



08 February 2019

NWR RSES draft plan

Marie Moriarty
Northern & Western Regional Assembly
The Square
Ballaghaderreen
Co. Roscommon
F45 W674

Via email: rses@nwra.ie

Draft Northern and Western Regional Spatial and Economic Strategy
--

A Chara,

I refer to the notification request received with regard to the above Northern and Western Regional Spatial and Economic Strategy.

It is noted that the Northern and Western Regional Assembly has prepared a Draft Regional Spatial and Economic Strategy for the whole of the Northern and Western Region up until 2040. This draft strategy is currently on public display, together with associated environmental assessment documentation, i.e. SEA Environmental Report, Natura Impact Report (NIR), and Strategic Flood Risk Assessment (SFRA).

The Department welcomes the invitation to make a submission or observations in relation to the draft strategy, and in relation to likely significant effects on the environment and on European sites.

Outlined below are nature conservation observations/recommendations of the Department of Culture, Heritage & the Gaeltacht.

Context of observations

The following 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 the Regional Assembly in meeting obligations and commitments in relation to nature conservation, European sites, biodiversity and environmental protection in the context of the strategy and its implementation, and the environmental assessments that have yet to be carried out. This submission should be read as a whole, noting that there are substantial overlaps, as well as key distinctions, between potential implications of the strategy for the conservation objectives and integrity of European sites, and for biodiversity and other related aspects of the environment.



These observations should be read in conjunction with the Department's earlier submission of 16/02/18 (our ref. G pre00262/2017) to consultants, RPS, at pre-draft/SEA scoping stage. Some key issues that are highlighted below were raised in this submission.

Matters relating to the strategy

It is noted that the strategy supports the implementation of the National Planning Framework and will also influence lower level statutory land use plans. The strategy aims to manage change and deliver the future growth and development of the region, while also protecting the environment and setting out a strong commitment towards sustainable development. It identifies many opportunities, including opportunities to safeguard and protect the environment. The strategy also presents an opportunity to address some challenges and constraints, and include plan-level mitigation to assist in delivering future growth and effective regional development.

The strategy sets out Sustainable Development Goals which align with similar priorities at EU-level. The Region contains one Metropolitan Growth Centre (Galway¹) and a number of Regional Growth Centres and Areas, and has a population growth target of 180,000 to 2040. In addition to high level themes, and a vision and mission for the region, there are five growth ambitions, four Overarching Environmental Regional Policy Objectives (OERPOs), and 211 Regional Policy Objectives (RPOs). The Key future priorities for Key Towns are also set out.

The Department, in its earlier observations referred to above, recommended that the Strategy 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 Strategy, including its aims, objectives and policies, as well as in any associated maps. While 'Growth Ambition 2 – Environment: Natural Heritage', and Sections 5.4 and 5.5 ('Our Natural Heritage'² and 'Natural Assets') are noted, it is considered that the strategy would benefit from the inclusion of a high level goal or policy statement, and/or RPO, relating to conservation and restoration of biodiversity, in line with the National Biodiversity Action Plan (NBAP) 2017-2021. Consideration should be given to including protection of the environment and biodiversity conservation as key principles of the strategy, or to promoting best practice in these regards. This would be in addition to the positive and welcome commitments made regarding the safeguarding of nature conservation sites.

The five RPOs for 'Natural Assets' are noted and welcomed. The Department is of the view that the intention of RPO 79 is unclear as currently worded and would benefit from rewording so that the context and meaning are clearer.

As indicated above, the inclusion of an RPO for biodiversity (within and outside nature conservation sites), and including ecological networks (including corridors and stepping stones), is recommended. In addition to reflecting commitments in the National Biodiversity Action Plan and other plans, e.g. County Development Plans, the general aims of the nature directives³ should also be reflected in RPOs, e.g. Article 10 of the Habitats Directive.

¹ Section 3.6(A) is the Galway Metropolitan Area Strategic Plan, covering Galway city and environs in Galway county

² It is noted that Sections 5.4 and 5.7 are both entitled 'Our Natural Heritage'

³ Birds Directive and Habitats Directive



Furthermore, environmental considerations are integrated into the planning system and the strategy should reflect the application of overarching environmental objectives throughout the entire strategy development process. Thus, a commitment to no net loss of biodiversity as articulated in the National Biodiversity Plan and to nature conservation interests more generally should be clearly reflected throughout the Strategy document and not only in relation to those aspects that deal specifically with the environment.

For example, in relation to the following a commitment to fulfilling nature conservation objectives would be most welcome:

- In Section 4.5.3 on Agri-Food, there is no acknowledgment of the significant role this sector must play in the achievement of the objectives of the nature directives and no net loss of biodiversity generally and of the inter-dependent relationship between agriculture and nature conservation. Consideration should be given to the inclusion of a specific RPO addressing the need for the agriculture sector to contribute positively to the achievement of biodiversity goals.
- Climate Change Resilience is identified as a key element of the Draft Strategy and biodiversity loss is acknowledged within this heading. Consideration should be given to providing biodiversity loss the same visual recognition (i.e. heading space) as climate change in the Draft Strategy.
- In relation to Connectivity consideration should be given to the inclusion of a specific RPO addressing environmental requirements including in relation to biodiversity in the provision of roads and other transport infrastructure.

Settlements

The RSES sets out high level and project level ambitions for the growth and development of economic, housing and amenity infrastructure. It is noted that there is a significant focus on the identification of strategic sites and/or areas for the future physical, economic and social development in the Galway metropolitan area and other key urban areas (e.g. Letterkenny, Sligo and Athlone). However, the potential constraints to development arising from their unique position in the landscape and any immediate proximity to sites of international nature conservation interest are not highlighted.

More specifically, the RSES acknowledges that the West and North West region has a high density of European sites (217 no. Special Area of Conservation and 82 no. Special Protection Areas). The NIR states that many of these designations are situated in the immediate surrounds or within the urban boundary of the larger metropolitan (Galway) or town centres (e.g. Letterkenny, Sligo, Athlone, Ballina) and are likely to give rise to significant constraints on the direction of future growth. The Department recommends that clearly articulated policies and objectives are included in the RSES to address this issue and to indicate how future growth will be achieved while ensuring the integrity of European sites. It would also be useful to make specific reference in the relevant individual town/city sections of the Draft Strategy to the reasons (Qualifying Interests; QI) for the European designations and to highlight any specific constraints



identified in the NIR arising from the close proximity of these sites to the urban centre in question.

Examples:

- Ballina: The Moy River is a recognised Salmonid River and forms part of the Natura 2000 Network. Salmon and associated fishing activities on the Moy river are a key defining feature of this town and this should be appropriately reflected in the main body of the text. Furthermore, there are a number of tributaries which join the River Moy within the development limits of the town and flood management and waste water treatment proposals have a high likelihood of resulting in adverse impacts on Salmon. Although identified in the NIR this is not acknowledged in the RSES text.
- Letterkenny: The identification of 2nd phase growth areas to the east of the town are immediately adjacent to Lough Swilly SAC and SPA and on agricultural lands that are key terrestrial foraging areas for overwintering migratory geese and swans. Although identified in the NIR this is not acknowledged in the RSES text.
- Athlone: The Special Area of Conservation (SAC) and Special Protection Area (SPA) of Lough Ree (000440, 004064) extend to the immediate northern urban boundary of Athlone and the River Shannon Callows SAC (000216) and the Middle Shannon Callows SPA extend to the immediate Southern Urban boundary. Accordingly, the main body of text in the RSES should reflect the heightened degree of constraint associated with these protected areas and the risk of adverse impacts to the sites nature conservation interests (habitats and or species) from inappropriate development.

Coastal and Marine development and the Natura 2000 Network

The North West and West of Ireland is unique internationally in terms of its coastal and marine ecosystems and biodiversity. The Atlantic coast is one of the premier coastal zones in the world and it supports a highly productive temperate ecosystem and a major proportion of Ireland's biodiversity.

In contrast to the majority of terrestrial habitats and species, Coastal and Maritime habitats and species remain in a natural state and display little or no adaptation to human induced change. It is therefore critical that Ireland's and Europe's best conserved coastal area is protected at a high level from biodiversity loss over the lifetime of the plan and beyond. The Department recommends that a clear coastal/maritime environment policy is integrated into the RSES at a high level in this regard.

It follows that a wide variety of marine and coastal Natura 2000 sites are found within the area covered by the Draft RSES. This brings with it opportunities (nature based tourism, placemaking, blueways etc.) and responsibilities for nature conservation given the growth and other pressures outlined in the RSES. The majority of the large population centres in the NWRA (Galway, Sligo, Letterkenny, Ballina) are also located on or near the coast. There is a need to ensure that environmental constraints are explicitly recognised in the Draft RSES and that growth and land-use change is managed to ensure that Natura 2000 sites achieve and maintain favourable conservation status; and that habitats and species outside the Natura 2000 network are adequately protected.



The Department therefore recommends that a specific priority objective in the RSO's be made for coastal and marine Natura 2000 sites and the conservation of the wider coastal and marine environment.

Port infrastructure

Many of the proposals for the future development of port infrastructure in the Draft RSES are located within or adjacent to areas of high nature value and or Natura 2000 sites (Galway city, Sligo and Ros An Mhíl). The potential for significant constraints to the planned development in these areas is not clearly acknowledged in the appropriate individual sections of the RSES.

Examples:

- RPO62 supports the expansion and upgrade of Galway Harbour. The proposal for the redevelopment of Galway's inner harbour area does not acknowledge the Natura 2000 designations (Galway Bay SAC and Inner Galway Bay SPA) that extend into the harbour area.
- The proposal for the redevelopment of Sligo docklands and Port areas including dredging activities do not acknowledge the Natura 2000 designation (Cummeen strand SPA and Cummeen strand and Drumcliff Bay SAC, Lough gill SAC) that extends into the harbour area.
- RPO125 advocates for the development of improved pier infrastructure at Aran Island and Machaire Rabhartaigh to support a new passenger ferry vessel for Oileán Thoraí. No acknowledgment is made of the location of these piers within or in close proximity to Natura 2000 sites.

Marine Renewables

The SEAI is developing the Atlantic Marine Energy Test Site (AMETS) to facilitate the testing of full scale ocean energy converters both wind and wave, in an open ocean environment. It is located off Annagh head, west of Belmullet in Co Mayo and will be connected to the national grid. The test site will comprise of both onshore and offshore components. The West Connacht coast SAC covers the entire coastal, maritime and terrestrial Annagh head - Belmullet area out to a distance of approx. 5km offshore. No specific acknowledgment is given to the potential for constraints arising from the planned siting of renewable infrastructure on land or in the marine environment within this Natura 2000 site. Furthermore offshore renewable developments need to be cognisant during testing and operational phases of their potential to adversely impact (displacement and or disturbance) mobile marine based Annex II species, in particular cetaceans and seals.

Integrated Coastal Zone Management (ICZM)

ICZM aids informed decision making in relation to development in coastal environments and is a valuable tool for the incorporation of obligations under environmental legislation and commitments into the land-use planning code. Given the scale and breadth of development planned in the coastal zone, including port development at Galway and Sligo, the regional transport route between Galway, Sligo and the North West Metropolitan Area and the planned settlement growth, it is recommended that the fast-tracking of ICZM be prioritised. In this regard, consideration



should be given to the NWRA playing a leading co-ordination role in developing ICZM given the number of Local Authorities and stakeholders involved. The Department also recommends that a clear statement on the adoption of Integrated Coastal Zone Management (ICZM) is made in the RSES.

Furthermore, obligations arising from the Marine Spatial Planning Directive and the Marine Strategy Framework Directive should be acknowledged in the main text of the Draft RSES. In addition the aims and objectives of the emerging National Marine Planning Framework, including the need to conserve biodiversity and the need to manage the diversity of activities in the maritime area to achieve sustainable outcomes, should be integrated into the documents.

Peatland, Wetlands and Freshwater Habitats.

The RSES area incorporates some of Ireland's best peatland areas and the Draft RSES should reflect this. Peatlands are included in the section on 'Forestry and woodlands' and within this section two of the three regional policy objectives are peatland related. The Department recommends that peatland policies and objectives are included as a separate item in the Draft RSES and that they are recognised as a valuable habitat in their own right.

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. The Department recommends that there is specific reference to ammonia deposition as a potential pathway for impact to peatland habitats in the Assembly area as adverse impacts to peatlands can be driven by changes resulting from activities undertaken at a considerable distance from a site. Many of the larger urban areas are situated on key inland freshwater features that are hydrologically linked to dependent bog habitats (i.e. Athlone, Carrick on Shannon, Roscommon). The risks to peatlands arising from the implementation of the Draft RSES are identified in the NIR. These risks should be clearly identified in the text of the Draft RSES. The Draft RSES 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.

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 could be more visible in the Draft RSES. 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 are not fully acknowledged in the Draft RSES.

Water and Wastewater Services

The Draft RSES states that "adequate water services infrastructure is essential for the region's economic prosperity". The NIR highlights the potential for constraints in relation to European sites to arise in relation to the provision of such infrastructure. The Draft RSES should clearly identify these constraints where such constraints exist.



Tourism

The RSES states “The Northern and Western region is host to some of Europe’s most spectacular and unique landscapes, wildest coastlines, and home to a strong cultural and heritage offer”. Whilst tourism is widely recognised as a positive economic influence for local and regional economies, it does have the potential to lead to adverse environmental impacts including the risk of damage to the natural features, landscape and biodiversity that underpin the sector. More specifically, green, blue and experiential tourism is often focused on or in areas of natural heritage significance with high biodiversity value located in rural areas, upland areas, along rivers and on the coast. The Draft Strategy identifies amenity attractions with growth potential such as Doe Castle, Creeslough and Errigal trail, Co. Donegal, and Portumna Forest Park, Co. Galway. All these attractions lie within or immediately adjacent to Natura 2000 sites and there should be specific that these attractions are underpinned by areas of high nature conservation value.

The Department welcomes the positive policy stance taken in the RSES with regard to 1: the provision of support for Local Authorities in the developing specific monitoring protocols for visitor pressure to ensure that tourism activities are maintained within sustainable limits for the European sites in the region. 2: the concept of sustainable tourism and the provision of a sustainable framework for tourism development. The Draft RSES could be strengthened by stating how these commitments will be achieved.

In addition, the provisions of RPO 24 are particularly welcomed with regard to the protection of the nature conservation interests that underpin the tourism sector. The NIR clearly recognises the potential for adverse impacts to European sites to arise from tourism activities. There is also potential for impacts to biodiversity beyond the Natura 2000 network. The Draft RSES should clearly identify these potential impacts and set out how growth in the sector will be accomplished while meeting obligations in relation to Natura 2000 sites and protecting the habitats and species beyond the Natura 2000 network.

The RSES identifies the WAW Touring Route as a Key Strategic National Asset, delivering benefits to the entire western seaboard. RPO 27 identifies the upgrading of the touring network and visitor attractions within the region to cater for the growth in visitor cars, buses, and cyclists using the route. This RPO has the potential to further deliver significant increases in visitor numbers into sensitive areas of nature conservation interest and/or the Natura 2000 Network. Constraints arising from the location of tourism attractions and sites in these areas of high nature value should be explicitly acknowledged in the main body of the Draft RSES text. RPO 60 is welcomed in the regard, but a clearer objective regarding the protection to be afforded to Natura 2000 sites should be included in the Draft RSES.

Greenways and Blueways

‘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. This point was also made in the Department’s earlier submission of 16/02/18 (our ref. G pre00262/2017).



Examples:

- Galway city and Bearna and the Oranmore to the City Centre may be within or close to Galway Bay Complex SAC and Inner Galway Bay SPA; the City Centre to Oughterard Greenway may be within or close to Lough Corrib SAC and Lough Corrib SPA.
- North-West Greenway Network in Donegal/Derry runs through the Lough Swilly SPA.
- Shannon Blueway, Athlone passes through Lough Ree SAC and SPA and the River Shannon Callows SAC (000216) and the Middle Shannon Callows SPA.

RPO 98 is welcomed in regard to acknowledging the requirement of protecting habitats and environs through which these routes pass. However, in the Department's view, careful consideration needs to be given at plan-level to how greenways, blueways and peatways can be delivered while conserving biodiversity including the protection of sites and species protected by law. In the first instance consideration should be given to avoiding impacts to biodiversity using standard route selection processes. In the Department's view the large number of greenway proposals in biodiversity sensitive sites means there is a potential for cumulative impacts at both a Regional and local level including habitat loss and disturbance (e.g. Eurovelo routes 1 and 2).

All Island Cohesion

The North-South collaboration and co-operation outlined in the Draft RSES including the management of our shared environmental responsibilities is welcomed. The Department notes and welcomes the commitment in the Draft RSES to continued co-operation in the future. The Draft RSES should acknowledge that the management of the Natura 2000 network requires continued co-operation across jurisdictions. There are many examples including the River Finn SAC and the Foyle and Tributaries SAC where shared responsibility has underpinned designation and management.

Strategic Environmental Assessment (SEA) Environmental Report

It is acknowledged that the Draft RSES incorporates environmental protection objectives and that SEA, AA and SFRA underpin the process of plan preparation. The Department is concerned that the potential impacts to biodiversity identified in the SEA Environmental Report have not been fully reflected in the Draft Strategy and that the proposed mitigation measures have not been fully incorporated in the Draft Strategy. The Department recommends that the Draft RSES clearly identifies potential constraints that may arise in relation to implementation identified in the SEA Environmental Report. It is also recommended that all mitigation measures from the SEA Environmental Report are fully incorporated into the Draft RSES.

Data collation, accessibility and dissemination.

The formulation of the Draft RSES provides an opportunity to set an example of 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, EclA). Good environmental assessment needs to be underpinned by the availability of scientifically



robust data to support findings. The Draft RSES advocates an evidence-driven approach to spatial planning and the Department is of the view that this provides a unique opportunity to pro-actively make provision for the accurate collation and dissemination of environmental data across the Assembly area. 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 Draft RSES through the inclusion of a specific RPO. This can provide the basis for the region-wide resources required (e.g. administrative partnerships, infrastructure etc) to ensure that environmental data collection, sharing and dissemination is fully integrated into the Draft RSES as part of the Smart Region concept. As part of this approach the Department would welcome, in particular, the creation of a repository for NIS and NIR documents to support appropriate assessment and environmental assessment generally across the Assembly area.

Natura Impact Report (NIR) and likely significant effects on European sites (Natura 2000 network)

The Department notes the strategic approach to assessment and mitigation set in the NIR. This includes an overall mitigation strategy which is generally hierarchical, and places obligations on lower level plans (e.g. County/City Development Plans) and future projects to undertake appropriate assessment, and meet nature conservation and environmental protection requirements as greater levels of detail become available. The importance of pre-planning stages, data gathering (e.g. surveys), iterative design and avoidance of sensitivities at project stage is emphasised. The Department agrees that a constraints-led and iterative approach, which seeks to avoid or minimise adverse effects, is key to good project planning, and recommends that consideration should be given to incorporating this as an additional OERPO.

The NIR includes reference (on page 100) to ‘development standards such as Specific Development Standards 11.30 Environmental Impact Assessment and 11.31 Natura Impact Assessment’. These do not appear to be included in the NIR or Draft Strategy. It is also advised that the terms NIS, NIR, appropriate assessment, or AA are used, as relevant, in place of the term, ‘Natura Impact Assessment’.

The NIR identifies pathways through which Port infrastructure has the potential to result in adverse effects on European sites. The Department is concerned that a pathway identifying: habitat loss, change and or transition due to changes in currents and sediment processes arising from the development of hard infrastructure and or associated maintenance activities such as dredging is not included. A clear pathway should be identified that acknowledges the potential for increases in deposition and or erosion arising from such developments. The pathway should also include displacement of erosion points and deposition sites leading to long term adverse impacts on dependent habitats. In addition, underwater noise disturbance leading to behavioural change and/ or physical injury in marine mammals as a result of piling and other engineering activity is identified as a pathway. This should include: displacement, reduction in foraging range and also include associated dredging activities.

The Draft Strategy provides for a large number of downstream plans and projects for development and growth in the Assembly area. For example, as outlined in the NIR there is potential for in-combination impacts from the RSES on coastal European sites.



In combination impacts may also arise in relation to plans to connect Greenways and Blueways across the Assembly area and beyond including plans to connect to Eurovelo routes. The potential for in combination impacts should be clearly acknowledged in the Draft RSES and should also be identified as a key issue which must be addressed as downstream plans and projects are implemented.

In summary, the Department recommends that the Draft RSES clearly identifies potential constraints that may arise in relation to implementation which have been identified in the NIR. The NIR mitigation measures are welcomed and the Departments notes that these measures must be incorporated fully into the Draft Strategy so that it can be demonstrated that there will be no adverse effects on the integrity of a European site when appropriate assessment is carried out by the competent authority.

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. While the NIR identifies Article 10 as a valuable tool in supporting the Natura 2000 network, the importance of such habitats and species (including species protected by law) in terms of ecological connectivity is not fully recognised in the Draft Strategy. The Department recommends that a specific RPO should be included to ensure that ecological connectivity within the plan area is maintained and improved.

The Department would welcome the opportunity to meet with representatives of the NWRA to discuss any of the issues raised in this submission

Kindly forward any further information received; or in the event of a decision being made a copy of same should be forwarded to the following address as soon as it issues:

***The Manager, Development Applications Unit,
Department of Culture, Heritage, and the Gaeltacht,
Newtown Road, Wexford Y35 AP90***

Please acknowledge receipt of these observations by return.

Is mise le meas,


Michael Murphy,
Development Applications Unit
Tel: (053) 911 7516