

20201218-15-DCDP

Louth County Council  
Forward Planning Unit  
Development Plan Review  
Town Hall  
Crowe Street  
Dundalk  
Co. Louth

Submitted via email: [louthcdp@louthcoco.ie](mailto:louthcdp@louthcoco.ie)

18<sup>th</sup> December 2020

RE: Review of the Draft Louth County Development Plan 2021-2027

To Whom It May Concern,

An Taisce welcomes the opportunity to comment on the Draft Louth County Development Plan 2021-2027. We wish to make the following submission, which we request the Council take into consideration in the finalisation and adoption of the Plan.

We would also request that the Council make An Taisce known of any further consultation periods regarding the making of the new Development Plan.

Yours sincerely,

Phoebe Duvall  
*Planning and Environmental Policy Officer*  
*An Taisce – The National Trust for Ireland*

## 1. Overarching Comments

The new Louth County Development Plan (hereafter referred to as the CDP, Draft CDP or Draft Plan) should represent a catalyst for positive change and facilitate the development of the county in a plan-led, sustainable manner. The CDP should strive to establish a coherent framework for the coordinated sustainable economic, social, cultural and environmental development of the county in line with the UN Sustainable Development Goals.

An Taisce's key objectives in making this submission on the Draft County Development Plan include:

- Ensuring that the climate and biodiversity loss emergencies are addressed at all levels of planning and development;
- Ensuring that national, regional and local planning policy and guidelines are implemented;
- Reducing Ireland's greenhouse gas emissions in accordance with EU law;
- Protecting town centres, and counselling against unserviced development and sprawl;
- Promoting compact development served by public transport in accordance with national Smarter Travel policy;
- Promoting rapid and extensive shifts toward walking and cycling and away from private car use;
- Reducing unsustainable fossil fuel use such as in heating buildings (e.g., coal and turf) and in transport (e.g., private car dependency);
- Ensuring the implementation of EU environmental law and protecting habitats and biodiversity, particularly Natura 2000 sites;
- Protecting our waterbodies and water quality, including through the prevention of inappropriate development;
- Conserving the quality of the Irish landscape, archaeological monuments and built heritage, particularly protected structures;
- Promoting efficient investment in public infrastructure and services; and,
- Promoting local self-reliance, public health and quality of life.

We are pleased that many of these goals already form key parts of the Draft CDP.

### 1.1 Strategic Objectives and the Climate and Biodiversity Emergencies

Given that the global climate and biodiversity loss emergencies are the defining challenges of our time, An Taisce very much welcomes the increased focus on climate mitigation and adaptation in the Draft Plan, particularly in Chapter 12 of the Draft Plan. Similarly, we welcome the numerous biodiversity and natural environment policies laid out in Chapter 8. However, we

consider that the gravity of these overarching challenges have not been sufficiently communicated or provided for in the Strategic Vision and Objectives. For instance, we note that these challenges are not mentioned in the Strategic Vision to:

*"Promote County Louth, in particularly the Regional Growth Centres of Drogheda and Dundalk, as uniquely attractive places in which to live, work, visit, and do business and where the quality of employment and educational opportunities, natural and built environment, cultural experiences and provision of inclusive communities are to the highest standards."*

An Taisce is pleased to see the robust policies provided in Chapter 12 on Climate. We strongly support, for example, Policy Objective CA 1:

*"To promote, support and direct effective climate action policies and objectives that seek to improve climate outcomes across the settlement areas and communities of County Louth helping to successfully contribute and deliver on the obligations of the State to transition to low carbon and climate resilient society through the encouragement and integration of appropriate mitigation and adaptation considerations and measures into all development."*

Given the overarching need for all future development to address the climate emergency, we submit that this should form a more central part of the Strategic Vision and Strategic Objectives. The same applies for many of the other climate action policies.

Similarly, the charts in Chapter 12 detailing the various climate targets and the relevant CDP objectives in other areas are particularly welcome. We submit that these various climate action provisions should be better integrated throughout the entirety of the plan. The Draft CDP rightly places a great deal of emphasis on adaptation to the challenges climate change is bringing and will bring into the future - there are many references to climate-resilient development throughout the plan. However, we submit that mitigation needs to be given greater emphasis both in the Strategic Vision/Objectives and throughout the other chapters.

### 1.1.1 National Mitigation Plan

We would highlight that the National Mitigation Plan was struck down by the Supreme Court on 31 July 2020 for non-compliance with the Climate Action and Low Carbon Development Act 2015. However, we note that the National Mitigation Plan is still included in the policy context section of the Climate chapter (section 12.5.5). We submit that the Draft CDP should be amended to reflect the Supreme Court Judgement.

### 1.1.2 Sustainable Development Goals

While we support most of the strategic objectives of the Draft Plan, we are surprised by the omission of any reference to the Sustainable Development Goals (SDGs), which were adopted by the United Nations in September 2015.

The 17 SDGs address the environmental, economic and social challenges that the world needs to tackle by 2030 to ensure a sustainable future. However, these goals are mentioned only very briefly in other sections of the Draft Plan; and it is our suggestion that these goals should be given greater prominence in the Strategic Vision and Strategic Objectives, as they are far wider than climate change alone – they reflect and encompass economic, social and environmental dimensions of sustainable development.

## 2. Sustainable Settlement and Transport

The defining pattern of spatial development in Louth and around Ireland in recent decades has been of a sprawling, uncoordinated nature where land has been developed in a 'leapfrog', low-density pattern. This type of land use has diminished the liveability of areas, created places that lack adequate public facilities, and generated car dependency for long commutes.

To achieve compact and sustainable settlement, combat rising transport emissions, and improve the quality of life for citizens, it is imperative that the new CDP addresses future population growth and continues to encourage a shift away from dispersed, car-orientated development patterns to walkable, cycleable, transit-orientated and consolidated urban forms. A crucial aspect of this will be the maintenance of and improvement in investment in public transport, walking and cycling to offer communities viable alternatives to private cars.

The prioritisation of future development in Louth's towns towards efficient, compact, and serviced locations in accordance with the sequential approach and existing infrastructural capacity is critical. The CDP should be guided by the existing essential social infrastructure (schools, community facilities, etc.) and physical infrastructure (transport, water services, communications, etc.), including realistic prospects for addressing capacity constraints. Where services are not available, there should be a reasonable expectation of their provision within the plan period. Land should not be zoned if there is no reliable prospect of providing key physical infrastructure within the plan period or a within reasonable time period thereafter, such as improved roads, footpaths, drainage and lighting to serve likely future development. The Council must engage with the providers of essential physical and social infrastructure and ensure that the town-specific policies are based on realistic assessments regarding the funding

and timing of such infrastructure, recognising that some levels of strategic infrastructure may take a number of cycles to provide.

An Taisce therefore welcomes the many commitments throughout the Draft Plan to, for example:

- Promote compact development;
- Locate new development in close proximity to public transport, walking and cycling routes, and existing services and amenities;
- Direct new rural development to existing settlements;
- Provide serviced sites;
- Ensure the provision of physical and social infrastructure prior to or in tandem with new residential development.

As an additional measure to address compact settlement creation and the issues discussed above, An Taisce recommends that the Council make the seven location test standards for new housing outlined in the now replaced National Spatial Strategy 2002 (see chart below) a mandatory CDP requirement for new housing development. Unlike sustainability and quality of life indicators, these should be strictly enforced threshold standards without which no development should be permitted. This requires that zoning and decisions for new housing be conditional on integration with existing communities, affordability and mix of housing types, walking and cycling access to local services and schools, public transport access to employment locations, and availability of recreation facilities.

Evaluation Considerations	
The Asset Test	Are there existing community resources such as schools, etc. with spare capacity?
The Carrying Capacity Test	Is the environmental setting capable of absorbing development in terms of drainage, etc.?
The Transport Test	Is there potential for reinforcing usage of public transport, walking and cycling?
The Economic Development Test	Is there potential to ensure integration between the location of housing and employment?
The Character Test	Will the proposal reinforce a sense of place and character?
The Community Test	Will the proposal reinforce the integrity and vitality of the local community and services that can be provided?
The Integration Test	Will the proposal aid an integrated approach to catering for the housing needs of all sections of society?

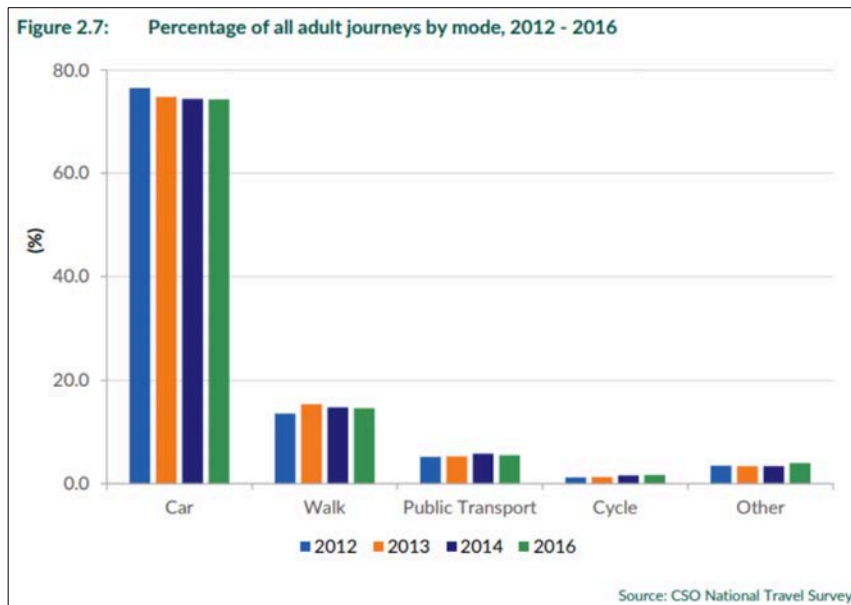
*Tests for housing locations from the National Spatial Strategy 2002*

## 2.1 Creating a Modal Shift in Transport

To achieve compact and sustainable settlement, combat rising transport emissions, and improve the quality of life for citizens, it is imperative that the CDP addresses future population growth and encourages a shift away from dispersed settlement towards more consolidated urban forms. A crucial aspect of this is investment in public transport, walking and cycling is maintained and improved in order to offer communities a viable alternative to private cars.

The data presented in a recent Government review of sustainable mobility policy<sup>1</sup> make it unequivocally clear that Ireland has failed to achieve the modal shift in transport that was envisioned in the Smarter Travel policy (2009) and a suite of other transport-related policies. Yet, as noted in the review, transport<sup>2</sup> accounted for over 27% of Ireland's emissions in 2017, with 52% of that generated by private cars.

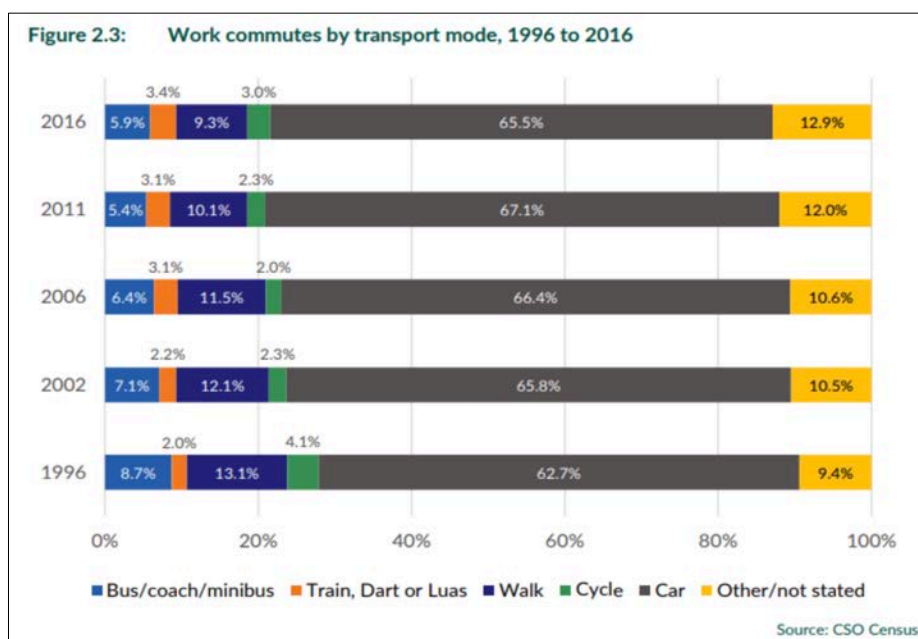
CSO data show that private car dependence is extremely high across Ireland - 74.3% of all journeys are made by car. 15% are made on foot while only 5.5% are by public transport and 2% by bicycle (see chart below). We note that the National Cycling Strategy, which ran in parallel to Smarter Travel, provided that 10% of all journeys would be made by bike by 2020. Notably, public transport use and accessibility in smaller towns and rural areas is also particularly poor.



<sup>1</sup> <https://www.gov.ie/en/consultation/f1b503-public-consultation-on-a-review-of-sustainable-mobility-policy/>

<sup>2</sup> This does not include aviation or maritime travel emissions.

Similarly, a cornerstone target of the Smarter Travel policy was that commuting journeys made by car should drop from 65% to 45% by 2020 while commuter journeys by walking, cycling and public transport should increase to account for 55%. As the 2016 census data below shows, we have completely failed to achieve that. In fact, the share of car journeys to work has *risen* since 1996 and actually surpassed the Smarter Travel baseline of 65%. The percentage of commutes made by cycling, walking or taking the bus has decreased and is nowhere near the 55% share stipulated by Smarter Travel.



According to the 2016 data presented in the Draft CDP, Louth is performing around the national average with 63% of commuter journeys made by car, 10.5% on foot, 6.4% by public transport (bus and train), and 2.2% by bicycle. As the Draft Plan acknowledges, the county still faces significant challenges in creating the substantial modal shift needed.

We therefore welcome the various policies in the DCDP that promote a modal shift and the enhanced provision of sustainable transport infrastructure including but certainly not limited to Policy Objective MOV 2:

*“To facilitate the integration of land use with sustainable transportation infrastructure by supporting the creation of a critical mass of population and employment related development that would maximise investment in public transport infrastructure and create compact, sustainable settlements,”*

And MOV 5: *"To support investment in sustainable transport infrastructure that will make walking, cycling or public transport more attractive and appealing, and facilitates accessibility for all, regardless of age, physical mobility, or social disadvantage."*

However, we submit that robust targeted and timed plans are needed to ensure the efficient implementation of these policies. For instance, we welcome the objective to examine the feasibility of reopening the Dunleer train station and providing additional stations in south Dundalk, north Drogheda and the mid-Louth areas, but submit that more robust targets and requirements are needed if these goals are to come to fruition and contribute to a modal shift in Louth.

One specific measure we recommend is that an explicit objective be included that sufficient public transport capacity as well as safe cycling and pedestrian infrastructure must be provided prior to or in tandem with any new residential development. Increased sustainable transport infrastructure and capacity provision needs to come before expanded residential development, particularly in Drogheda and Dundalk.

#### 2.1.1 Programme for Government

The 2020 Programme for Government sets out as overarching mission: *"A Better Quality of Life for All"* with *"A national clean air strategy," "Better work life balance"* and *"a fundamental change in the nature of transport in Ireland"* as key objectives. It sets out as immediate priority actions:

*"Necessary improvements in climate impact, quality of life, air quality and physical and mental health demand that every effort is made by the Government to make active travel and public transport better and more accessible."*

*"Each local authority will be immediately mandated to carry out an assessment of the road network, to see what space can be allocated for pedestrians and cyclists. This should be done immediately."*

In light of the Programme for Government mandate and the aforementioned data, we cannot overstate the urgency with which the Council needs to address the current unsustainability of transport in the county and the ongoing failure to achieve meaningful progress toward a modal shift away from private car use. We recommend that provision for the immediate review called for in the Programme for Government be included in the CDP.

### 2.1.2 Road Investment

Any further investment in motorway or dual carriageway schemes, other than small-scale bypasses to relieve urban congestion points, would be a misdirection and misspending of limited public money. Policy and investment in Louth should be reprioritised away from road infrastructure (with the exception of necessary maintenance and town bypasses) and redirected to support public and active transport projects and cycling infrastructure. Significant amounts of existing road space needs to be reallocated for high quality segregated cycle lanes and footpaths.

## 2.2 Drogheda Joint Urban Area Plan

An Taisce welcomes Policy Objective CS 9:

*"To prioritise the preparation of a Joint Urban Area Plan (UAP/LAP) for Drogheda in partnership with Meath County Council, which will incorporate the existing local area plan areas affecting the wider town environs into one overall planning framework for the Regional Growth Centre of Drogheda. The preparation of the UAP/LAP will be informed by a local transport plan, in accordance with the requirements of Regional Policy Objective 4.11 of the Regional Spatial and Economic Strategy."*

This should help facilitate the sustainable development of Drogheda and ensure that it is a liveable, low-carbon, and vibrant city.

## 3. Economy and Employment

### 3.1 Town Centres First

The 2020 Programme for Government includes a mandate for implementing a Town Centres First policy: *"implement a strategic approach to town centre regeneration by utilising existing buildings and unused lands for new development, and promote residential occupancy in our rural towns and villages. We will use the National Planning Framework as our template."*

We therefore welcome the commitment to such an approach in Section 5.24. We recommend expanding the objective for Town Centre Renewal Plans be prepared for Drogheda and Dundalk to include other towns, such as Dunleer and Ardee. We also recommend strengthening the policy objectives to prohibit out-of-town retail development.

### 3.2 Agricultural Development

The EPA's latest report on Water Quality in 2019 (published in December 2020)<sup>3</sup> reveals that water quality trends in Ireland continue to be problematic. The report indicates that over one third of rivers and a quarter of lakes are failing to meet their environmental quality standards for nutrients. Of particular concern are the increasing pollution trends since 2015, with nitrate found to be increasing in nearly half of river sites, and phosphate increasing in a quarter of sites. This is in stark contrast to the situation in 2015 when nitrate was increasing in only 1.4 % of our rivers, and phosphate in 4%. Runoff from agriculture is a key driver of these declines, particularly as herd numbers and fertiliser use increase.

Ammonia emissions causing air pollution are another result of bovine agricultural processes including manure storage, slurry spreading and the use of inorganic nitrogen fertilisers on fields. Ireland has breached its 116kt per annum limit under the National Emissions Ceiling Directive (2016/2284/EU) since 2016<sup>4</sup>, 98% of which is caused by agriculture. Moreover, Ireland is legally obliged under the Directive to decrease its ammonia emissions to 107.5kt by 2030. Intensifying bovine agriculture in Ireland will make achieving these targets extremely difficult.

Agriculture is also a major emitter of greenhouse gases and is contributing significantly to Ireland's ongoing failures to reach its legally binding Paris Agreement targets; GHGs from agricultural account for one third of Ireland's total emissions.

In light of the above, we do not consider that Policy Objective EE 58 *"To continue to support the agricultural sector and to facilitate the development of environmentally sustainable agricultural activities"* adequately reflects the changes needed in the agricultural sector. We submit that agricultural development should only be supported in the CDP objectives where it is demonstrably shown not to exacerbate deterioration in water quality, to comply with the Habitats Directive and not add to further emissions in line with EU and national climate change targets.

Additionally, we recommend that the CDP enhance Policy Objective EE 59 on agricultural diversification to promote the development of sustainable agriculture through the production of vegetables, grains, nuts, pulses, fruits, etc.

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<sup>3</sup> EPA (2020) Water Quality in 2019:  
[http://www.epa.ie/pubs/reports/water/waterqua/Water%20Quality%20in%202019%20-%20an%20indicators%20report%20\(web\).pdf](http://www.epa.ie/pubs/reports/water/waterqua/Water%20Quality%20in%202019%20-%20an%20indicators%20report%20(web).pdf)

<sup>4</sup> EPA, June 2020, Ireland's Air Pollutant Emissions:  
<https://www.epa.ie/pubs/reports/air/airemissions/irelandsairpollutantemissions2018/EPA-Air-Pollutant-Emissions-website.pdf>

The latest EPA water quality report discussed above is a clear indication that the water protection measures currently in place under the Nitrates Directive are failing to adequately protect our water quality, despite increased investment in this area, with the establishment of Agricultural Sustainability Support and Advisory Programme (ASSAP), and other measures intended to address this. Ireland has obligations under the EU Water Framework Directive to bring all water bodies into good status by 2027, and roughly 50% of waters are currently failing this.

We welcome the inclusion of Policy Objectives ENV 20 through 22 with regard to preventing nitrate and other agricultural water pollution. However, we recommend that these objectives should be made as strong and enforceable as possible to begin to reverse the highly problematic trends evidenced in the EPA report. For instance, ENV 22 should *require* compliance with River Basin Management Plans as well as the use of catchment sensitive farming practices rather than merely encouraging them.

### 3.2.1 New European Strategies

In May 2020, in furtherance of the European Green Deal, the EU Commission published in parallel “A Farm to Fork Strategy” and the “EU Biodiversity Strategy for 2030 - Bringing nature back into our lives”.

The Biodiversity Strategy includes the following key targets:

1. Legally-binding EU nature restoration targets will be proposed in 2021, subject to an environmental impact assessment. By 2030, significant areas of degraded and carbon-rich ecosystems are restored; habitats and species show no deterioration in conservation trends and status; and at least 30% reach favourable conservation status or at least show a positive trend.
2. The decline in pollinators is reversed.
3. The risk and use of chemical pesticides is reduced by 50% and the use of more hazardous pesticides is reduced by 50%.
4. At least 10% of agricultural area is under high-diversity landscape features.
5. At least 25% of agricultural land is under organic farming management, and the uptake of agro-ecological practices is significantly increased.
6. Three billion new trees are planted in the EU, in full respect of ecological principles.
7. Significant progress has been made in the remediation of contaminated soil sites.
8. At least 25,000 km of free-flowing rivers are restored.
9. There is a 50% reduction in the number of Red List species threatened by invasive alien species.

10. The losses of nutrients from fertilisers are reduced by 50%, resulting in the reduction of the use of fertilisers by at least 20%.
11. Cities with at least 20,000 inhabitants have an ambitious Urban Greening Plan.
12. No chemical pesticides are used in sensitive areas such as EU urban green areas.
13. The negative impacts on sensitive species and habitats, including on the seabed through fishing and extraction activities, are substantially reduced to achieve good environmental status.
14. The by-catch of species is eliminated or reduced to a level that allows species recovery and conservation.

The policies, objectives and targets of these two Strategies should be incorporated into the new CDP. We therefore recommend the inclusion of the following overarching objective:

*"Louth County Council will implement the objectives and targets at county level of the EU 'A Farm to Fork strategy', published in May 2020. The Council will also implement the targets of the 14 point EU Nature Restoration Plan in the 'EU Biodiversity Strategy for 2030 - Bringing nature back into our lives'."*

We also suggest that the following objective should be added to the objectives on agriculture:  
*"Ensure that agriculture development is in compliance with the EU 'A Farm to Fork Strategy 2020' and the 14 point EU Nature Restoration Plan in the EU 'Biodiversity Strategy for 2030 - Bringing nature back into our lives'."*

### 3.3 Ports

The meeting of global sustainable development targets requires that significant levels of the current bulk imports to Ireland, including oil and other petrochemical products, animal feed and fertiliser and biomass, will need to be eliminated or significantly reduced. Accordingly, there is no business case for expanding the berthage capacity of Drogheda or Greenore ports.

Furthermore, the proposal by Drogheda Port Company to develop a major port at Bremore off the Meath coast is unjustified in need and does not meet any location suitability test for a new port development, including because of the location of a Neolithic passage grave complex at Bremore Head.

## 4. Sustainable Tourism

It is a particular objective of An Taisce that future eco-tourism and recreational visitor promotion nationally should be as car-free as possible. A new tourist model is required based on longer area-based stays rather than drive-through tourism, and based on enhanced promotion and development of greenway safe cycling routes, and attractive walking and hiking routes for all ages and abilities.

We note that the Programme for Government sets out a range of policies on Tourism including to: *"Develop Ireland as a long stay tourism destination to spread tourism more evenly across the country. This will help reduce emissions and maximise economic return."*

We welcome the commitment to integrating climate action with tourism development in Policy Objective TOU 3: *"To support the implementation of the National Climate Action Plan 2019, Climate Action Charter and by the Climate Change Adaptation Strategy for County Louth by integrating climate change action measures into future tourism plans."* We also welcome the objectives to provide for additional tourist accommodation in appropriate locations, particularly in areas with existing services and infrastructure (e.g. Policy Objectives TOU 25 through 30).

However, we submit that the Draft CDP could better support sustainable tourism development by explicitly integrating sustainable transport concerns into the tourism objectives with the goal of increasing car-free, long-stay trips.

### 4.1 Greenways

We welcome the various policy objectives for the development of greenways in Louth, including MOV 26 for the development of the Louth Coastal Way. This presents an excellent opportunity to continue and enhance the already extensive coastal access path system in the county.

We also welcome the provision to ensure Appropriate Assessment consideration under the Habitats Directive to obviate any potential conflicts with protected European sites.

### 4.2 Narrow Water Bridge

Following the development of the car ferry from Greenore to Greencastle, the strategic need for the proposed Narrow Water Bridge between the Cooley Peninsula and the Mourne has not been justified, particularly in light of the likely significant environmental impacts of such a project.

## 5. Infrastructure and Environmental Management

We note and welcome the range of policy objectives regarding sustainable, climate-resilient infrastructure, renewable energy, energy efficiency, resource use, etc.

### 5.1 Water

We welcome Policy Objective ENV 15 regarding the implementation of the recommendations in the River Basin Management Plans. We also welcome the commitments to ensure that plans, programmes and projects will not have an unacceptable impact on water environments. However, we submit that “unacceptable impact” should be defined to ensure the highest level of water quality protection possible. We also recommend that this part of ENV 15 be enhanced to explicitly require the consideration of compliance with the provisions of the Water Framework Directive and River Basin Management Plans in the granting of planning permissions.

With regard to development and works near water bodies, Policy Objective IU 23: *“To ensure that no development including clearing or storage of materials takes place within a minimum distance of 10m measured from each bank of any river, stream or watercourse”* is welcome.

We would also highlight that the ongoing proliferation of private wastewater treatment systems will present significant challenges for the achievement of Ireland’s binding water quality targets under the Water Framework Directive. Therefore, the CDP should ensure the adequate provision of serviced sites within close proximity to established water/wastewater infrastructure, where a connection to services can be readily facilitated, and where there is sufficient cumulative capacity within the wastewater treatment plant.

We also recommend the insertion of an objective in the Infrastructure chapter to promote changeover from septic tanks to public collection networks in all cases where this is feasible.

### 5.2 Bioenergy

In principle, we welcome the objective to provide for the development of biogas through anaerobic digestion but *only* where the sustainability of this resource is justified. In order for bioenergy to be deemed renewable and to contribute to overall emissions reduction, the feedstock sources and the supply chain of these feedstocks must be assessed to be sustainable.

For example, while the burning of biogas generated from biomass, slurry, etc. might be deemed ‘carbon neutral’, the emissions that contribute to the growth, harvesting and transport

of the feedstock must also be considered, and can negatively impact bioenergy's overall contribution to climate mitigation. The fertiliser used to accelerate the growth of energy crops and feed cattle, which eventually produce slurry, not only produce emissions but also contribute to water pollution. In the worst cases, the emissions mitigation potential of biogas may be negligible.

We would highlight that anaerobic digesters suffer from significant fugitive emissions problems via methane leaks. The effect of the leakage of this potent greenhouse gas may greatly reduce or cancel out the claimed climate benefits of using biogas in place of fossil fuels. Digesters also do not remove ammonia from the digestate<sup>5</sup>.

The CDP must therefore ensure that any provision of bioenergy is accomplished in a sustainable manner.

Anaerobic digestion predicated on increased grass/energy crop production should not be permitted in light of the increased levels of fertiliser input needed to grow the grass and the associated water quality and climate impacts. The use of existing waste streams for energy provision are often a more sustainable option as they do not promote an increase in production of energy crops, which can increase NO<sub>2</sub> soil emissions and water quality impacts through higher requirements of fertiliser.

However, with regard to the use of slurry, intensive cattle farming is also a major emitter of greenhouse gases and is contributing significantly to Ireland's ongoing failures to reach its legally binding Paris Agreement targets; GHGs from agriculture account for one third of Ireland's total emissions. Any use of slurry for bioenergy production should not be reliant upon or drive further bovine agriculture intensification.

If food waste and industrial agri-food residues will be used as feedstock, it should be noted that food waste prevention is a key part of the transition to a circular economy. The maximally sustainable use of such waste material has yet to be determined, and anaerobic digestion may not be the most sustainable use. For example, there is a strong need to develop alternative composts to the current peat-based forms, and agri-food waste is a potential key ingredient.

To ensure the sustainability of biogas production, the sustainability of the biogas's end use must also be fully assessed. Permission for biogas facilities should only be granted where the

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<sup>5</sup> Ireland has now breached its 116kt per annum ammonia air pollution limit under the National Emissions Ceiling Directive (2016/2284/EU) for three years in a row (2016-2018) (see the EPA report, Ireland's Air Pollutant Emissions 1990-2030 published June 2020). The EPA reports that this is a direct result "*of continued increases in the national herd and fertiliser nitrogen use.*" Ireland is legally obliged under the Directive to decrease its ammonia emissions to 107.5kt by 2030, however, emissions are projected to continue to be non-compliant up to and beyond 2030.

biomethane will not be mixed with fossil gas, as this would exacerbate lock-in to fossil fuel use and contribute negatively to Ireland's potential to reach its 2030 emissions reduction targets. Biomethane cannot be considered to be sustainable if it relies on fossil gas for its end use.

We submit that the above points require the policy objectives for bioenergy in the CDP to be clarified. For instance, Policy Objective IU 62 *"To support and promote the development of bio-gas production and networking technologies at suitable locations and subject to normal planning and environmental considerations"* should be amended to specify that biogas development will only be supported where it can be demonstrated that the feedstock source is sustainable and where the biogas end product will not be mixed with fossil gas.

Similarly Policy Objective IU 60 *"To support and promote the development of projects that convert biomass to energy subject to proper planning and environmental considerations"* should be qualified to state that the sourcing, sustainability and impacts of the proposed biomass require full assessment. Furthermore, the import of biomass for energy should be prohibited. We would highlight the case of the West Offaly Power Station, which was refused permission for continued operation by An Bord Pleanála on grounds that included the sustainability of the biomass as well as the inadequate domestic supply thereof and consequent reliance on imports.

### 5.3 Gas Supply Network

With regard to Objective IU 67, An Taisce submits that there is no capacity for further expansion of the fossil gas network under national, EU and international climate policy. We therefore recommend that the objective to develop further gas supplies be removed.

### 5.4 Forestry

An Taisce considers that the objectives around forestry should differentiate between the planting of native woodland and the planting of other species such as sitka spruce, which create what are essentially ecological dead zones. We also suggest that greater emphasis be placed on the planting of native broadleaf woodlands.

### 5.5 Extractive Industry

We submit that an additional objective be included to require strict enforcement against unauthorised development and of conditions applied to permitted quarry development. We also consider that Section 35 of the Planning and Development Act 2000 (as amended) regarding past failures to comply should be rigorously applied to proposals for continued or expanding quarrying operations.

### 5.5.1 Horticulture

We submit that an additional objective should be added to state: "*The extraction and use of peat for horticulture is not to be permitted*".

## 6. Marine Spatial Planning and Coastal Issues

We note that many of the marine-related objectives in the Draft CDP appear to prioritise economic growth over the protection of the marine environment, including Policy Objective EE 25:

*"To support development and growth of the maritime economy and balance the competing demands for available space along the coast by different users and encourage co-location and co-existence of activities and infrastructure while having regard to appropriate environmental considerations."*

And ENV 47 "*To implement the policies and objectives as set out within the National Maritime Spatial Plan to support the effective management of marine activities and more sustainable use of our marine resources.*"

An Taisce would suggest that instead of the ocean environment being simply another pillar of a sustainable approach to marine planning in addition to social and economic concerns, or at worst an afterthought, it must be recognised that a healthy ocean ecosystem is absolutely fundamental for any economic or social benefits. Without a healthy ecosystem, we cannot have a thriving economy or tangible social benefits. Therefore, we submit that all coastal and marine development objectives in the CDP should be subject to environmental assessments and controls that prioritise ecosystem health.

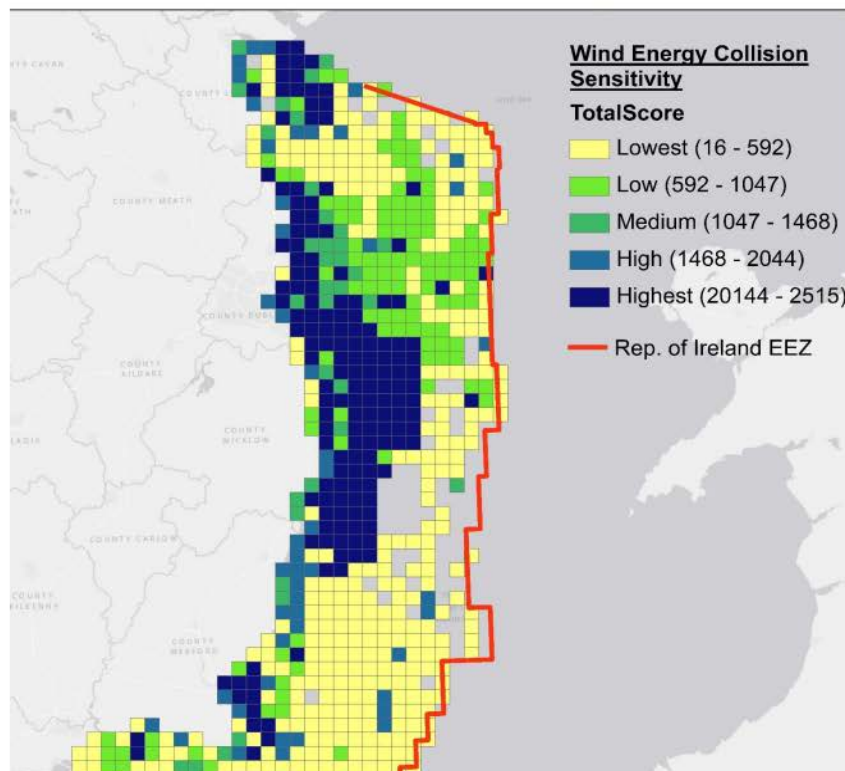
### 6.1 Shellfish Waters and Aquaculture

We consider that an explicit commitment to ecological protection and an ecosystems approach is required in the objectives relating to shellfish waters and aquaculture. We also submit that a policy objective is needed requiring compliance with the Marine Strategy Framework Directive, particularly its provisions concerning the achievement of Good Environment Status.

## 6.2 Offshore Wind Energy

The development of a sustainable and effective offshore energy regime for Ireland is a major strategic priority for the decade ahead, and this is recognised in the Draft CDP. Wind energy installation has been decreasing in costs, and the technology for the deployment of floating turbines is now in place, radically increasing the marine area open to consideration for use.

It is essential to ensure that the advancement of wind turbine deployment to address the climate emergency is reconciled with the biodiversity loss emergency. Birdwatch Ireland has been trialling a bird sensitivity mapping tool<sup>6</sup> which could be used to identify potential constraints early in the planning process. It would allow developers to further investigate the potential risk of impacts and include suitable mitigation measures where necessary. An example of this trial sensitivity mapping is given below, adapted from Figure 4 in the original publication.



*Trial bird sensitivity mapping by Birdwatch Ireland<sup>7</sup>*

<sup>6</sup> Burke, B. (2018) Trialling a Seabird Sensitivity Mapping Tool for Marine Renewable Energy Developments in Ireland. BirdWatch Ireland, Kilcoole, Co. Wicklow.

<sup>7</sup> Ibid

We therefore recommend that the CDP include a policy requiring the use of a seabird sensitivity map in the early stages of planning, to assess the risk posed by marine renewable energy developments, and to fully comply with our legal obligations to protect birds and their habitats.

### 6.3 Coastal Development

We welcome the objectives, such as ENV 56 and 57, that aim to curtail further coastal development in areas susceptible to erosion and other climate change impacts. This is particularly important to reduce the level of hard engineering coastal defence works required, which can have permanent adverse impacts on coastal habitats, such as dune systems, and the natural defences they provide.

## 7. Natural Heritage, Biodiversity and Green Infrastructure

The 2018 “Living Planet Report” from the World Wildlife Fund<sup>8</sup> presented a very bleak picture of the state of global biodiversity. There has been an overall 60% decline in species population size in just over 40 years (1970-2014). This decline stands at 83% for freshwater species.

Ireland has a poor record when it comes to protecting the natural environment. The sprawling nature of development and settlement pattern is a driving force for habitat fragmentation, biodiversity loss and agriculture-related land loss and is contributing to climate change.

The 2019 report on “The Status of EU Protected Habitats and Species in Ireland” (prepared every six years as required by Article 17 of the EU Habitats Directive)<sup>9</sup> illustrates the poor condition of Ireland’s biodiversity. Out of Ireland’s 59 European protected habitats, 85% were assessed as being in an unfavourable conservation status and 46% suffering from ongoing declines. The report highlighted agriculture and development (housing, commercial, industrial, and recreational) as two of the primary threats facing these habitats.

In light of the above, the urgency with which we need to address the biodiversity loss emergency must be reflected in the CDP. As such, we are pleased to see the suite of policies aimed at biodiversity protection and enhancement, including for Louth’s six Special Areas of Conservation (SACs) and five Special Protection Areas (SPAs). However, the implementation and enforcement of these policies must be upheld in the planning process at all levels.

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<sup>8</sup> Living Planet Report, World Wildlife Fund (2018): <https://www.worldwildlife.org/pages/living-planet-report-2018>

<sup>9</sup> Habitats Directive Article 17 Report Summary 2019:

[https://www.npws.ie/sites/default/files/publications/pdf/NPWS\\_2019\\_Vol1\\_Summary\\_Article17.pdf](https://www.npws.ie/sites/default/files/publications/pdf/NPWS_2019_Vol1_Summary_Article17.pdf)

We also recommend that the implementation of the 14 points in the EU Biodiversity Strategy 2030 (as discussed above) should be included as a specific biodiversity objective.

### 7.1 Landscape

An Taisce submits that greater landscape protections are required, particularly in the coastal areas where sprawl needs to be restricted. Similarly, enhanced landscape protection requirements are needed for the Boyne Valley World Heritage site.

## 8. Built Heritage and Culture

Ireland's unique built and cultural heritage is increasingly threatened with destruction. Ireland is a signatory to UNESCO's Convention Concerning the Protection of the World Cultural and Natural Heritage ratified by Ireland in 1991 and the Granada Convention ratified in Ireland in 1995. These conventions provide the basis for our national commitment to the protection of architectural heritage, the importance of "*handing down to future generations a system of cultural references*". To be effective, it relies on its signatory countries implementing their own national protective regimes.

The CDP should ensure the effective promotion of the Architectural Heritage provisions of Planning and Development Act 2000 and therefore the protection of Louth's built heritage, including Architectural Conservation Areas (ACAs) and Protected Structures.

Crucially, the CDP should be amended to include policies for monitoring buildings at risk and using the provision of Section 59 of the Planning Act to serve notices of endangerment to negligent property owners.

## 9. Implementation and Monitoring

In the absence of rigorous application of policy, the divergence between policy and practice results in unsustainable, economically inefficient, structurally weak and spatially dispersed settlement patterns. Therefore, it is of paramount importance that the new CDP moves beyond objectives within the text and towards robust targets, actions and measures to achieve the tangible implementation of the plan's objectives and policies. The success or otherwise of the forthcoming CDP can only be judged against quantifiable and implementable criteria which are subject to ongoing monitoring. This will be fundamental in creating a sustainable and healthy society.

We hope and trust that the above suggestions and observations on the Draft County Development Plan 2021 – 2027 will be taken into account at the final stage of plan preparation, and will lead to an improvement in the quality of life in Louth and to better protection of our environment and climate.