

## Chapter 10 Infrastructure and Environment

### 10.0 Aim

To continue to provide the necessary infrastructural services to support the role of Tullamore within the “**Midland Linked Gateway**” and as the main “driver of growth” for County Offaly, without compromising the quality of the receiving environment.

### 10.1 Context

#### 10.1.1 Provision of Infrastructure

##### 10.1.1.1 Water Infrastructure - Offaly County Council’s Assessment of Needs

Offaly County Council’s Assessment of Needs examines how and where the **provision of public water services** (water and wastewater) should be provided and/or improved and in the most cost-efficient manner. Prioritisation of projects and the scheduling of construction works will depend on Department of the Environment, Heritage and Local Government (DoEHLG) approval and the availability of resources.

#### 10.1.2 Protection of the Environment

##### 10.1.2.1 Water Framework Directive

The Water Framework Directive (WFD) rationalises and updates existing water legislation and provides for the future management of all waters on the basis of **River Basin Districts**. There are three river basins districts applicable to County Offaly. Tullamore is located in the **Shannon River Basin District**, which covers 73% of the County.

Offaly County Council as an established Local Authority is charged with the role referred to as “competent authority” in the implementation of the WFD for the Shannon River Basin District. Under the WFD, the Councils are required to ensure that all waters (including surface and ground waters) within the Shannon RBD meet good status up to the deadline date of December 2015<sup>1</sup>. The Councils will take cognisance of the Shannon River Basin District Management Plan<sup>2</sup> and its associated programme of measures in order to protect and improve water quality. To this end, the Councils will implement the Water Quality Management Plan for the Shannon RBD.

##### 10.1.2.2 Water Services Act 2007

The Water Services Act 2007 provides the legislative context, governing functions, standards, obligations and practice in relation to the planning, management and delivery of water supply and wastewater collection and treatment services. It focuses on management of water “in the pipe”, as distinct from broader water resources issues such as river water quality<sup>3</sup> etc.

- Drinking Water Regulations 2007
- Waste Water Discharge Regulations 2007
- Urban Wastewater Regulations 2001

Other legislative provisions with which the Councils’ must comply with include the following;

##### 10.1.2.3 Water Pollution Acts 1977-1999

Relevant discharges to sewers and water courses from agricultural, industrial and other activities are licensed by Offaly County Council under Sections 4 and 16 of the Water Pollution Act 1977. Failure to meet Offaly County Council’s standards with regard to storage, distribution and disposal of all waste is dealt with under the enforcement provisions of the Water Pollution Acts 1977-1999.

<sup>1</sup> Note: Good water status refers to good ecological and good chemical status. Good ground water status means good quantitative and chemical status.

<sup>2</sup>RBD Plans must be made by 2009.

<sup>3</sup> Source: Department of the Taoiseach – No. 30 of 2007 Water Services Act 2007

#### 10.1.2.4 Air and Air Quality

Offaly County Council is the regulatory authority for the purposes of the Air Pollution Act 1997. It is the principal legal framework for the prevention and control of air pollution and contains limits for monitoring emissions to air. Regulations made under this Act prescribe the procedures necessary for the operation of a licensing system for certain industrial uses.

## 10.2 Strategy

### 10.2.1 Water Services and Environment

The **Councils** have a **primary role** in providing and/or facilitating the provision of adequate services at a local scale within its administrative area i.e. wastewater treatment plants, water treatment facilities etc.

In terms of the environment, development that causes noise, smell, smoke, soot, grit, dust, vibration or other forms of disturbance can damage the health of people, animals and plants and can lead to a deterioration of building materials. While the Environmental Protection Agency is responsible for the control and monitoring of pollution, the Councils as Planning Authorities, exercise control over pollution and nuisances primarily through the development management process. The Councils will refuse planning applications that are likely to give rise to unacceptable levels of pollution or nuisance and will adopt a precautionary approach where scientific knowledge is inconclusive. These Development Control Standards are outlined in more detail in Chapter 14.

#### 10.2.1.1 Water Protection

##### *Tullamore Water Bodies*

The water bodies of relevance to Tullamore are surface water (rivers and streams) and groundwater. Groundwater is stored in the void spaces in underground layers of rock or gravels. These are known as aquifers. These aquifers are permeable, allowing both the infiltration of water from the soils above them and the yielding of water to surface water.

These water supplies have many functions: including providing drinking water and recreational value to the people of Tullamore, sustaining biodiversity, flora and fauna and providing for agricultural and industrial/commercial production.

##### *Protection of Water Bodies and Aquifers*

The Councils in conjunction with the EPA are responsible for monitoring water quality in terms of both physical and chemical status. An extensive water-monitoring programme has been agreed with the EPA for all water bodies within the County. This includes 75 sites, which are monitored under various parameters as part of an ongoing national monitoring programme.

Aquifer vulnerability refers to the ease with which pollutants of various kinds can enter ground water. It is the Councils policy to protect these resources in the interest of the common good and public health having regard to Aquifer Protection Plan. Development shall be limited within the Aquifer Protection Zone at Arden where such development would present a serious threat to the purity of such resources.

##### *Agriculture*

Having regard to the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2006, S.I. No. 378 of 2006, the Councils will seek the **maximum protection of waters** from diffuse agricultural sources in Tullamore. The Environment Section of Offaly County Council monitors all agricultural developments to ensure the adequacy of on-farm waste management practices.

##### *Water Conservation*

As of 2010, Stages 1 and 2 of Offaly County Council's Water Conservation project have been completed, management structures and active leakage control have been established. Phase 3 of the project, which is envisaged to commence in 2010, is included in the Water Services Investment Programme (WSIP) for 2012 and involves infrastructural renewal and rehabilitation.

### 10.2.1.2 Water Provision

#### *Existing Public Water Supply Scheme*

The sources of drinking water for the Tullamore Water Supply Scheme are the Clodiagh and Gorrageh rivers at Clonaslee, 5 boreholes in Clonaslee, 2 borewells at Arden and Sillogue well in Durrow. The supply network does not cover the full development plan area. The network serves Tullamore urban district, the area north of Collins Lane, east of the Barony River, Clonminch, Ballydaly Group Water Scheme, Rahan (area east of Tully) and Clonaslee village (County Laois).

Current challenges for the scheme (2010) are to find additional source(s) to meet future demands, to improve and increase storage facilities, to extend the distribution network and to rehabilitate the existing network.

#### *Proposed Upgrades to Public Water Supply Scheme*

Tullamore Water Supply Scheme is included in the Water Services Investment Programme (WSIP) 2010-2012 for improvement/upgrade works. It is proposed to upgrade the water treatment plant at Clonaslee, provide additional storage at Clonminch and Arden and provide key trunk and distribution mains.

#### *Private Water Source*

All new developments must connect to the public supply scheme where it is feasible to do so.

### 10.2.1.3 Wastewater Treatment

#### *Existing Public Wastewater Treatment Scheme*

The plant serving Tullamore is located at Kilcruttin, immediately east of the Dublin-Galway/Mayo railway line and between the Tullamore River and the Grand Canal. The plant includes primary treatment, secondary treatment, phosphorus removal and anaerobic sludge digestion. The current collection network serves Tullamore urban district, the area north of Collins Lane, east of the Barony River and Clonminch.

Current challenges for the plant (2010) are plant capacity, stormwater storage, the reduction of Combined Storm Overflows, the extension and rehabilitation of the collection network and pump stations.

#### *Proposed Upgrades to Public Wastewater Scheme*

The upgrade of the Tullamore Wastewater Treatment Plant from 16,000 p.e. to 45,000 p.e. is currently under construction (2010) and is due to be operational in 2012. Under the WSIP 2010-2012, the upgrade of the Tullamore sewerage scheme collection network and pumping stations is at planning stage.

#### *Sludge Disposal*

The upgrade of the Tullamore Wastewater Treatment Works includes for the provision of a central treatment facility with a capacity of 80,000 p.e.

#### *Private Wastewater Treatment Plants*

Some parts of the Tullamore environs are still served by septic tanks. The public wastewater system is not as extensive as the public water supply scheme. The Councils require that all single dwellings treat their effluent by installing a wastewater effluent treatment system. Such systems, where permitted, shall comply with national and Environmental Protection Agency standards i.e. Wastewater Treatment Manuals, Treatment Systems for Single Houses or as may be varied during the period of this plan.

## 10.2.2 Flooding

### 10.2.2.1 The Planning System and Flood Risk Management Guidelines, 2009

These guidelines will require the planning system at national, regional and local levels to:

- Adopt a sequential approach to flood risk management based on avoidance, reduction and then mitigation of flood risk as the overall framework for assessing the location of new development in the development planning processes: and

- Incorporate flood risk assessment into the process of making decisions on planning applications and planning appeals.

#### 10.2.2.2 Areas at Risk of Flooding

It is widely anticipated that climate change (in particular rainfall patterns) may result in more frequent and severe flooding incidents in the future. The **Office of Public Works (OPW)** is the lead agency on flooding for Ireland. It is primarily concerned with delivering an integrated, multi-faceted programme aimed at mitigating flood risk and impacts. This includes the **identifying of areas at flood risk** and **formulating National policies**. The Councils will have regard to "The Planning System and Flood Risk Management", Guidelines 2009".

Information received from [www.floodmaps.ie](http://www.floodmaps.ie) will continue to inform the plan making and decision-making process on an on-going basis:

#### 10.2.2.3 Tullamore Flood Risk Assessment and Management Study (FRAM) 2008

The Office of Public Works in conjunction with Offaly County Council and Tullamore Town Council completed the Flood Risk Assessment and Management Study (FRAM) in 2008 for Tullamore. The study area for the Tullamore FRAM covered the areas of the town that are affected by flooding. The study identifies areas that are at risk of flooding, provides a series of recommendations and lists appropriate mitigation measures (refer to Map 10.3 showing the 1 in 100 year flood (1% AEP flood event, from the FRAM at the end of this chapter).

Any planning application for development on lands that are identified as being prone to flood would be required to satisfy the Councils that it has full regard to the FRAM study and that the proposed uses are appropriate for their location and the consequent risk of flooding and includes the implementation of mitigation measures as contained in the study.

Where lands have been zoned for development in areas identified at risk of flooding, the Councils have taken the following into consideration:

- The availability of a management strategy for flooding in the form of the FRAM study for Tullamore.
- Tullamore is designated as part of the Midlands Linked Gateway within the National Spatial Strategy. The role of the Gateway is further expanded on in the Midland Regional Planning Guidelines (MRPGs) 2004-2010 (Refer to Chapter 2 for further information on Tullamore's role in the Midlands Gateway). The strategic development and growth of the town is critical for a successful Linked Gateway to be achieved. Lands within Tullamore Town and Environs have been identified for development to accommodate the expanding needs of the town in relation to accommodating projected population increase, catering for high level business and employment opportunities and creating new communities, in line with the provisions of the NSS and the MRPGs. A portion of the identified development lands is located within the floodplain of the Tullamore River and has been included in order to support and supplement the capability of Tullamore town to deliver the needs of existing and new communities and address the challenge of creating a successful Midlands Gateway.
- Lands identified for development within the floodplain comprise of developed and undeveloped lands within the town and environs area. The lands are considered to be underutilised despite their proximity to the town centre and the strategic nature of landuses adjacent.
- The development of the identified lands would constitute strengthening the overall footprint of the urban area and the need to establish stronger connectivity throughout the town. As indicated throughout this plan, the strategic goals for the development of the town are required to be underpinned by a land use plan capable of delivering them. Extending the overall footprint of the urban area through the development of these lands will further consolidate the town centre and provide the necessary linkages and connectivity for existing and new communities.

- Strategic Environmental Assessment has already been undertaken on lands identified and adopted within the floodplain for development through the SEA process for Variation No. 4 to the Tullamore Town and Environs Development Plan 2004-2010. In addition, SEA has also been undertaken as part of the review of this plan with alternative scenarios examined therein (refer to Environmental Report).
- The process of preparing Variation No. 4 examined thoroughly alternative options for zoning lands within the environs area. In addition, the SEA process developed alternatives for the variation. The process indicated that the most viable option available to address the needs of Tullamore, as a Linked Gateway Town, was to zone lands that had previously been indicated for 'future development'. These areas included lands within the floodplain.
- The capability of zoned lands to cater for less intensive use where these lands are located within a floodplain.

#### 10.2.2.4 Sustainable Urban Drainage Systems-SuDs

Sustainable Urban Drainage Systems (SuDs) is a method of replicating the natural characteristics of rainfall runoff from any site. They provide hydraulic, water quality and environmental benefits. The objective of SuDs drainage designs is to collect and treat the minimised amount of runoff as close to source as possible. Some form of infiltration and/or retention/storage normally achieves this. SuDs techniques comprise a flexible series of options, which allow the drainage designer to select those systems that best suit the circumstances of the site.

The overall objective is to minimise stormwater runoff. Therefore, the area of impermeable surfaces, for example pavement and tarmac, should be minimised by careful attention to site layouts and the specification of pervious surfacing, where practicable.

With regard to the increasingly frequent trend of paving over entire residential gardens to provide off street car parking or hard landscaping under the exempted development provisions of the Planning Acts, the DoEHLG intends to review the Exempted Development Regulations to ensure that only those complying with or applying sustainable drainage principles will be exempted thus limiting the run-off which would otherwise contribute to overwhelming the drainage systems<sup>4</sup>.

The Councils will continue to ensure the sustainable management of surface water discharges from all developments, through the utilisation of Sustainable Urban Drainage Systems (SuDs), in accordance with international best practice.

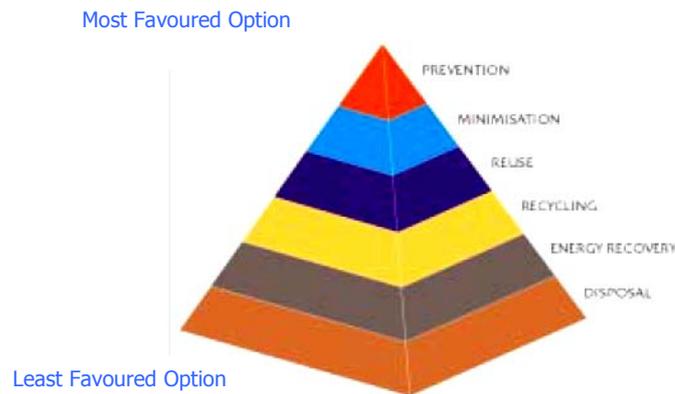
### 10.2.3 Waste Management

#### 10.2.3.1 Strategic Management – (Midlands Regional Waste Management Plan)

The current Waste Management Plan for the Midlands Region 2005–2010 was prepared in accordance with the requirements of the Waste Management Acts 1996 to 2005 and aims to radically alter the approach to managing waste. It is based on the EU waste management hierarchy, which prioritises waste prevention, minimisation, reuse/recycling, disposal with energy recovery ahead of landfill (See Figure 10.1). The Councils are committed to implementing the current **Waste Management Plan for the Midlands Region 2005-2010** (in conjunction with North Tipperary, Laois, Westmeath and Longford County Councils), which takes account of both national and EU policy in this area.

<sup>4</sup> Source: The Planning System and Flood Risk Management, Draft Guidelines for Planning Authorities, 2008

Figure 10.1



Source: Midlands Waste Management Plan

#### 10.2.3.2 Recycling

As part of the framework for recycling in the County Offaly, there are currently 46 “bring centres” available for public use throughout the County and 3 “civic amenity sites”. There are currently 3 “bring centres” for recyclables available for public use in Tullamore (Car Park at Bury Quay, Car park at Tesco and Car Park on Daingean Road) and this service has been enhanced by civic amenity site at Derryclure Landfill site (refer to Map 10.4). The Councils will encourage the provision of **recycling infrastructure** where it is considered necessary and will assess requirements for recycling facilities on a case by case basis as part of the Development Management process. If necessary and appropriate, the Councils will require applications for residential developments of 100 units or greater and/or commercial applications to provide recycling infrastructure on-site.

The Councils will have regard to the ‘**Best Practice Guidelines** on the Preparation of Waste Management Plans for Construction and Demolition Waste Projects’, (July 2006). These Guidelines introduce the concept of integrated waste management planning for construction projects above certain thresholds.

#### 10.2.3.3 Litter Control

The Councils recognise the importance of maintaining the town free from litter and protecting indiscriminate dumping and bill postering. The Councils will continue to work with the Tidy Towns Committee, schools and local residents associations to increase awareness of waste recycling and litter control in accordance with the County Offaly Litter Management Plan 2008-2011. The Councils will ensure the removal of unsightly vehicle parts and general refuse in accordance with the Waste Management Acts 1996-2001 and the Litter Pollution Acts 1997-2001.

#### 10.2.3.4 Historic Landfill Sites

In accordance with Section 22 (7)(h) of the Waste Management Act, historic landfill sites have been identified for the purpose of identifying what, if any, remedial measures are required to be carried out at the sites. Two of these sites are located in the townlands of Ballydaly and Ballydrohid, Tullamore. The Councils will comply with **statutory requirements** pertaining to the risk assessments for these sites and will undertake any subsequent remedial action, which is required to be taken.

#### 10.2.3.5 Restoration/ Remediation

When considering applications for landfill, mineral working, waste handling and proposals to change land contours and drainage works, the Councils will consider the need to conserve, reconstruct or create sites of national, regional or local importance in the restoration and after-use of the sites affected.

### 10.2.3.6 Enforcement of Waste Legislation

The Environment Section of Offaly County Council is responsible for the enforcement of waste legislation relating to the domestic, commercial and industrial sectors within Tullamore and will continue to develop and maintain high compliance levels through the work of its Waste Enforcement Team. The Council prohibits the illegal dumping of wastes and litter within Tullamore and will continue to actively police this area.

### 10.2.4 Energy Management – (Climate Change)

It is widely accepted that current levels of greenhouse gas emissions i.e. carbon dioxide, methane, are exacerbating global temperature rises. Use of non-renewable fossil fuels is the prime generator of greenhouse gases. There is a shift towards the use of **renewable energy sources** and whilst Tullamore may seem very small in the context of global greenhouse gas emissions, the phrase "think globally... act locally" is important. Tullamore needs to specifically look at continuing to improve the following areas in relation to same:

- Increasing different modes of transport for short trips and public transport for long trips (refer to Chapter 8).
- Improving the energy rating in residential homes/businesses/industrial/commercial sectors.

#### 10.2.4.1 Renewable Energy

##### *Policy Context (National Level)*

- National Climate Change Strategy (2007-2012) as provided for in the NDP (2007-2013).
- Energy White Paper "Delivering a Sustainable Energy Future for Ireland" (2007). This sets out the broad energy policy framework for the long-term development of the energy sector, including power generation and energy use in transport and the built environment. The energy paper recognises that energy policy must make substantial contribution to reducing greenhouse gas emissions through energy efficiency improvements, changes in the fuel mix and the increased use of renewable energy.
- National Energy Efficiency Action Plan (submitted to the European Commission (Oct. 2007).
- Draft Regulations on New Energy Plan for New Houses and Apartments built from July 2008.
- Consultation Paper on National Energy Efficiency Action Plan for Ireland 2007-2010.

##### *Local Level*

The Midlands Energy Agency was established in November 2007 (which includes the functional area of Offaly) and its role is to promote energy conservation, to raise awareness of energy issues and to develop long-term energy policies for the region. Offaly County Council have recently produced the document, "Draft Climate Change Strategy 2009-2014", with the key target of reducing the County's carbon footprint.

##### *Energy Efficiency*

Energy efficiency is paramount if Ireland is to assist in mitigating its vulnerability to climate change and to volatile fuel prices. The EU Directive on the Energy Performance of Buildings (EPBD), as transposed into Irish legislation in 2006, contains a range of provisions aimed at improving energy performance in residential and non-residential buildings both new build and existing. The incorporation of good design into developments is considered as being the key in achieving optimum energy performance of buildings. As part of the Directive, a **Building Energy Rating** (BER) certificate, which is effectively an energy efficiency label, will be required at the point of sale or rental of a building, or on completion of a new building. The Councils will continue to conform with national policy in this regard and the Councils will continue to take a positive approach to the acceptance and development of renewable energy facilities, where appropriate. Applications will be dealt with on a case-by-case basis.

##### *Small-Scale Renewable Energy*

The classification of small-scale renewable energy sources are in line with the DoEHLG's exempted development - **Provisions of Micro-Renewables Regulations** (2007). The provision of each of the following for **domestic use** is exempt from planning permission, **subject to certain conditions as set out in the Planning and Development Regulations 2001** (as amended):

- Stand-alone wind turbines.
- Building mounted wind turbines.
- Building mounted solar panels.
- Stand alone solar panels.
- Ground source heat pumps.
- Air source heat pumps.
- Biomass (includes fuel storage tanks/structures).

Building upon the planning exemptions for certain micro-renewable energy technologies in the domestic sector, the DoEHLG published the Planning and Development Regulations 2008 (S.I. No. 235 of 2008) which give effect to new exempted development provisions in respect of renewable technologies for **industrial buildings, business premises and agricultural holdings**. The Regulations provide exemptions for **wind turbines, met masts, combined heat and power (CHP) plants, solar panels and biomass boiler units**, subject to certain conditions, across each of the sectors. The Regulations came into effect from 2<sup>nd</sup> July 2008.

#### 10.2.4.2 Non-Renewables

Non-renewable energy refers to energy that can be used only once e.g. burning of fossil fuels. Over 90% of Ireland's total energy demand is met from imported fossil fuels, with oil accounting for around 56% of the country's total primary energy supply (2007). Most non-renewable sources of energy produce greenhouse gases when they are used. Non-renewable energy sources include gas, oil, peat etc. Notwithstanding the above, it is the general aim of this plan through related policies and objectives to reduce the dependency on non-renewables.

#### 10.2.4.3 Gas

Bord Gáis have installed major extensions to the gas supply network in Tullamore. The Councils will continue to facilitate the Bord in providing gas, where feasible.

#### 10.2.4.4 Electricity

The Councils acknowledge the need to utilise electricity for domestic and commercial use within Tullamore. The supply of electricity throughout Tullamore is an important factor in the provision and location of new development.

The Electricity Supply Board (ESB) supplies power through a national grid system to which all generating stations are connected. Supply voltages available in the Tullamore area are 38KV and 110KV and 380/400 and 230 volts at 50 HZ. The ESB continues to take into account requests for significant commercial load increases in Tullamore. The Councils continue to work alongside key energy providers in facilitating the provision of electricity, where feasible.

### 10.2.5 Communications Infrastructure

#### 10.2.5.1 Telecommunications Antennae and Support Structures, Guidelines 1996

The aim of these guidelines is to provide relevant technical information in relation to these installations and to offer general guidance on planning issues so that the environmental impact is minimised and a consistent approach is adopted by Planning Authorities in the preparation of their development plans and in the operation of development control. The guidelines are also intended to be of assistance to operators and to the general public. The Councils will have regard to the Telecommunications Antennae and Support Structures Guidelines 1996 for any such development application.

#### 10.2.5.2 Importance of Telecommunications to Tullamore

The town of Tullamore is to be developed as an e-commerce centre of excellence. The provision of **telecommunications** services, including its associated availability, price and quality is a measure which attracts industrial and commercial development, whilst also enhancing social interaction and improving personal and household security. The Councils acknowledge that the provision of broadband infrastructure is paramount to the future growth of Tullamore as a Linked Gateway.

### *Telecommunications Equipment*

The siting of antennae and support structures, whilst supporting and encouraging development, must not compromise environmental concerns or areas of particular visual amenity which merit protection. It is general policy that telecommunications infrastructural services should be located underground and that existing overhead cables and associated equipment should progressively be located underground to safeguard visual amenity.

However, some telecommunications services such as mobile telephony may require the provision of overground masts and antennae/ satellite dishes. The same may also be true of television receptors and masts. While it is the policy of the Councils to permit such masts and their antennae, the design, siting and visual amenity of satellite dishes and equipment is of paramount importance, and will also be considered when assessing development applications for such uses.

In order to avoid the proliferation of masts, the Councils will encourage owners and operators to facilitate the co-location of antennae on existing support structures and masts.

### *Broadband*

The provision of new broadband infrastructure is seen as paramount to the future of the town and its environs. This can consist of new fibre cables, wireless, DSL, satellite or other technologies.

### *Metropolitan Area Network*

Tullamore can boast of its high quality broadband infrastructure. It has its own high grade resilient Metropolitan Area Network (MAN) which was constructed by Offaly County Council under the Government sponsored Regional Broadband Scheme. Also there are other reliable Broadband services (wireless and wired) within the town. The town is on the main national fibre grid and is locally serviced by a number of businesses providing modern Information and Communication Technology (ICT) solutions. The MAN loop around Tullamore has ample capacity to accommodate new linkages.

### *Other*

The Councils will co-operate with initiatives by the Department of Communications, Energy and Natural Resources (DCENR) and public and private agencies, where appropriate, in improving the provision of high-quality broadband throughout Tullamore.

## **10.2.6 Fire Service**

It is an objective of Offaly County Council to ensure that an efficient and adequate level of fire and rescue cover is available at all times for Tullamore. The Councils' will continue with their programme for the development and improvement of the Fire Service.

## **10.2.7 Major Accidents Directive**

The EU Council Directive 96/82/EEC (known as the Seveso II Directive) provides for **the prevention of major accidents** that involve dangerous substances and the limitation of their consequences for individuals and the environment. It applies to establishments where dangerous substances are produced, used, handled or stored. This EU directive seeks to ensure the safety of people and the environment in relation to major industrial accidents involving dangerous substances.

The European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations (S.I. No. 476 of 2000) are the main regulations that give effect to this Directive in Irish law. The National Authority for Occupational Safety Health i.e. the Health and Safety Authority-HSA, has been designated as the central competent authority for enforcement of these regulations.

As of 2009, the company Isotron, which is located in the Srah industrial estate, is the only designated Seveso site in Tullamore. Should new Seveso sites be identified in Tullamore, the **Health and Safety Authority (HSA)**, as the

designated authority for Seveso sites, will notify the Councils. The Councils will continue to work in co-operation with the HSA when dealing with applications relating to Seveso sites and land use plans in vicinity of such sites.

#### 10.2.7.1 Major Accidents Directive and Development

Where proposals are being considered for the following:

- New establishments at risk of causing major accidents.
- The expansion of existing establishments designated under the directive.
- Other developments proposed near to existing establishments.

The Councils will require that applicants must demonstrate that the following considerations are taken into account:

- Prevention of major accidents involving dangerous substances.
- Public health and safeguarding of public health.
- Protection of the environment.

In addition, the Councils will also take these considerations into account when assessing developments, as listed above.

### 10.3 Policy

#### Water Services General Policies

**TTEP 10-01** It is the Councils' policy to ensure that the provision of water and wastewater treatment facilities is undertaken in accordance with EU policies and Directives, relevant national legislation and national/regional policies.

**TTEP 10-02** It is the Councils' policy to **enable infrastructure and service delivery in the context of the National Development Plan**, subject to available finance.

**TTEP 10-03** It is the Councils' policy to provide and maintain adequate water supply, drainage and wastewater services for Tullamore as resources permit.

**TTEP 10-04** It is the Councils' policy to ensure that the capacity of water supplies and wastewater facilities must be appropriate prior to the acceptance of a development proposal. The Councils may, where it is deemed appropriate, require developers to provide water services mains with capacities in excess of those required by the development being served, if required, it is in the interests of long term development of the area.

#### Water Supply Policies

**TTEP 10-05** It is the Councils' policy to provide public water supply for Tullamore, in accordance with Tullamore's position within the County Settlement Hierarchy and Offaly County Council's **Assessment of Needs 2007-2014** where feasible and where approved by the DoEHLG. The Councils will seek new water supply sources and to continue to improve the existing water supply services where financial resources permit. New services will also be provided where necessary and practicable. The granting of planning permission for any development will be partially dependent on the Councils satisfaction that the resultant demand for water can be met.

**TTEP 10-06** It is the Councils' policy **to require developments to connect** to public water supplies where adequate, or where proposals for upgrading works are put forward, as appropriate.

#### Water Conservation

**TTEP 10-07** It is the Councils' policy to encourage rainwater harvesting by commercial and residential properties for re-use on the individual sites.

**TTEP 10-08** It is the Councils' policy to continue to facilitate, encourage and comply with **best practice methods** in water conservation within Tullamore.

#### Wastewater Treatment Policies

**TTEP 10-09** It is the Councils' policy to make provision for **improved and additional wastewater services on a planned basis**, related to present and future needs of housing, industry and commerce, in accordance with Tullamore's position within the County Settlement Hierarchy and Offaly County Council's **Assessment of Needs 2007-2014** where feasible and where approved by the DoEHLG. The Councils will continue to improve and extend the existing wastewater systems and wastewater treatment service within the town, where financial resources permit. Planning permission will not be granted for developments where the proposed development is likely to cause an overload on wastewater facilities, or endanger public health.

**TTEP 10-10** It is the Councils' policy to control impacts of wastewater produced in the most environmental, sustainable and cost-effective manner.

**TTEP 10-11** It is the Councils' policy to require/implement **appropriate buffer zones** surrounding wastewater treatment plants in Tullamore.

**TTEP 10-12** It is the Councils' policy to have regard to and conform with policies and objectives contained in Offaly County Council's **Sludge Management Plan 2001**.

#### Surface Water Disposal Policies

**TTEP 10-13** It is the Councils' policy to limit and manage the permitted stormwater run-off from all new developments. The maximum permitted surface water outflow from any new development is to be restricted to that of a Greenfield site before any development took place unless otherwise agreed by the Planning Authority. It is therefore the Councils' Policy to require all proposed new developments within Tullamore to provide '**Sustainable Urban Drainage Systems**' (SuDs) as part their development proposals.

**TTEP 10-14** It is the Councils' policy that landuses shall not give rise to the pollution of ground or surface waters during the construction or operation of developments. The Councils encourage adherence to best practice in design, installation and management of systems for the interception, collection and appropriate disposal of treatment of all surface waters and effluents.

#### Flooding

**TTEP 10-15** It is the Councils' policy to ensure that development proposed is not itself subject to an inappropriate risk of flooding, and/or that it does not increase flood risk or flood damage at other locations.

**TTEP 10-16** It is the Councils policy to have regard to any mapping of flood patterns, in particular those carried out by the Office of Public Works and [www.floodmaps.ie](http://www.floodmaps.ie).

**TTEP 10-17** It is the Councils' policy to comply with the recommendations arising from the "Tullamore Flood Risk Assessment and Management Study 2008" and the Councils will require proposed developments to demonstrate full compliance with the recommendations of the Study, where required.

**TTEP 10-18** It is the Councils' policy that in the case of development proposals in floodplain areas, the mitigation measures as outlined in the Tullamore FRAM 2008 shall be fully implemented prior to the proposed development taking place.

### Development Contributions

**TTEP 10-19** It is the Councils' policy, where a development is facilitated by public services which have been or will be provided, to require contributions towards the cost of providing such services, as provided by the Planning and Development Acts 2000-2009. Contributions shall be levied at the rate prevailing at that time.

**TTEP 10-20** It is the Councils' policy, in cases where a development includes the provision of roads, footpaths or other services, to normally look for satisfactory security from the developer in order to secure the provision and maintenance of such services.

### Environment

**TTEP 10-21** It is the Councils' policy to implement relevant EU and Irish Legislation pertaining to the environment.

**TTEP 10-22** It is the Councils' policy to comply with the provisions of the EU Water Framework Directive in order to fulfil obligations relating to water quality for the Shannon River Basin District and therefore to implement the provisions of the Shannon River Basin Management Plan. To this end, the Councils will continue to co-operate with other statutory authorities/agencies and stakeholders in the preparation and implementation of existing water quality monitoring and management plans and also implementation of the Shannon River Basin District Management Plan.

**TTEP 10-23** It is the Councils' policy to protect groundwater sources and to protect drinking water supplies by means of Aquifer Protection Zones. Developments will be strictly controlled within any Aquifer Protection Zone in Tullamore (refer to Map 10.2)

**TTEP 10-24** It is the Councils' policy to ensure that agricultural developments are designed and constructed in a manner that will ensure that watercourses and sources of water are protected from the threat of pollution.

**TTEP 10-25** It is the Councils' policy, in conjunction with the EPA, to continue its programme of monitoring the water quality of surface water and groundwater to ensure that waste from developments are discharged in a manner that will not lead to pollution of such waters.

**TTEP 10- 26** It is the Councils' policy to implement relevant air quality and noise legislation in conjunction with other agencies as appropriate and to maintain good air quality in Tullamore.

**TTEP 10-27** It is the Councils' policy that planning permission will not normally be granted for new developments or extensions of existing industrial, commercial, leisure, or other uses that produce significant and unacceptable levels of noise and/or vibration at site boundaries or within adjacent sensitive areas, especially residential areas.

**TTEP 10-28** It is the Councils' policy to ensure the provision of quality cost effective waste infrastructure and services, which reflect and meet the needs of the community and to ensure that the "polluter pays principle" is adhered to in all waste management activities.

**TTEP 10-29** It is the Councils' policy to secure the Waste Hierarchy objectives of the Waste Management Plan for the Midlands Region, insofar as it relates to the Tullamore area, and therefore enforce the provisions of the Waste Management Acts 1996-2001.

**TTEP 10-30** It is the Councils' policy to co-operate with the EPA having regard to licensing arrangements for Scheduled Industries in Tullamore in accordance with the provisions of the Environmental Protection Agency Act 1992.

**TTEP 10-31** It is the Councils' policy to support National and E.U. Directives for waste reduction and waste disposal, including the re-cycling and re-use of waste. It will be policy to encourage the expansion of recycling activities in the town in accordance with approved procedures.

**TTEP 10-32** It is the Councils' policy that all proposed residential development applications of 100 units or greater will be assessed and if necessary, required to provide a set of bring banks for recyclables material to the specifications and design required by the Councils. A similar policy will also apply to commercial developments such as shopping centres where large volumes of people congregate. Such developments shall, where considered necessary, be required to provide a set of bring banks as part of their car park layout.

**TTEP 10-33** It is the Councils' policy to require Waste Management Plans to be prepared for Construction and Demolition Projects of a particular scale in accordance with Best Practice Guidelines issued by the Department of Environment, Heritage and Local Government in July 2006. It is Councils policy to require developers of projects with significant potential for the generation of construction and demolition waste to prepare a Project Construction and Demolition Waste Management Plan where the project exceeds any of the following thresholds:

1. New residential developments of 10 houses or more.
2. New residential developments other than (1) above, including institutional, educational, health and other public facilities, with an aggregate floor area in excess of 1,250m<sup>2</sup>.
3. Demolition/renovation/refurbishment projects generating in excess of 100m<sup>3</sup> in volume of construction and demolition waste.
4. Civil engineering projects in excess of 500m<sup>3</sup> of waste, excluding waste materials used for development works on the site.

**TTEP 10-34** It is the Councils' policy that where proposals are being considered for the following:

- New establishments at risk of causing major accidents,
- The expansion and/or modification of existing establishments designated under the directive; and
- Other developments proposed near to existing establishments.

The Councils will require that applicants must demonstrate that the following considerations are taken into account:

- Prevention of major accidents involving dangerous substances,
- Public health and safeguarding of public health;
- and the protection of the environment.

**TTEP 10-35** It is the Councils' policy, where obsolete and derelict sites exist, the improvement and screening of neglected sites and the renewal, repair and/or maintenance of structures, and the removal of unsightly vehicle parts and general refuse in line with the Councils powers under the Waste Management Acts 1996-2001, the Derelict Sites Act 1990 and the Litter pollution Acts 1997-2001 will be ensured. The Councils will continue to maintain their register of derelict sites and encourage and facilitate the redevelopment of same.

### Energy Management

**TTEP 10-36** It is the Councils' policy to minimise emissions to the air of greenhouse gases in order to contribute to a reduction and avoidance of human induced climate change in accordance with the Kyoto agreement. The Councils support, and are committed to, the National Climate Change Strategy, and to facilitate measures that seek to reduce emissions of greenhouse gases. In this regard, the Councils will support any initiatives taken to provide for more sustainable forms of energy use.

**TTEP 10-37** It is the Councils' policy to support **national and international initiatives** for limiting emissions of greenhouse gases and encouraging the development of renewable energy sources.

**TTEP 10-38** It is the Councils' policy to facilitate the continual development of renewable energy sources having regard to the proper planning and sustainable development of the area concerned, having particular regard to **amenities**,

**landscape sensitivities** and the **protection of habitats and heritage**, where such proposals comply with policy contained in this Development Plan, in the interests of proper planning and sustainable development.

**TTEP 10-39** It is the Councils' policy to promote **energy conservation and efficiency measures** and **facilitate innovative building design** that promotes energy efficiency and use of renewable energy sources in accordance with national policy and guidelines.

**TTEP 10-40** It is the Councils' policy to promote, encourage and facilitate the provision of **micro-renewable energy**.

**TTEP 13-41** It is the Councils' policy to support the development of renewable energy in Tullamore environs, where it is considered appropriate. Such development will be assessed on a case-by-case basis.

**TTEP 13-42** It is the Councils' policy to support and facilitate the adequate provision of both electricity and gas supply within the plan area.

#### Telecommunications Infrastructure

**TTEP 10-43** The Councils recognise the national and local importance of a high quality telecommunications service. It is the Councils' policy to achieve a balance between facilitating the provision of telecommunications services in the interests of social and economic progress, sustaining residential amenities and environmental quality. The Councils will have regard to the Department of the Environment Guidelines on Telecommunications Antennae and Support Structures in assessing development proposals.

**TTEP 10-44** It is the Councils' policy to support the infrastructural renewal and development of electricity networks in the area. The development of a secure and reliable electricity transmission infrastructure is recognised as a key factor for supporting economic development and attracting investment to the area.

**TTEP 10-45** It is the Councils' policy to avoid an unnecessary proliferation of masts. It is the Councils' policy to encourage owners and operators to facilitate the co-location of antennae on existing support structures and masts.

**TTEP 10-46** The Councils acknowledge the importance of telecommunications within Tullamore, however design, siting and visual impact are of paramount importance. It is the Councils' policy to restrict the provision of overground masts and antennae within the following areas in particular:

- Designated Areas of High Amenity.
- Areas adjoining or within the curtilage of protected structures or within ACA's.
- On or within the setting of archaeological sites, structures and zones.

**TTEP 10-47** It is the Councils' policy to facilitate the provision of broadband Telecommunications in Tullamore, in conjunction with the Department of Communications, Energy and Natural Resources and any other relevant bodies.

## 10.4 Objectives<sup>5</sup>

### General

**TTEO 10-01** To provide infrastructural services to meet present and future demand and to facilitate the orderly expansion of the town.

**TTEO 10-02** The Councils, in association with relevant key stakeholders, will prepare and implement An Integrated Phased Implementation Plan/Programme for Critical Water, Surface Drainage and Waste Water related infrastructure to service the Town and Environs (including the 4 Master Plan areas). This Plan /Programme will take into account:

<sup>5</sup> The order of listing of objectives is not intended to indicate priorities. Subject to the availability of resources, it is the Councils' aim to monitor and accomplish the objectives listed in this section within the period of the plan.

- The phasing of the development of the Master Plan areas;
- the adequacy - in terms of capacity and performance - of water and wastewater related infrastructure servicing the Plan area;
- the capacity of the receiving waters resources in the zone of influence of the Plan to assimilate additional discharges arising from waste water (reference EPA Assimilative Capacity Modelling System, water quality data and Water Framework Risk Categorisations); and
- the timeframe for provision of new water and waste water infrastructure to serve additional populations.

Permissions for development will be linked to availability of appropriate water supply/waste water treatment infrastructure and capacity.

#### Water Supplies Objectives

**TTEO 10-03** To provide and/or facilitate the provision and/or upgrading of water supplies in accordance with Tullamore's position within the County Settlement Hierarchy and Offaly County Council's **Assessment of Needs 2007-2014** where feasible and where approved by the DoEHLG.

#### Wastewater Services Objectives

**TTEO 10-04** To provide and/or facilitate the **refurbishment and or upgrading of wastewater treatment schemes**, in accordance with Tullamore's position within the County Settlement Hierarchy and Offaly County Council's **Assessment of Needs 2007-2014** where feasible and where approved by the DoEHLG and any other measures where an immediate need arises, subject to adequate resources being available.

#### Surface Water Disposal Objectives

**TTEO 10-05** To make provisions for the extension and improvement of **surface water disposal infrastructure**.

#### Environment

**TTEO 10-06** To protect and preserve the quality of surface water, ground water and drinking water in Tullamore through the relevant legislative provisions.

**TTEO 10-07** To protect Aquifer Protection Zones from contamination.

**TTEO 10-08** To continue to work with the EPA, the Shannon River Basin District Authority and any other stakeholders, in relation to implementing the Water Quality Management Plan for the Shannon River Basin District.

**TTEO 10-09** To continue its programme of monitoring water quality in the Shannon River Basin District and ensure that the objectives under the Water Framework Directive 2000 are met in conjunction with the EPA.

**TTEO 10-10** To ensure that all agricultural activities adhere to any legislation on water quality including the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2006, S.I. No. 378 of 2006.

**TTEO 10-11** To implement the relevant provisions of Water Pollution Legislation.

**TTEO 10-12** To protect Tullamore's waters from pollution, particularly by over-enrichment by nutrients, especially nitrates and phosphorous.

**TTEO 10-13** To issue and monitor, where appropriate, effluent licences for discharges to sewers and waterbodies.

#### Waste Management

**TTEO 10-14** The Councils support National and E.U. Directives for waste reduction and waste disposal, including the recycling and re-use of waste. It will be policy to encourage the expansion of recycling activities in the town in accordance

with approved procedures and to continue to expand environmental awareness initiatives designed to create increased public awareness of waste prevention, minimisation and reuse. Particular emphasis should be placed on the commercial and industrial sector.

**TTEO 10-15** To implement the provisions of the Waste Management Hierarchy and the current Waste Management Plan for the Midlands Region. As a result, developments in Tullamore will be expected to take account of the provisions of the Waste Management Plan for the Midlands Region and adhere to those elements of it that relate to waste prevention and minimisation, waste recycling facilities, and the capacity for source segregation.

**TTEO 10-16** To implement the legislative provisions in relation to historic landfill sites in Tullamore and to undertake risk assessments where required and any subsequent remedial measures where necessary.

**TTEO 10-17** To use statutory powers to prohibit the illegal deposit and disposal of waste materials, refuse and litter, and to authorise and regulate, waste disposal within the town in an environmentally sustainable manner.

**TTEO 10-18** To ensure that an efficient and adequate level of fire and rescue cover is available at all times. The Councils will continue with its programme for the development and improvement of the Fire Service.

### Energy Management

**TTEO 10-19** To facilitate the promotion and construction of **energy efficient** developments in Tullamore.

**TTEO 10-20** To support the further **extension of the gas grid** into County Offaly to serve existing and envisaged future residential development and commercial and industrial activity.

**TTEO 10-21** To support and facilitate the provision of **high-voltage electricity infrastructure** to cater for natural growth, new and existing large customers. Further, it is an objective of the Councils' to ensure, insofar as is possible, that the necessary infrastructure is in place to support the existing and future economy of Tullamore, to support economic development and to attract investment.

**TTEO 10-22** The control, having regard to the provisions of the Major Accidents Directive and any regulations, under the enactment, giving effect to that Directive, of

- Siting of new establishments,
- modification of existing establishments, and
- development in the vicinity of such establishments for the purposes of reducing the risk, or limiting the consequences, of a major accident.

**TTEO 10-23** To implement the publication by Offaly County Council entitled "Draft Climate Change Strategy 2009-2014" (when adopted).

### Telecommunications Infrastructure

**TTEO 10-24** To continue to support and facilitate the creation of a high quality ICT within Tullamore.

**TTEO 10-25** To implement, on a phased basis, a programme of under grounding existing overhead cables throughout the town centre and developed areas of the town up to and including 38 kv lines; and seek Departmental financial support to undertake such works.