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FP2019/079

Environment Department,
Longford County Council,
Great Water Street,
Longford.
N39 NH56

**Issues paper - Review of existing Longford County Development Plan 2015-2021 and
Preparation of new Longford County Development Plan 2021-2027**

A Chara,

I refer to the documents forwarded in relation to the above.

The following nature conservation observations are made by the Department in its role as a prescribed body under planning legislation and as the authority with overarching responsibility for nature conservation and the nature directives (i.e. the Birds and Habitats Directives). The observations are not exhaustive and are offered to assist Longford County Council in meeting obligations and commitments in relation to nature conservation, European sites, biodiversity and environmental protection in the context of the LCDP and its implementation, and the environmental assessments that have yet to be carried out.

Legislative considerations with regard to Nature conservation and biodiversity

Given the valuable role that biodiversity and nature take in shaping our society, health, wellbeing and the provision of Green infrastructure, SEA and AA should not be solely undertaken as a legislative obligation that generates separate reports and or statements to the main LCDP text. Rather, the AA and SEA process should be seen as a method of identifying and addressing risks arising from aspects of the plan that may have a detrimental effect on the environment and or nature conservation, in particular the potential of the plan to limit or hinder the attainment of the conservation objectives of sites in the Natura 2000 network. These findings are not to be taken as supplementary to the main LCDP body of text, rather, they should inform and shape the main body of the LCDP text and should be clearly reflected in the text of the LCDP and any specific risks identified should be mitigated through avoidance and or clearly identified appropriate measures in the LCDP. Within this context the Department is responding to both the LCDP and its SEA as a single homogenous plan.

Further to the above there is a requirement to document any mitigation by avoidance that is incorporated into the LCDP and to clearly present the step by step decision making process where it has been informed by environmental considerations, assessments and reports.

Biodiversity

The Department, recommends that the LCDP should be developed to integrate biodiversity considerations in a positive, proactive and precautionary way, and that this should be reflected in the text and content of the LCDP, including its aims, objectives and policies, as well as in any associated maps. Furthermore, environmental considerations are integrated into the planning system and the LCDP should reflect the application of overarching environmental

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objectives throughout the entire plan development process. Thus, a commitment to no net loss of biodiversity as articulated in Ireland's 3rd National Biodiversity Action Plan (2017-2021) and to nature conservation interests more generally should be clearly reflected throughout the plan document and not only in relation to those aspects that deal specifically with the environment.

Green Infrastructure and ecosystem services

Ireland's 3rd National Biodiversity Action Plan (2017-2021) and the EU2020 Biodiversity Strategy seek to address the main drivers of Biodiversity loss in Ireland and the EU. They focus on restoring ecosystems through a variety of identified strategies including the incorporation of Green Infrastructure (GI) in spatial planning and the maintenance and enhancing of ecosystem services.

Accordingly, the LCDP policies relating to GI should reflect the wider definitions, goals and aims adopted at an EU and National level (NBP). GI should involve creating new green areas in existing built infrastructure and creating a green network. It should not be confused and be interpreted as solely putting built infrastructure into existing green areas. Furthermore, all the critical components of GI should be clearly identified and mapped in the LCDP, there should be no lacunae. The inter-connectivity and inter-dependence of identified GI should be clearly established and where necessary the LCDP should support the collation of sufficient information/data on the GI to ensure informed decision making around their exploitation is supported by scientifically robust evidence and methods.

With regard to flood risk:

The positive role that sites of high nature and biodiversity value can take in the provision of ecosystem services or green infrastructure for alleviating flood risk should be visible in the LCDP. In addition, the potential constraints in relation to flood management measures which may arise from statutory requirements in relation to European sites and nature conservation generally should be fully acknowledged in the LCDP.

With regard to Water and Wastewater Services:

Adequate water services infrastructure is essential for the economic prosperity of Longford and its neighbouring counties. The LCDP should clearly document the potential for constraints, in relation to European sites, to arise in relation to the provision of such infrastructure.

Peatland, Wetlands and Freshwater Habitats

Longford County incorporates some of Ireland's best peatland areas and the LCDP should reflect this. The Department recommend that peatland policies and objectives are included as a separate item in the LCDP and that they are recognised as a valuable habitat in their own right.

*2019 submission, Ireland's Article 17 Report recorded; The status of raised and blanket bog is 'bad' and the trend is for an on-going decline as **restoration** is necessary to cause improvement.*

Peatlands and their supporting wetland environs are particularly sensitive to hydrological change as well as water and airborne pollutants (nutrients) that are associated with settlement growth and agricultural intensification. Thus, adverse impacts on peatlands can often be driven by changes resulting from works undertaken at considerable distance from a bog site. Risks to peatlands arising from the implementation of the LCDP that are identified in the Strategic Environmental Assessment or the Natura Impact Report should be clearly identified in the text



of the LCDP. The LCDP should also incorporate a clear commitment to peatland conservation with reference to the aims and objectives of the National Raised Bog Special Areas of Conservation Management Plan 2017-2022 and the National Peatlands Strategy 2015.

Example for reference;

The close proximity of a number of Natura 2000 sites supporting wetland and bog habitat to the Key town of Longford (Brown bog SAC, Lough Forbes complex SAC, Ballykenny – Fisherstown bog SPA) should be acknowledged in any individual section regarding Longford town. It is important to note that Longford town is surrounded by a network of interdependent bog and wetland habitats and clear direct hydrological links exist between these sites and the town (including for water extraction and waste water disposal). The SEA should note that these sites have heightened hydrological sensitivities i.e. qualifying interests include but are not limited to active raised bog habitat and wetland habitats and also note that a significant predicted impact of the LCDP is likely to be changes to water quality and/or water movement.

Tourism

Whilst tourism is widely recognised as a positive economic influence for local and regional economies it does have intrinsic costs and the potential to cause adverse impacts. One particularly significant impact associated with tourism infrastructure and an increased frequency of visitors is the risk of damage to the natural features, landscape and biodiversity that underpin the tourism sector itself.

More specifically, green, blue and experiential tourism is often focused on or in areas of natural significance with defining conservation or biodiversity interests. Accordingly policies relating to growth and development in the tourism sector stipulated throughout the LCDP should be tempered by a recognition of the potential constraints posed by the need to protect and restore biodiversity and the natural landscape that supports the sector. Furthermore, the LCDP should set out how growth in the sector will be accomplished whilst maintaining no further loss of biodiversity and protecting the habitats and species that support the Natura 2000 Network and International/ National designated sites of nature conservation interest.

Greenways

'Greenways' are generally welcomed as a positive contribution to improving the sustainable transport and 'green' tourism infrastructure of Ireland. However, it is important to separate out their primary function and any potential secondary benefits arising from their development. Accordingly, the development of greenways should not be, systematically, regarded as green infrastructure because their primary function is for the movement of people, albeit, in a more sustainable manner.

With regard to EIA for Greenways:

The reasoning made by ABP (<http://www.pleanala.ie/casenum/303499.htm>), with regard to the requirements of EIA for Greenway/cycleway should be considered. This decision suggests that any local authority bringing forward a Part 8 scheme in respect of a cycleway/greenway should, consider such a cycleway/greenway to fall within the meaning of a public road or proposed public road per Section 68(1) of the Roads Act, 1993 (as amended), and therefore should consider such a cycleway/greenway to be a sub-threshold development for the purposes of EIA. This means that the provisions of Article 120(1) of the Planning and Development Regulations should be applied in relation to what might be termed pre-screening for EIA (Article 120(a) and (b)) and screening for EIA as set out in Article 120(1), 1A and 1B of the Regs.



Data collation, accessibility and dissemination.

The drafting of the LCDP provides an opportunity to set best practice with regard to how future growth and development can occur while maintaining a high quality environment and ensuring no net loss of biodiversity. The key tool in achieving this objective is environmental assessment (i.e. SEA, AA, EIA). Good environmental assessment needs to be underpinned by the availability of scientifically robust data to support findings. Greater access to better information can build the foundation for better assessment, risk avoidance and decision making. This can be achieved by clearly identifying the need for such an approach in the LCDP through the inclusion of a specific objective. This can provide the basis for the county-wide resources required (e.g. administrative partnerships, infrastructure etc.) to ensure that environmental data collection, sharing and dissemination is fully integrated into the counties administrative system. As part of this approach the Department would welcome, in particular, the creation of an accessible repository for historic NIS and NIR documents to support future appropriate assessment and environmental assessment across the county.

EC Birds and Habitats Regulations 2011

The Department suggests that the LCDP includes an individual principal objectives for the protection of Nature conservation interests and specifically the protection of European designated sites (Special Areas of Conservation and Special Protection Areas) and species made under the EC Birds and Habitats Regulations 2011.

With regard to Article 10 of the Habitats Directive:

Article 10 of the Habitats Directive refers to features of the landscape outside designated sites which are of importance for wild flora and fauna and looks to the land-use planning system to support these features through the implementation of appropriate policies. The Department recommends that a specific Objective articulating requirements of Article 10 is included in the LCDP to ensure that ecological connectivity within the LCDP area is maintained and improved

Future consultation

The National Parks & Wildlife Service of the Department is available for consultation during the preparation of environmental reports associated with the proposed LCDP. Details on the expected quality, scope and extent of environmental reports for referral and submission to the Department can be found on our website at the following link <https://www.npws.ie/development-consultations>

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