



Our Ref: **G Pre00145/2018**

*(Please quote in all related correspondence)*

23 January 2019

Eastern & Midlands Regional Assembly  
3<sup>rd</sup> Floor North  
Ballymun Civic Centre  
Main Street  
Ballymun  
Dublin  
D09 C8P5

Via email: [rses@emra.ie](mailto:rses@emra.ie)

**Re: Regional Spatial and Economic Strategy for the Eastern and Midlands Region  
Draft Public Consultation**

A chara

On behalf of the Department of Culture, Heritage and the Gaeltacht, I refer to correspondence received in connection with the above.

It is noted that the Eastern and Midland Regional Assembly has prepared a Draft Regional Spatial and Economic Strategy for the whole of the Eastern and Midland 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 preparation of the Draft Strategy and the invitation to make a submission or observations in relation to it.

Outlined below are heritage-related observations/recommendations of the Department under the stated heading(s).

## **Nature Conservation**

### 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 its obligations and commitments in relation to nature conservation, European sites, biodiversity and environmental protection in the context of the strategy and its



implementation, and associated environmental assessments (Strategic Environmental Assessment (SEA), Appropriate Assessment (AA) and SFRA).

These observations should be read in conjunction with the Department's earlier submission of 16/02/18 (our ref. G pre00264/2017) to consultants, RPS, at pre-draft/SEA scoping stage. Some key issues that are highlighted below were raised in that submission.

#### Matters relating to the strategy (including the SEA Environmental Report)

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, including biodiversity which is most welcome.

The strategy sets out Sustainable Development Goals which align with similar priorities at EU-level. The Region contains one Metropolitan Growth Centre (Dublin<sup>1</sup>) and a number of Regional Growth Centres and Growth Settlements, and has a population growth target of 1.4 million people by 2031. In addition to high level themes, and a vision and mission for the region, there are 16 Regional Strategic Outcomes (RSOs) which are cross referenced and aligned with the 3 key principals of the RSES (Economic Opportunity, Healthy Placemaking and Climate Action). Regional Policy Objectives (RPOs) have been developed for the following policy areas: Vision, Growth, Settlement, Dublin Metropolitan Area, Economy and Employment, Place making, Transport, Environment, Infrastructure and Climate and Implementation and Monitoring.

The Department had advised 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.

The RSES should include a high level goal to conserve and restore biodiversity reflecting the commitments in the National Biodiversity Action Plan (NBAP) 2017-2021. It is recommended that a clear commitment should be made to biodiversity conservation generally and not just in relation to protected sites, habitats and species. It is a concern that biodiversity conservation only comes under the key principle of Climate Action (Chapter 2, Figure 2.4, Page 22) which may undermines its visibility and wider importance. Consideration should be given to including protection of the environment generally and biodiversity conservation specifically as a key principle in the RSES.

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<sup>1</sup> Chapter 5 is the Dublin Metropolitan Area Strategic Plan (MASP). There are seven Local Authorities in the metropolitan area.



The following points should also be noted:

- Consideration should be given to the inclusion of a RSO in relation to the environment including biodiversity as recommended in the SEA Environmental Report (page 180).
- Consideration should be given to making a clear policy statement in relation to the conservation of biodiversity, both within and beyond protected areas, with reference to the National Biodiversity Plan in addition to RPO 10 and RPO 11.
- In sections where ecosystem services are mentioned (Chapter 3, page 35, Chapter 7, Section 7.1; page 110 and Section 7.3, page 115) it would be welcomed if there were an acknowledgement that biodiversity underpins the provision of key ecosystem services to society which underlines the need to conserve and restore it, for the benefit of all. In addition, the term 'ecosystems services approach' should be defined for clarity which reference to the role of biodiversity, particularly in light of RPO 3.4, Chapter 3, page 35, which promotes this approach at Local Authority level.
- The Environment chapter (Chapter 7 page 110) states that *'The drivers for this chapter are the key principles of healthy placemaking and climate action'*. It is recommended that biodiversity conservation be included as a key principle in line with commitments in the National Biodiversity Action Plan.
- The Infrastructure chapter (Chapter 10 page 174) states that *'The key driver for this chapter is the key principle of climate action'*. It is recommended that this should include the key principle of environmental sustainability generally and biodiversity conservation.
- The Department welcomes the commitment in RPO 7.18 (Page 121) to *'work with Local Authorities and state agencies to promote the development of improved visitor experiences and facilities in the Wicklow National Park.'* The Department is charged with managing the Park to achieve a range of objectives including the conservation of biodiversity. It is recommended that this RPO reflects the need to conserve biodiversity within the Park while providing for visitor experiences and facilities.
- The Department welcomes RPO 7.9 (page 115) in relation to light pollution. It is suggested that the wording of this RPO is changed to include 'sensitive species' as well as sensitive areas.

#### Ecosystems Services and Green Infrastructure

Ecosystems services can be defined as the benefits to human society provided by nature such as food, materials, clean water, clean air, climate regulation, flood prevention, pollination and recreation. The NBAP and EU2020 Biodiversity Strategy seek to address the main drivers of biodiversity loss in Ireland and the EU by focusing 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. Green infrastructure is a network of green spaces that help conserve natural ecosystems and provide benefits to human populations through water purification, flood control, carbon capture, food production and recreation. In the Commission's proposals for the Cohesion Fund and the European Regional Development Fund (ERDF), Green Infrastructure is specifically identified as one of the investment priorities.

The Department welcomes the commitment in the Strategy to integrate an ecosystems services approach and promote green infrastructure at plan level (RSO 10).

#### Greenways, Blueways and Peatways

'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 pre00264/2017). Greenways tend to be located in or adjacent to sensitive areas for nature conservation and biodiversity that may constrain the ability to deliver the proposed developments (e.g. the East Coast trail which will pass through the Murrrough Wetlands SAC and the Murrrough SAC, Galway to Dublin Greenway along the Grand Canal, River Boyne Greenway within the River Boyne and Blackwater SAC and SPA). Ducting and cable laying along greenway routes can also have hydrogeological impacts. Lighting along the routes can impact bat species and insect populations. In the Department's view, more 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 level including habitat loss and disturbance.

#### Settlements

There is a significant focus in the RSES on the identification of strategic sites and/or areas for the future physical, economic and social development of Athlone and the Monksland/Bealnamulla area (proposed Joint Urban Area Plan (UAP)). However, potential constraints to development arising from Athlone's unique position in the landscape and immediate proximity to sites of international nature conservation interest are not highlighted. Consideration should be given to addressing this in order to inform further plans and or projects arising from the RSES.

For example RPO 4.7 identifies capitalising on the amenity potential of waterways including the River Shannon and Lough Ree as well as the continued development of green and blue



ways. These areas are significant sites of nature conservation interest recognised for their international importance through European and national protected status. More specifically, 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) (Note; this site is not included in the NIR section on Athlone) and the Middle Shannon Callows SPA extend to the immediate Southern Urban boundary. Accordingly, the positive benefits to Athlone from such close proximity to notable sites of international import could be further explored and 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 insensitive development. No specific reference is made to the international importance of Athlone's hinterland in supporting the Shannon Callows, a complex area of seasonally flooded habitats that are critical to the survival of wetland dependent bird species. The identification of some of these areas as 'Green infrastructure' for sustainable flood management is to be welcomed, but it should not be overlooked that these areas often have dual roles with existing ecological and legislative requirements.

Longford and Mullingar are key growth settlements in the RSES. These towns are surrounded by a network of interdependent bog and wetland habitats. In the case of Longford, these are Brown bog SAC, Lough Forbes complex SAC and Ballykenny – Fisherstown bog SPA. In the case of Mullingar, these are Wooddown bog SAC, Lough Ennell SAC and SPA and Lough Owel SAC and SPA. In terms of the impacts of water abstraction and waste water discharge, direct hydrological links exist between these towns and the sites in question. The close proximity of a number of Natura 2000 sites supporting wetland and bog habitat to the Regional Key towns of Longford and Mullingar is not acknowledged in the settlement strategy of the RSES. The NIR notes 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 notes that a significant predicted impact of the RSES is 'changes to water quality and/or water movement'. Despite this potential for conflict no reference to this is made in the RSES sections relating to these towns and it appears that no pro-active mitigation measures have been proposed.

### Peatlands

The risks to peatlands arising from the RSES are identified in the NIS but not clearly stated and/or incorporated in the peatlands section of the RSES or the wider text of the RSES including the infrastructure (chapter 10), sustainable management of water (Chapter 10.2), waste water treatment and or surface water sections. Peatlands and their supporting wetland environs are sensitive to hydrological change as well as water and air borne pollutants (nutrients) that can occur within the wider catchment. Thus, adverse impacts on peatlands can often be driven by changes resulting from works undertaken at considerable distance from a site. The RSES area incorporates some of Irelands best preserved, protected and vulnerable peatlands, the RSES should accurately reflect these sensitivities.



The RSES should reference the National Raised Bog Special Areas of Conservation Management Plan 2017-2022 and the National Peatlands Strategy.

### Tourism

The development and enhancement of rural, urban and semi-rural areas for tourism is widely referred to in the RSES. 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 defining conservation or biodiversity interests.

Accordingly the overarching policy of growth and development in the tourism sector set out in the Draft RSES should also recognise clearly the need to protect and restore terrestrial, coastal and marine biodiversity and the natural landscape that supports the sector. The RSES 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 biodiversity generally.

The Department welcomes RPO 6.17 which advises including monitoring protocols in all tourism strategies and plans to monitor the ongoing effects of tourism on sensitive features with particular focus on natural and built heritage assets.

### Likely significant effects on European sites

The Habitats Directive (Council Directive 92/43/EEC) provides legal protection for habitats and species of European importance and the legislative means to protect habitat and species of Community Interest through the establishment and conservation of an EU-wide network of sites known as the Natura 2000 network. Article 6 (3) establishes the requirement for Appropriate Assessment.

It is acknowledged that the RSES reflects the necessity for downstream plans or projects arising from the plan to avoid conflict with existing national or international environmental obligations and/or legislative requirements. The RSES also should seek to ensure that active consideration is given to potential impacts on biodiversity and nature conservation at the earliest stages of implementation and that such consideration is not only at the project level. The strategy itself should in the first instance seek to highlight areas where European sites may be affected by future development and mitigation measures should be included to address these specifically.

In addition all the large number of mitigation measures outlined in the NIR and SEA Environmental Report should be fully incorporated in the RSES.



### Coastal and marine Natura 2000 sites

The Dublin Metropolitan Area is unique in terms of its important coastal and marine ecosystems and biodiversity. 19 marine and coastal Natura 2000 sites of international biodiversity importance (Table 1 below) are found within its boundary. This brings with it opportunities (nature based tourism, placemaking, greenways etc.) and responsibilities for conservation given the growth and other pressures outlined in the RSES. There are several other coastal and marine Natura 2000 sites in the wider EMR region. The Department shares the view expressed on page 181 of the SEA Environmental Report that the Regional Strategic Objectives do not address the important Natura 2000 sites which run along the coastal EMR and which could be impacted by increased population growth pressure from recreation, water and waste water, transport links. Consideration should be given to the inclusion of a RSO committing to protect the integrity of the sites and contribute positively to achieving their conservation. The SEA report (page 181) also highlights that there is no explicit reference to marine in RSO 7 which promotes the protection, improvement and sustainable management of water resources, despite the extensive coastal element to the EMR. It is recommended that coastal and marine Natura 2000 provisions and conservation of the wider coastal and marine environment should be more explicitly embedded as a priority objective in the RSOs. As outlined in the NIR (page 48) there is potential for in-combination impacts from the RSES on coastal European sites and this should be acknowledged in the RSES.

The RSES acknowledges that EMRA will support the use of the Integrated Coastal Zone Management (ICZM) (RPO 7.3, page 113). ICZM can help in meeting obligations under the Birds and Habitats Directives and provide connectivity between Natura 2000 sites. However, given the scale and breadth of development planned in the coastal zone, including port development, greenways, transport routes and settlement growth, it is recommended that fast-tracking of ICZM is encouraged. Consideration should be given to EMRA playing a co-ordination role in developing ICZM given the number of Local Authorities and stakeholders involved.

### Water services

The provision of water services is a key enabler of the RSES. Whether by way of waste water treatment or the supply of potable water, water services will involve abstraction, storage, treatment, discharges and a piped supply. Each of these has the potential to impact on the natural heritage. Such impacts include those on water quality and quantity as well as physical disturbance of habitats and species and habitat loss.

The RSES hopes to achieve population growth of nearly 480,000 people in the Dublin Metropolitan Area by 2031 (Chapter 3.2, page 28). It is acknowledged in the NIR that population growth will result in increased demand on water supply and therefore there is potential for increased abstraction leading to changes / pressures on existing hydrological / hydrogeological regimes which could result in adverse impacts on the integrity of water dependent European sites. Impacts, including cumulative impacts, of water supply



provision including contingency provision on Natura 2000 sites and biodiversity in general needs to be carefully assessed.

The growth ambition for the Dublin Metropolitan Area, key regional growth centres and Key Growth Settlements may have negative short to long-term impacts as a result of the sensitivity of the receiving environment to wastewater discharges. The mitigation measures outlined in Chapter 8 of the NIR recommend that population growth needs to be phased alongside improvements to wastewater treatment and other services. This is very important in order to ensure that the assimilative capacity of the receiving environment is not exceeded and that increased wastewater discharges from population growth does not contribute to degradation of water quality in Natura 2000 sites. Assimilative capacity should be assessed with reference to Natura 2000 Site Specific Conservation Objectives as well as relevant legislation, where applicable, including the European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations 2009 (S.I. No. 296/2009), as amended by the European Union Environmental Objectives (Freshwater Pearl Mussel) (Amendment) Regulations 2018 (S.I. No. 355/2018).

#### Port developments in the coastal zone

As outlined in the RSES (page 155), the EMR is home to the country's largest seaport – Dublin port, as well a number of additional ports of regional significance. Dublin, Drogheda and Wicklow Ports have been earmarked for expansion in the RSES. It is noted and welcomed that the RSES supports a feasibility study to examine the different options and potential for the development of off-shore renewable energy development at ports. The RSES (section RPO 8.22) also supports the undertaking of a feasibility studies to determine the carrying capacity of ports in relation to potential for likely significant effects on associated European sites including SPAs and SACs, which is most welcome.

#### Environmental assessment

There is an onus on the RSES to set the 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 main tool for achieving this objective is environmental assessment (i.e. SEA, AA, EIA, EclA). However, environmental assessments use evidence derived from scientific methods that rely on the availability of sufficient data to support their findings. The RSES advocates an evidence-driven approach to spatial planning and is in a strong position to proactively make provision for the accurate collation and dissemination of important environmental data across a large area of Ireland. 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 region-wide resources required (economic, administrative partnerships and responsibilities, infrastructure) and stipulating the detail of any region-wide policies, strategies and collaborations necessary to ensure that environmental data collection, sharing and dissemination is fully integrated into the RSES.





The NIR identifies the need for the development of an ecological resource map for the region and some of this work has been undertaken. The SEA Environment Report (page 376) suggests re-inclusion of the policy in relation to habitat mapping. The Department is supportive of this but also draws attention to ongoing work in this regard at national level. The Department is of the view that priority should be given to habitat mapping in the coastal zone of the Dublin Metropolitan area, in which major strategic development is planned. The Department supports the creation of a repository for NIS and NIR documents to facilitate data sharing and exchange and the development of a regional Ecosystems services map.

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

You are requested to send further communications to this Department's Development Applications Unit (DAU) at [manager.dau@chg.gov.ie](mailto:manager.dau@chg.gov.ie) (team monitored); if this is not possible, correspondence may alternatively be sent to:

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

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Joanne Lyons  
Development Applications Unit

