

Uimhir Thagarta Uathúil: CLW-C10-112

Údar: Rosalind Murray

Stádas: Submitted

Aighneacht:

Observation on Draft Carlow County Development Plan 2022-28

Comhairliúchán:

Draft Carlow County Development Plan 2022-2028

Chapter 10: Natural and Built Heritage

Caibidil: Volume 1: Written Statement» Chapter 10: Natural and Built Heritage

The idea of the Anthropocene is daunting, which makes it hard to tackle on a global scale. It makes people feel powerless. Through the final Carlow County Development Plan, Carlow County Council and the elected members should seek to follow the lead of the people and community of Carlow who advocate strongly for protection of our environment locally. This is one of the few ways we have of re-empowering ourselves in the face of ecological and social crisis, and we deserve to be supported in our efforts by our Council.

I got involved in advocating for protection of the River Barrow SAC because I grew up a field away and spent my time playing on the towpath, dipping in the water, and collecting wild flowers. These days I walk, swim, reflect, meet friends, and make art there, so it's like my studio. My initial feeling in 2014 when I learned about the plan for development in the SAC was that I didn't want to put my head above the parapet. I went for a walk and thought about how I feel in the intimate environs of the river, and about the magic of seeing a kingfisher or an otter. It's my home! I realised if I didn't get involved, it would be gone; I would not be able to complain about it afterwards if I didn't engage with the situation.

Joni Mitchell's lyric, "Don't it always seem to go that you don't know what you got 'till it's gone" about the horrors of unnecessary development comes to mind.

Reading the Draft County Development Plan 2022-28 is both confounding, especially with its attempt to include potential to reinstate plans for the Blueway along the river in point 11.6 and indirectly in other sections of the plan. This is deeply depressing considering the five year effort of Carlow people and a nationally community to win protection for the River Barrow SAC finally when An Bord Pleanála refused Waterways Ireland Barrow Blueway Proposal in the SAC in 2019.

In underwriting potential to reinstate a proposal for the Blueway on the River Barrow, Carlow County Council is making clear it's intent NOT to reach on the following goal:

"The County Development Plan must ensure that a balance is achieved in terms of land use and development and the protection of the environment."

And NOT to honour Section 12(11) of The Act that states in the making of the Development Plan members shall be restricted to considering the proper planning and sustainable development of the area to which the Development Plan relates, the statutory obligations of any Local Authority in the area, and any relevant policies or objectives for the time

being of the Government or any Minister of the Government.

10.2 Natural Heritage states “Sites designated for protection in County Carlow include Special Areas of Conservation (SACs) and proposed Natural Heritage Areas (pNHAs). The Council has a statutory obligation to conserve and protect these designated habitats, species and areas of natural interest. However, it is also important that the protection of natural heritage is not limited only to designated sites, as they too can also host a diverse and rich variety of protected and vulnerable habitats and species.”

Carlow County Council through the County Development Plan is obliged to write in protections for SACs and NHAs and not to support tourism and recreation plans, or any development plans, that will cause damage.

Instead the County Development plan should include the intent to increase the size of the SACs in Carlow, and add to protected areas and NHAs.

The draft plan says the policy of the Council to protect and maintain the landscape quality and visual integrity of highly sensitive landscape areas like river valleys and river corridors (9.8 Landscape Policies LA P5). If the County Development Plan advocates for development in the SACs this policy will not be upheld by the authority.

Carlow also urgently needs an up to date LCA Landscape Character Assessment and should obtain a Historic Character Assessment for the County Development Plan 2022-28 or the authority may leave itself open to challenge.

The River Barrow towpath and SAC should be a National Heritage Area in line with, *“10.4 Natural Heritage Areas (NHAs) are designated sites of national importance for habitats, species, and for geological interest. Under the Wildlife Act 1976 (as amended), NHAs are legally protected from damage from the date they are formally proposed for designation. The designation of NHAs is the responsibility of the National Parks and Wildlife Service (NPWS), who are the Heritage Division of the Department of Housing, Local Government and Heritage.”*

Biodiversity and biomass is Heritage. The draft plan's references the National Biodiversity Action Plan 2017-2021 which seeks to address the main drivers of biodiversity loss in Ireland. 'This is particularly noteworthy for County Carlow, which is predominantly a rural county, and in which there is a need to ensure development avoids the fragmentation of landscape features, including ecological corridors which allow for the mobility of plant and animal species.' (9.9 Green Infrastructure) .

The River Barrow is one of the country's main ecological corridors, and we must support the riches of life there and seek to create more space for it to thrive, not less. Apart from this, the financial worth of pollination by the bees and insects that use this corridor crossing between our wild and agricultural lands, should be taken into consideration.

Chapter 2.21 Climate Action states *“The Council has also adopted a Local Authority Climate Change Adaptation Strategy 2019-2024 which seeks to ensure an understanding of the risks of climate change, advance planned climate resilient actions and ensure climate adaptation considerations inform all decisions including the drafting of policies which facilitate future development.”*

Carlow County Council should protect the green landscape and engineering infrastructure, and the River Barrow in the County Development Plan 2022-28 especially considering the Inspectors Report ABP 301245-18 which that “the original design of the [River Barrow] towpath was undertaken to take account for flooding and was designed with a 12” spit sod surface that is hardwearing and resilient to flooding. The design is contended to be optimal in terms of a durable hardwearing finish.” The report also notes that flooding on the River Barrow happens much more often than CFRAM indicates, so this green engineering should be invested in to protect the land and community of Carlow, to mitigate the increase of flood events with climate change.

The Planning Inspector's Report ABP 301245-18 also states, "[W]here there are issues regarding enforcement or alleged breaches of planning and development legislation, the relevant enforcement authority is the Planning Authority....From information presented it is noted that a significant number of locations on the route have been the subject of resurfacing works undertaken by Waterways Ireland. The undertaking of these works and the basis under which they were or were not authorised is a matter for the relevant Planning Authority."

Numerous issues regarding transparency, accountability, and enforcement of planning legislation in County Carlow, and issues regarding the authority allowing the public to participate in the planning their environment and systems have been highlighted to the Executive and the Planning Authority of Carlow County Council and in the last five year. Carlow's CDP for 2022-28 must offer solutions.

The CCDP must also uphold its obligation under the Aarhus Convention.

The River Barrow is a gem in Europe and the world, you couldn't buy it. I feel despondent that our Council in Carlow may use the County Development Plan 2022-28 as a tool to try to sell it out. Like many people, I walk the River Barrow track to boost my wellbeing, mental and physical. When worry about these issues, I raised my head out just in time to see a kingfisher flying a low line along the water. Later, I lucked out and found a wild bee hive in the riparian, a rare find. The County Development Plan can make Carlow a place where it is possible for wild bees to nest in a protected place, where we and visitors to Carlow can encounter them as they go about their business.

I don't envision a future for human beings as separate from the earth, so as the song goes, we won't know what we got 'till it's gone. For me this is not an acceptable solution.

Envisioning the future, as the CCDP should do must make sure that National and EU policies and obligations, especially protective policies are upheld and implemented.

We need to treat the earth and water with respect here in Carlow, to maintain and protect it, and in doing so we will give the same to ourselves in Carlow and contribute same to the county and beyond.

Rosalind Murray

1st October 2021

Documents Attached: Níl