

Fwd: Draft Louth County Development Plan 2021-2027

Gabriel Toolan []

Sent: 23 December 2020 11:06

To: LouthCDP

Begin forwarded message:

From: Gabriel Toolan < >
Date: 23 December 2020 at 10:59:51 GMT
To: louthcdp@louthcoco.ie
Subject: Fwd: Draft Louth County Development Plan 2021-2027

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Date: 23 December 2020

Your Ref: **Our Re**
Email To Louth County Council.

To louthcdp@louthcoco.ie

Draft Louth County Development plan 2021 to 2027.

Submission regarding 2.7 acre lands at rear Stamanaran (town land of Haggardstown)

Old Golf Links Road Blackrock County Louth.

Our client: WILD IRELAND DEFENCE LTD.

Dear Sir/Madam

We act on behalf of the above named non-governmental organisation. This organisation is a body which has as its purpose the protection of the environment in Ireland and in this regard has made observations and submissions with regard to proposals that it considers may have adverse affect on the environment at locations all over Ireland.

We have received instructions with regard to a proposal to change the zoning of a 2.7 acre site at the above location in the current draft Louth County Development Plan from “open space “to “new residential”.

We are instructed that the proposal in this regard has been lodged by a Mr Donal Carroll , a Housing Property Developer in the area.. In the rezoning submission lodged with Louth [Co.Co](#). Mr Carroll states that the Wetland area is currently “inaccurately” zoned as open space. Mr Carroll also refers to a landfill license issuing from Louth County Council to permit substantial amounts of topsoil to infill this area. Mr Carroll states that the Lands are no longer a wetland.

Up until August 2020 this land had been designated as a Wetland by Wetland Surveys Ireland (Site Code LH173) and it appears that Wetland Surveys Ireland proposed to remove the 2.7 acre site from the Louth Wetland survey forthwith. We have been unable to find any report from Wetland Survey Ireland and in the absence of any reasoning having been provided for this step, we must question how it is that this proposal arises. In this regard we inquire as to who it is that commissioned the Louth Wetland survey to be carried out in 2020 for this site and what were the circumstances the triggered this [step.In](#) the absence of a Report being made available it is not possible to understand the findings which Mr.Carroll states are proposed by Wetland Survey Ireland Ltd.

It would appear that this particular site has a history of unauthorised development and it appears that a number of files have been opened by Louth County Council over the years in respect thereof. It appears that there is an enforcement file with Louth County Council under reference 20U O23 which apparently is an open file. File 16UO32 also appears to have been an Enforcement File relating to this area which is described then (2016) on the Planning Register as a “Wetlands “ site.

It would appear to be the case of the owner of this land has, through a process of attrition taken a progression of steps to degrade and obliterate this wetland site and now seeks to convert same into development land. It would also appear to be the case that Louth County Council has been expressly on notice of these steps having regard to the record of Enforcement action and files having been opened by Louth County Council in this regard.

It is also of significant note that at a County Council Meeting of 23 September 2020 that the Chief Executive of Louth County Council , when the issue of the proposed re-zoning of this property was raised, informed the Meeting that she had to receive Legal Opinion on this matter. We inquire as to the results of this Legal Opinion and seek a copy of same and same should be disclosed as part and parcel of the re-zoning proposal in view of the importance of same attributed thereto by the parties at the said Meeting.

We are instructed that this particular site has been recognised as an important Wetland and indeed same has been referred to in an Ecological Survey of Blackrock commissioned by Blackrock Tidy Towns Committee in 2006.

In the “Louth Wetland Identification Survey “ by Foss, Crushell, O Loughlin and Wilson of 2011, it refers at page 62 thereof to :

“the need for an adequate buffer zone around the wetland”

and indeed page 63. thereof it states that :

“Restoration of threatened and degraded wetland habitats should be encouraged, such as of highly modified bogs.”

It is indeed difficult if not impossible to reconcile the findings of the Louth Wetland Identification Survey 2011 with the proposal of Wetland Surveys Ireland 2020 to remove the site designation altogether as a Wetland Site.

Regard should also be had to the Biodiversity Action Plan for Louth 2008-2012, commissioned by your Council.

This site has at all times up until 2020 been considered as a Wetland Site by the County Louth Wetland Survey commissioned by Louth County Council. Wetland sites across the island of Ireland are under severe pressure due to development in terms of both urban development and drainage in agricultural development settings. The destruction of these natural environments inevitably will result in adverse flood related problems.

In view of the fact that this site is located close to Natura 2000 sites and its proximity to the town of Dundalk, the site is of significant importance.

It is submitted in the strongest possible terms that the gradual process of destroying this Wetland Site for the clear motivation of Housing Development in this locality should not be supported, encouraged or endorsed by Louth County Council. It is entirely inappropriate that a Local Authority would re-zone a vital, ecologically important and recognized Wetland Site which has been systematically degraded and by this decision, ultimately enabling the site to be converted into development for a Housing Estate.

We are instructed to urge Louth County Council in all of the circumstances recounted above and particularly having regard to the importance of the preservation of Wetland areas, the history and pattern of deliberate degradation of the site, the history of unauthorised development, the future flood related issues arising and the abject failure and refusal to protect this site, to refuse this application to re-zone this property.

Yours faithfully,

WALTER P. TOOLAN & SONS.