning and sustainable development of the area.

N: Not Normally Permitted

A use Not Normally Permitted is one which would be incompatible with the policies and objectives for the zone, would conflict with the permitted uses and would be contrary to the proper planning and sustainable development of the area.

Land Use Zoning Matrix

- 9.2.2 The following Land Use Zoning Matrix is intended as a general guideline in assessing the acceptability or otherwise of development proposals in both Clonmel Borough and its environs, although the listed uses are not exhaustive. Where a land use is not listed, the proposal will be considered on its own merits.

LAND USE ZONING MATRIX Sheet 1	R1	R2	PS	I	CA/ MU	C	AG	HA	A	E
Abattoir	N	N	N	N	N	N	O	N	N	N
Advertising Structure / Panels	N	N	O	O	O	O	N	N	N	O
Agricultural Buildings / Structures	N	N	N	N	N	N	P	N	N	N
Airfield	N	N	N	N	N	N	O	N	N	N
Amusement	N	N	N	N	O	N	N	N	N	N
Apartment	O	P	O	N	P	O	N	N	N	N
ATM	N	N	O	O	P	O	N	N	N	O
Bank	N	N	O	N	P	O	N	N	N	O
Bed and Breakfast	O	O	N	N	P	N	O	N	N	N
Bed and Breakfast (new structure)	O	O	N	N	O	O	N	N	N	N
Bed and Breakfast (new use)	P	O	O	N	O	O	O	N	O	N
Betting Office	N	N	N	N	P	N	N	N	N	N
Boarding Kennel	N	N	N	N	N	N	O	N	N	N
Buildings for Health, Safety & Welfare of the Public	O	O	P	N	P	O	N	N	N	O
Building Society	N	N	O	N	P	O	O	N	N	N
Car Park	N	N	O	O	O	O	N	N	O	O
Car Park – Multi-storey	N	N	O	O	P	O	N	N	N	O
Caravan Park – Holiday	N	N	N	N	N	N	O	N	O	N
Cash and Carry Wholesale	N	N	N	O	O	O	N	N	N	N
Casual Trading	N	N	O	N	O	N	N	N	N	N
Cemetery	N	N	O	N	N	N	O	N	O	N
Childcare Facilities (Crèche / Nursery School)	O	O	P	O	O	O	O	N	N	O
Civic and Amenity / Recycling Centre	O	O	P	P	P	P	O	N	N	N
Club House and Associated Facilities	O	O	P	N	O	N	O	N	O	N
Conference Centre	N	N	O	O	O	O	N	N	O	P
Cultural Activities	O	O	P	N	P	O	N	N	O	N
Cultural / Recreational Building	O	O	P	N	P	O	O	O	P	O
Dancehall / Disco / Cinema	N	N	N	N	O	O	N	N	N	N
Drive-through Restaurant	N	N	N	N	N	O	N	N	N	N
Education	O	O	P	N	P	O	N	N	N	P
Enterprise Centre	N	N	O	O	O	O	N	N	N	P
Enterprise Unit / Campus Industry	N	N	N	P	O	O	N	N	N	P
Extractive Industry	N	N	N	N	N	N	O	N	N	N
Funeral Home	N	N	O	N	O	O	N	N	N	N
Garden Centre	N	N	N	O	N	O	O	N	O	N
General Industrial Uses	N	N	N	P	N	N	N	N	N	N
Golf Course/Driving Range	N	N	N	N	N	N	O	O	P	N
Guest House	O	O	N	N	P	N	O	N	N	N
Hairdressing Salon	O	O	O	N	P	O	N	N	N	N
Halting Site	O	O	O	N	N	O	O	N	N	N
Home Based Economic Activity	O	O	O	O	O	O	O	O	O	O
Hospital	N	N	O	N	N	O	N	N	N	N

LAND USE ZONING MATRIX Sheet 2	R1	R2	PS	I	CA/ MU	C	AG	HA	A	E
Hostel	O	O	O	N	P	O	N	N	N	N
Hotel	N	O	O	N	P	O	N	N	N	N
Hotel / Motel (new structure)	O	O	N	N	O	P	N	N	N	N
Hotel / Motel (new use)	O	O	N	N	O	P	O	N	O	N
Household Fuel Depot	N	N	N	O	O	O	N	N	N	N
Industrial – General	N	N	N	P	N	N	N	N	N	O
Industrial – Light	N	N	N	P	N	N	N	N	N	O
Industrial – Special	N	N	N	P	N	N	N	N	N	O
Leisure- related Facilities	O	O	O	N	P	O	O	O	O	O
Library	O	O	O	N	P	O	N	N	N	O
Light Industry	O	O	N	P	O	O	N	N	N	O
Medical and Related Consultants	O	O	O	N	P	O	N	N	N	N
Motor Sales Showroom / Outlet	N	N	N	O	O	O	N	N	N	N
Nightclub	N	N	N	N	O	O	N	N	N	N
Night-time Educational Use	O	O	P	O	P	O	N	N	N	O
Office	N	N	O	O	P	O	N	N	N	P
Offices <100 sqm	P	O	N	O	P	O	N	N	N	O
Offices >100 sqm	O	O	N	O	O	O	N	N	N	O
Open Space	P	P	P	P	P	P	P	P	P	P
Park and Ride Facility	N	P	P	P	O	P	O	N	N	O
Petrol Station	N	N	N	O	O	O	N	N	N	N
Place of Public Worship	O	O	P	N	P	O	N	N	N	N
Public House	O	O	O	N	P	O	N	N	N	N
Public Service Installation	O	O	O	O	O	O	O	O	N	O
Recreational Buildings	P	O	O	N	O	O	O	O	N	O
Refuse Landfill	N	N	N	O	N	N	O	N	N	N
Refuse Transfer Station	N	N	N	O	N	N	O	N	N	N
Residential (Low Density)	O	O	N	N	N	N	N	N	N	N
Residential (Medium Density)	O	P	N	N	O	N	N	N	N	N
Residential (High Density)	N	P	N	N	P	N	N	N	N	N
Residential Extensions	P	O	O	N	O	O	P	N	P	N
Restaurant	O	O	P	O	P	P	N	N	N	N
Retail Warehousing	N	N	N	P	N	P	N	N	N	N
Retirement Home / Nursing Home	O	O	O	N	O	N	N	N	N	N
Science and Technology Based Industry	N	N	N	P	O	O	N	N	N	P
Scrapyard	N	N	N	O	N	N	O	N	N	N
Service Garage	N	N	N	O	O	O	N	N	N	N
Shop (Comparison)	N	N	N	N	P	P	N	N	N	N
Shop (Convenience)	O	O	O	O	P	P	N	N	N	N
Shop (Neighbourhood Centre)	O	O	O	N	O	O	N	N	N	N
Shopping Centre	N	N	O	N	P	O	N	N	N	N
Small Scale Manufacturing	N	N	N	P	O	O	N	N	N	O
Storage Depot	N	N	N	P	N	P	N	N	N	O

LAND USE ZONING MATRIX Sheet 3	R1	R2	PS	I	CA/ MU	C	AG	HA	A	E
Supermarket	N	N	N	N	O	N	N	N	N	O
Take-away	N	N	N	N	O	O	N	N	N	N
Tea Room	O	O	O	N	P	P	N	N	N	N
Third Level Institution	N	N	O	O	N	O	N	N	N	P
Training Centre	O	O	O	P	O	O	N	N	N	P
Transport Depot / Materials Storage Depot	N	N	N	P	N	O	N	N	N	N
Traveller Accommodation	P	O	N	N	N	N	O	N	N	N
Veterinary Surgery	O	O	N	N	O	O	O	N	N	N
Warehousing	N	N	N	P	N	P	N	N	N	N
Water Based Recreational Activities	N	N	O	O	O	O	O	N	O	N
Wholesale Warehousing	N	N	N	P	N	P	N	N	N	N
Workshops	N	O	N	O	O	O	N	N	N	O

9.2.3 The location of the various zones are shown on the Land Use Zoning Maps.

9.3 Development Management Principles

Introduction

- 9.3.1 Development Management is a statutory process, and the Council is required to guide and regulate development by ensuring that permissions granted are consistent with the policies and objectives of the Plan. This part of the Plan is concerned with the standards that will be applied to development proposals within the Plan Area.
- 9.3.2 It takes account of the Development Objectives relating to the management of land use and the protection and improvement of the environment generally. Provision is made for a flexible application of prescribed standards in particular circumstances, where the proposed development is otherwise consistent with proper planning and sustainable development, and the preservation and improvement of amenities in the area.
- 9.3.3 It is clear that matters other than specific provisions of the Plan must be considered in dealing with applications for planning permission to carry out development or in deciding on the taking of legal proceedings against unauthorised development. The planning policies adopted by the Council in relation to the Plan area will be the main basis of the assessment of proper planning and sustainable development.

Compliance and Enforcement

- 9.3.4 Development must be carried out in its entirety in accordance with the planning permission granted. Permission for a development proposal will not be interpreted as an entitlement to build indiscriminately as there are Building and Fire Regulations that must also be adhered to.
- 9.3.5 All applications for planning permission and approval will be prepared in accordance with the Planning & Development Acts (2000-2006) and the Planning & Development Regulations (2001-2007), and any future amendments, and the Building Regulations (1997-2007) as issued by the Department of the Environment, Heritage and Local Government. Applicants will note that a planning permission does not entitle the developer to depart from the Building Regulations and where a deviation from

permission is necessary, e.g. to comply with a Fire Safety Certificate, it may result in the necessity to lodge a revised application for planning permission.

- 9.3.6 Contravention of planning law undermines the implementation of the Council's policies and is unfair on those who have abided by planning controls. In cases where development (including a material change of use) has commenced or is being carried out without planning permission or in breach of a permission, it will, if the Council deems it expedient to do so, be the subject of enforcement proceedings. The latter may require removal, modification, and completion of the development or termination of the use as necessary.

9.4 Site Development Standards

Residential Density and Mix

- 9.4.1 The Council has had regard to 'Residential Density - Guidelines for Planning Authorities' (DoEHLG 1999) in the preparation of this Plan and will have regard to same and any amendment in exercising its development management functions.
- 9.4.2 These Guidelines identify the Plan as a method of recognising the importance of achieving higher residential densities in appropriate areas such as brownfield sites, sites in proximity to the Central Area, public transport nodes and access points, in the interests of providing a more sustainable development pattern.
- 9.4.3 Densities will be controlled to ensure appropriate sustainable growth patterns and optimal investment in infrastructure, community facilities, public transport, etc. In the Central Area, higher densities will be encouraged through a variety of housing types and apartments. For lands outside the Central Area, residential densities will be determined by the particular design and layout taking into account the economic use of services and availability of open space.
- 9.4.4 A number of criteria will be applied when assessing the density of a particular proposal, including:
- The location of the site – Sites within walking distance of the Central Area and major trip generating and employment functions are generally suitable for high-density development. Proposals will illustrate a high standard of architectural design and have regard to the normal considerations of privacy, daylight, open space and zoning.
 - The character of the site and the surrounding area – This criterion will assume particular importance for sites with landscape, ecological, archaeological or historical significance.

Plot Ratio

- 9.4.5 Plot ratio is the relationship between the site area and the total floor area of the buildings erected on it. Its purpose is to prevent the adverse effects of both over-development and under-development on the amenity and layout of buildings, to achieve desirable massing and height of buildings, and to balance the capacity of the site and the capacity of the street frontages.
- 9.4.6 The Council considers that maximum plot ratios of 2.0 be set for the Central Area and 1.0 for the other areas. As plot ratios are used to protect amenity, the Council will only permit higher plot ratios where high standards of design and appropriate building mixes are achieved.

- 9.4.7 Other factors that will be applied alongside plot ratio in order to give a more qualitative definition to the built form include:
- Building height;
 - Public open space provision;
 - Private open space provision; and
 - The standards applied to estate roads and off-street car parking provision.

Development standards with respect to the normal considerations as outlined in this Plan

- 9.4.8 In order to maximise the Central Area population, there is no specified upper limit on the number of dwellings that may be provided, subject to the following safeguards:
- Compliance with the policies and standards of public and private open space;
 - Avoidance of undue adverse impact on the amenities of existing or future adjoining neighbours;
 - Good internal space standards of development;
 - Conformity with the vision of the urban form of the town in relation to height and massing;
 - Recognition of the desirability of preserving protected structures and their setting and of preserving or enhancing the character or appearance of the Architectural Conservation Areas; and
 - Compliance with plot ratio and site coverage standards.

General Development Form

- 9.4.9 All new residential development should be of high quality and planned around 'neighbourhood principles'. High quality public realm, town squares, key community focal points, pedestrian and cycle linkages, and generous green spaces will be essential components.
- 9.4.10 The neighbourhood concept is intended to address the general erosion of local character and distinctiveness that is prevalent in most housing developments created in the last half century or so, typified by an absence of variety in land uses and architectural styles, unfriendly external environments, lack of community, and a similarity of urban form that lacks 'sense of place'.
- 9.4.11 The General Development Objectives for greenfield sites include:
- To achieve a distinct sense of place - related to the existing town but with separate identity;
 - To create a hierarchy of legible urban forms including distinct neighbourhoods, focal centres and landmark buildings;
 - To provide for a variety of house types and densities, including provision of private, social, affordable and sheltered housing;
 - To create a variety of functional and secure public spaces that interconnect with movement through the site, including formal squares, new streets, incidental open spaces and urban gardens;
 - To promote clear views and easy orientation, including linkages with adjacent sites; and
 - To secure significant open space that provides both a recreational resource and a distinctive setting for new development.
- 9.4.12 The urban form of new residential areas should promote walking through the layout of streets and buildings. The block layout needs to reflect existing natural features, contours and existing building patterns. Public spaces should account for 15-20% of the total area, with parks, sports and recreation fields forming an integral part of the

settlement. High quality public spaces provide the focus for the community, defined by buildings of architectural distinction and variety. The surrounding street grid should be fine grained, with small street blocks and numerous pedestrian linkages to the central public spaces.

- 9.4.13 A fundamental requirement will be the need to integrate all new development into the landscape setting, thereby reducing its impact on the local environment and reinforcing local distinctiveness. This can be achieved by retaining existing site features (such as trees, hedgerows, ponds, rock outcrops, etc) and by using strong structure planting that complements and reinforces the existing vegetation pattern.
- 9.4.14 The scale, massing and height of proposed development needs to be considered in relation to that of adjoining buildings, the local topography, the general pattern of heights in the area, and views and landmarks. In the majority of cases, successful development is achieved by defining and enclosing space by buildings, structures and landscape. A key requirement in structuring built form within development blocks will be the need to achieve a clear distinction between public fronts and private backs. Buildings that front streets, squares and parks present their public face to the outside world and give life to it. Public fronts and private backs are made more distinct when primary access is from the street (i.e. the principal frontage).
- 9.4.15 Buildings that follow a continuous building line around a street block and contain the private space within rear gardens or courtyards are usually more successful than individual buildings that stand in the middle of a plot. The building forms should be arranged to define a variety of public spaces, such as squares, streets, parks, and other incidental areas, with the height of buildings related to the width and importance of the space. A continuous but varied building line can be created with a mix of dwelling frontages, garden and garage walls. At key locations, such as street corners and other focal points, the building form should be articulated to reinforce the legibility of the layout (e.g. by varying the building height and/or architectural treatment).

Residential Roads and Access

- 9.4.16 The rigidity and standardisation of more recent housing layouts are partly the result of the dominance of motor vehicles. Layouts have been based on the geometry of vehicle movement, with the natural result that residents find it easier to use their car than any other form of travel. These types of developments have led to the creation of areas that are uniform in appearance and lack their own sense of local identity.
- 9.4.17 New residential developments should seek to create high quality areas where the design and layout of roads are integrated in a way that is sensitive to the local environment, rather than to dominate it. The visual presence of vehicles should be minimised and private parking accommodated to the rear of properties where possible, in attractive courts that are over-looked by houses and connected to the network of pedestrian routes. On all roads, speeds should be constrained and a pedestrian-friendly environment created that increases the feeling of safety. Horizontal alignment constraints combined with the careful positioning of buildings, landscaping and the use of different materials should be used to help reinforce the need to reduce speed and the dominance of motor vehicles. Traffic generating development should usually be located towards the edges, incorporated into the green landscape structure of the outer areas.
- 9.4.18 All new developments should therefore encourage walking, cycling and easy access to existing or improved public transport links (through developer contribution where appropriate). Most roads within the new residential areas will fall within the 'access'

category, serving between 100 and 300 dwellings, where speeds should be physically constrained by the road layout to 50kph (and 30kph where possible). From these routes a variety of 'minor access' roads (mews, courts and squares) will serve smaller groups of houses (up to 50 dwellings).

- 9.4.19 Pedestrian and cycle only links should connect the various parts of development together and to other developments and key community facilities. These should provide safe and direct routes and offer more convenient movement around and between areas than by motor vehicle.
- 9.4.20 For larger residential developments (100 dwellings or more) developers will be required to submit preliminary design proposals that demonstrate the way in which the development is integrated into the surrounding area and that the road layout is safe for pedestrians and cyclists as well as vehicles.

Public Realm

- 9.4.21 The quality of the public realm depends on the arrangement of its paving, planting, lighting, shelter, signage, street furniture, and the way it is over-looked, as well as the routes passing through it and the uses next to it. To be effective, public space needs to be designed with a purpose in mind. Space left over after development, without a function, is a wasted resource and will detract from the area's sense of identity.
- 9.4.22 In particular, the specifications of materials and maintenance should demonstrate high standards of visual attractiveness, durability and environmental performance. Such considerations will be essential requirements of all new residential development and applicants will need to demonstrate that the quality of the public realm has been fully taken into account as an integral part of any submitted schemes.

Infill Development

- 9.4.23 All design of infill development must be in keeping with the surrounding environment, ridge line, eaves, cornices, existing opes and the design of adjacent buildings. The approach must be based on the need to protect the amenity of the adjoining neighbours and the general character of the area. The intervention of the Council may be needed to facilitate this type of development, in particular with regard to the provision of access to backlands.

Development in the Architectural Conservation Areas (ACA)

- 9.4.24 Having regard to Chapters 4.3 and 4.4 of this Plan, an Architectural Conservation Area (ACA) is a place, area, group of structures or townscape which is either of special historical value due to its associated architectural, artistic, cultural, scientific, social or technical interest, or an area which as a whole gives appreciation to one or many protected structures.
- 9.4.25 Within designated ACA's normal exemptions relating to Development Management do not apply, as set out in section 82(1) of the Planning and Development Act (2000). This means that works to the exterior of a building which materially affects its character will normally require planning permission. Any development or works within an ACA should be given careful consideration to ensure these special values are not compromised by insensitive redevelopment. Demolition of any building or built feature in an ACA is not normally permitted, but in exceptional circumstances a thorough photographic survey will be required to ensure documentation and preservation by record of all features of significance. Should development take place without the appropriate planning

permission, the Council may require the owner to restore the character of the building.

- 9.4.26 Traditional elements located within the public realm may also contribute to the special interest of an area, such as railings, gates, lamp standards, post boxes, street signs, seating, statues/monuments, water pumps, horse troughs, drinking fountains, milestones, paving, cobbles and other street furniture. These elements can provide part of the essential character of an ACA and are therefore subject to the same levels of protection.

Development in Areas of Archaeological Interest

- 9.4.27 The Council will, when considering applications for planning permission for developments on or in the vicinity of archaeological sites or monuments, seek the advice of the appropriate statutory authorities. The Council will, in particular, seek advice in relation to proposed developments involving ground disturbance within zones of Archaeological Potential for Clonmel.
- 9.4.28 Where archaeology is likely to be encountered or impacted upon by a proposed development, the provisions of the National Monuments Acts (1930-1994) will apply. Within the Zones of Archaeological Potential, all archaeological remains will need to be investigated, recorded, and / or preserved.
- 9.4.29 Where in the opinion of the Council, (inside and outside of the Zones of Archaeological Potential) developments involve major ground disturbances, the following conditions relating to archaeology may be applied:
- The Council will, in conjunction with DoEHLG, require that archaeological investigations be undertaken prior to commencement of a development by a licensed archaeologist;
 - The developer will be liable for the cost of archaeological assessments, investigations and monitoring;
 - The Council will require the developer to submit a report, prepared by a suitably qualified archaeologist, on the archaeological implications of the proposed development. The Council may impose conditions requiring:-
 - Professional archaeological supervision of site excavation;
 - Funding by the applicant for archaeological monitoring, testing and / or assessment;
 - Preservation of all or part of any archaeological remains;
 - Conditions may be imposed which modify the development in order to facilitate archaeological investigation or preservation.

Protected Structures

- 9.4.30 The Council seeks to preserve the heritage of the town through development management and by protecting structures of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, included in the Record of Protected Structures (RPS) as set out in Appendix 1.
- 9.4.31 The inclusion of structures in the Record of Protected Structures denotes their special interest and inherent value to the community. The entire building (interior and exterior) and curtilage of a Protected Structure is protected under The Planning and Development Acts (2000-2006). Owners/occupiers may request a Declaration from the planning authority which will identify works that can or can not be carried out in the absence of planning permission, as exempted development regulations are not applicable to Protected Structures where proposed works materially affect the character of such structures.

9.5 Commercial, Retail and Non-Residential Use Standards

Petrol Filling Stations

- 9.5.1 Applications for the provision or construction of any new petrol stations will be considered in the light of the following criteria:
- Need for the development taking into account existing petrol outlets;
 - Sustainability of the development as to its size and location, relative to the surrounding environment;
 - The standard of design of the proposed development and its effect on the surrounding area; and
 - Generation of traffic hazards.
- 9.5.2 All Petrol Filling Station developments will have to satisfy the following criteria:
- A road frontage of no less than 31m for a depth of no less than 7m from the road boundary;
 - Petrol pumps must be positioned no less than 7m from the road boundary;
 - The station must have only 2 access points, both of which will have a width of no less than 6m and will not exceed 9m and will have a kerb radii of no less than 10m;
 - The surface of the forecourt will be graded, properly surfaced, and drained to the satisfaction of the Council - a petrol/oil interceptor trap will be fitted to the surface water drainage system;
 - Provision will be made for the storage and removal of refuse and waste material;
 - Public sanitary services will be provided for; and
 - The minimum sight distance from the entrance to the nearest road junction will be no less than 50m for the major junctions and 25m for a minor road junction.

Shop Fronts

- 9.5.3 Shop fronts are one of the quality features of Clonmel. The Central Area retains much of its origin in the 19th Century and many of the original façades still exist. Many of the shops in Clonmel have separate entrances to the upper residential accommodation. Some have arched double doors to access the rear yard of the shop. These are important architectural features and facilitate the retention of the viability of living over the shop and linking off-street spaces to the main streets.
- 9.5.4 Traditionally the shop fronts were applied to the façade and had a strong vertical emphasis. The columns, or pilasters, carry the weight of the fascia and the wall above. They may have decorative fluting or carved panels or a plain surface. The top of the pilaster may be plain or decorative, the bases always contain a plinth.
- 9.5.5 The depth of the fascia depends on its length, the space between windows, the cornice and architrave design and the building detail. Fascia boards are often angled to direct sunlight at the shopper. Fascia lettering will be hand painted and raised. Shop names, particularly family names, help to give the town a sense of place and local identity.
- 9.5.6 Brand advertising is not acceptable on fascias, and fascias will not link buildings with different styles.
- 9.5.7 The use of stallrisers, which is the area below the display window, was originally a method of reducing the expanse of glass as well as ensuring that the shop front formed an integral part of the building. Today, it has the practical benefit of providing protection for the window from feet, dogs and moisture. As a rule, stallrisers will not be lower than the height of the adjoining pilaster base.

- 9.5.8 Traditionally, shutters were painted wooden panels, which lifted out. However, shutters tend to result in dead frontages at night, reducing light on the street and the potential for window-shopping. The absence of shutters facilitates improved natural surveillance both in the shop and on the street. If roller shutters are a necessity, they must be located behind the window line and will be open grid or see through screen design. Security stanchions on the footpath are unacceptable.
- 9.5.9 Existing retail outlets on shopping streets should be retained in retail use (refer Chapter 4.1).
- 9.5.10 Where shop fronts are part of a protected structure the carrying out of any works will require planning permission, except where a Declaration under Section 57 of the Planning & Development Act (2000) indicating such works are exempted works has been issued.

Take-away Outlets

- 9.5.11 The establishment of take-away food outlets will be strictly controlled. Such developments will not be allowed where they will interfere seriously with the amenities of an area and will only be considered for the main shopping streets in line with the following criteria:
- The design of the building and the façade will not prejudice the existing streetscape in the area;
 - There will be strict control on the shop front signage;
 - It will be condition of planning permission that applicants will be required to make arrangements for the satisfactory collection and disposal of litter generated; and
 - A development levy may be required to cover the costs associated with the provision of litter bins and waste disposal facilities for the refuse generated by such activity.

Advertising and Signage

- 9.5.12 Advertising hoarding will not be permitted in residential areas, on historic and important buildings, or in areas in the vicinity of parks and amenity lands. No advertising will be permitted overlooking the river front and along the quays.
- 9.5.13 Advertising may be allowed in commercial and industrial areas provided that the safety and free flow of traffic is not interfered with, that traffic signs are not obscured and that the amenities of the area are not impaired. Where permitted, advertising signs will be subject to the following general policy statements:
- Signs attached to buildings are preferable to those of free-standing hoarding;
 - Signs will not interfere with windows or other features on the façade or project above the eaves or seen against the skyline;
 - The size and scale of signs will not conflict with the size and scale of any existing structures in the vicinity;
 - Advertising structures must be related in scale to the position of the sites; they will be located at pedestrian level and scale and not be orientated to passing motorists.
 - In commercial areas, the upper line of new fascias will conform to the upper line of fascias pertaining in the street block;
 - Advertising will be sympathetic in design and colour, both to the building on which they will be displayed and to their surroundings and will not obscure architectural features; and
 - Where illumination is required it will normally be externally mounted.

- 9.5.14 No advertisement hoardings will be permitted in the Central Area other than where grouped on special sites provided by the Council and according to agreed size, design and colour requirements.
- 9.5.15 Subject to the availability of sites, it is the aim of the Council to provide official advertising hoarding with a view to restricting fly posting and uncontrolled advertising. Advertising hoarding may be permitted temporarily where they help screen building sites and derelict sites awaiting redevelopment and where they form an integral part of the boundary treatment of the site.

9.6 Community Use Standards

Childcare – Crèches/Playschools

- 9.6.1 As advised in 'Childcare Facilities: Guidelines for Planning Authorities' (2001), the Council has included Plan policies and objectives for the provision of childcare facilities.
- 9.6.2 All new developments brought before the Council will be obliged to provide childcare facilities in accordance with the standards presented below and in the Guidelines.
- 9.6.3 In accordance with the Guidelines, Childcare facilities will be permitted in appropriate locations, including:
- Larger new housing estates;
 - Industrial estates and business parks and other areas of significant employment;
 - In the vicinity of schools;
 - Neighbourhood and District Centres; and
 - Adjacent to public transport corridors.
- 9.6.4 Where such facilities are to be provided, it will be essential to demonstrate that their location will not give rise to a traffic hazard or have an adverse impact on the residential amenity of the area. Applications for crèches and playschools within an existing or proposed place of work, or in proximity thereof will be favourably considered.
- 9.6.5 Where these facilities are to be provided in new and existing housing estates the 'Childcare Facilities: Guidelines for Planning Authorities' have provided a standard of 20 childcare places for each 75 dwellings. The standard of at least one childcare facility for such residential estates will be applied except where there are significant reasons indicating that such facilities are unnecessary in the area. Consultation with the South Tipperary County Childcare Committee is advised.
- 9.6.6 All applications for crèches or pre-school facilities will be required to comply with the Child Care Act and the Child Care (Pre-School Services) Regulations (1996). In general, for sessional services and drop-in centres, a floor area of 2m² per child is required.
- 9.6.7 Application for crèches, playschools, and pre-school facilities will be assessed with regard to the following information:
- Details of the proposed opening times;
 - Proposed number and age range of children;
 - Proposed number of staff;
 - Internal floor areas devoted to use as crèches/playschool, excluding areas such as kitchens, toilets, sleeping and ancillary areas;

- Details of external play areas; and
 - Car parking arrangements, for both parents and staff.
- 9.6.8 The Council may impose a temporary permission of between 1-5 years on any grant of permission for such facilities to assess their impact on surrounding areas and developments.

Nursing Homes

- 9.6.9 Nursing homes will comply with the standards laid down in Statutory Instrument No. 317 of 1985, 'Homes for Incapacitated Persons Regulations'.
- 9.6.10 Permission for a change of use from a residential dwelling to a nursing home will only be granted in cases where such a use would not give rise to a traffic hazard or seriously injure the amenities of adjoining dwellings and where the building can be adapted to a satisfactory level of accommodation.

9.7 Vehicle Accessibility

Parking and Loading

- 9.7.1 All proposals for development incorporating the construction of new buildings, the alteration and/or extension of existing buildings and/or change of use will be required to comply with the Off-street Parking Standards as set out in Table 2 below. A minimum of 5% of the total parking provision will be allocated to disabled users.
- 9.7.2 In dealing with development for uses other than those set out in Table 2 below, the proper planning and sustainable development of the area will be taken into consideration in determining the appropriate parking standard to be applied. The required car parking facilities will be provided on the same site or convenient to the principal use served. Furthermore, every attempt will be made to accommodate parking in off-street locations for new development, particularly in areas such as the Central Area and Suir Island. The Council will encourage and welcome proposals for shared surfaces and grouped car parking areas in new residential areas.

Table 2: Vehicle Parking Standards

Development	Central Area	Environs
Residential		
Dwelling house	1	2
Residential Visitor Parking	0	1 per 4 dwelling units
Apartment / Flat	1	1
Retail - Shopping	1/30m ²	1/20m ²
Retail - Warehousing	-	1/40m ²
Office - GFA	1/100m ²	1/40m ²
Banks - GFA	1/100m ²	1/40m ²
Surgeries	1/consulting room	2 - 3/consulting room
Public Houses	1/25m ²	1/10m ²
Restaurants	1/50m ²	1/20m ²
Hotels	1/2 bedrooms	1-2 bedrooms
Dance Halls	1/25m ²	1/10m ²
Cinemas / Theatres	1/25 seats	1/10 seats
Churches	1/25 seats	1/10 seats
Hospitals / Nursing Homes	1/2 beds	1/1-2 beds
Manufacturing Industry GFA	1/200m ²	1/75m ²
Warehouses GFA	1/300m ²	1/150m ²
Showrooms	1/50m ²	1/50m ²
Conference Centre	1/50m ²	1/25m ²
Garages	1/50m ²	1/30m ²
Sports Clubs	1/15m ² / 6/pitch / 2/court	1/15m ² / 6/pitch / 2/court
Library	1/100m ²	1/100m ²
Funeral Home	6	20
Schools	2 per classroom	2 per classroom
Creches	1 per staff member 1 per 5 children	1 per staff member 1 per 4 children
Leisure Centre	1 per 75m ²	1 per 50m ²

9.7.3 Where the provision of on-site car parking is not possible, the Council will require a financial contribution towards the provision of car parking facilitating the proposed development elsewhere by the Council under Section 48(1) of the Planning & Development Act (2000). Within the Central Area, the Council may adopt a flexible approach to the requirement to provide car-parking spaces, where a proposed development is considered to provide a desirable use, which would enhance the Central Area.

9.7.4 In all developments of an industrial or commercial nature, developers will be required to provide loading and unloading facilities sufficient to meet the demand of such development.

9.7.5 Off-street loading facilities will conform to the following requirements:-

- Each required space will not be less than 3.75m in width, 6.0m in length and 4.25m in height, exclusive of drives and manoeuvring space and located entirely on the site being served;
- There will be appropriate means of access to a street or road as well as adequate manoeuvring space; and
- The maximum width of the driveway opening at the street boundary will be 6.0m and the minimum width will be 3.75m.

- 9.7.6 The Council may modify the requirements of the loading and unloading facilities in any specific case where it considers it would be in the interest of the proper planning and sustainable development of the area to do so. Parking and service spaces must be located on the site so as to prevent street obstructions and will be located where possible to the rear and side of buildings and in such a manner to ensure minimal impact on the amenity of adjoining properties.
- 9.7.7 The Council will ensure that fuel oil loading points will be carefully sited to obviate the necessity of large vehicles standing on the roadway during loading and unloading or the laying of hosepipes across footpaths to the inconvenience of pedestrians.

Access for the Disabled

- 9.7.8 A minimum of 5% of the total parking provision will be allocated to disabled users. Special parking bays for the disabled will be provided as close to the entrances of premises as possible. Each car parking space will have a minimum size of 5.0m by 3.3m, and will be clearly marked with the relevant international symbol. The Council will ensure the full compliance of all new developments with the criteria and standards set out in the Building Regulations, Part M: Access for People with Disabilities.

Roads Standards

- 9.7.9 Vehicular entrances and exits must be designed and constructed so as to avoid a hazard to pedestrians, cyclists, and passing traffic. When a new entrance onto a public road is proposed, the Council will consider traffic implications and available sight lines. Generally, no more than two vehicular accesses will be permitted to any commercial or industrial property, each not exceeding 7.5m in width.

Bicycle Facilities

- 9.7.10 The Council will require that cycle facilities be provided in conjunction with any new development proposal. Bicycle parking stands will be located in a secure and safe location, which is overlooked and provides easy access to entrances and exits.
- 9.7.11 The number of stands required will be one quarter the number of car parking spaces required for the development, subject to a minimum of one stand. For National Primary Schools, the number of recommended spaces is one in five students. For secondary schools, it is recommended a space be provided for every one in four students and for third level related developments that a space is provided for one in three students.
- 9.7.12 Where stands cannot be provided on-site, a contribution per cycle unit will be required towards the provision of public cycle stands.

9.8 Development Charges

- 9.8.1 Considerable sums of money have been and will continue to be expended by the Council in the provision of public services. Under Section 48(1) of the Planning & Development Act (2000), the Council will require financial contributions as a condition of the granting of planning permission, towards the capital expenditure necessary for the provision of infrastructure works which would facilitate the development. Such works include drainage, water supply, roads, footpaths and traffic management, open space and amenities, and car parking.
- 9.8.2 The Council reserves the right to alter the amount of contributions required. Under Section 48(2) of the Planning and Development Act (2000) the Council is required to prepare a development levy scheme. Details of the contributions required by the Council can be obtained by contacting the Planning Section.
- 9.8.3 The Council may also set a time within which contributions must be paid and they may allow payments to be made in instalments where appropriate.
- 9.8.4 To ensure that developments undertaken by private developers are satisfactorily completed, the Council may impose a condition under Section 34 (4)(g) of the Planning & Development Act (2000), in the planning permission requiring the lodgement of a bond / cash deposit as security. This is to ensure that all roads, footpaths, open spaces, lighting and other services within the development are completed to an acceptable standard.
- 9.8.5 The bond / cash deposit will remain in place until all prescribed works are satisfactorily completed or until the development has been taken charge by the Council.

Addendum 1

In considering the Draft Clonmel and Environs Development Plan 2008, the Elected Members of Clonmel Borough Council, at their meeting held on 9th January 2007, expressed a desire to see the Boundary of the Administrative area of the Borough of Clonmel extended.

Land Use Zoning Maps

Map 1A Environs Zoning Map

Map 1B Borough Zoning Map