

**IFA submission
to the Department of Housing, Planning and Local Government
on the Draft National Planning Framework consultation
Ireland 2040 Our Plan**

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Introduction

Agriculture and the food industry is the leading indigenous sector of the Irish economy. More than any other sector, the benefits of agricultural growth, both economic and social, are widely dispersed throughout the country.

For example, farmers and their families spend almost €8bn per year in the Irish economy, both on farm inputs and services and on household expenditure. Most of this money is spent locally, supporting jobs and enterprises in every town and parish across Ireland.

These facts demonstrate a vibrant rural economy, underpinned by an innovative and progressive agri-food sector.

However, the draft plan, while aspiring to develop a planning framework out to 2040 “in a balance and coherent way” has failed to support the development of rural Ireland, particularly in the following four areas: the need for rural housing, addressing the decline of rural towns and villages, the need to rebalance development towards the regions and supporting community based renewable energy development.

Measures to Rural Proof Draft National Planning Framework

Rural housing

The draft plan has identified *compact growth* as a key element of the plan, which would seek to discriminate against rural housing by corralling “future housing development to happen within and close to existing built-up areas.” This flawed strategic objective will negatively impact on farm family members that may not be farming but have an intrinsic link to local communities. This *compact growth* strategy is also not aligned with EU policy whereby “remoter areas should benefit from a more flexible approach, particularly where it helps to sustain fragile communities.”

Extended family networks are commonly the fulcrum of townland and parish activity in rural Ireland. Whilst not being employed directly on family farms, extended family members often provide seasonal assistance at busy times of the year. Other community life, such as organisation of sporting activities, community development work and social gatherings are often co-ordinated by these same people.

This extended family network concept is good for rural Ireland and is driven by a sense of community, place and desire to be part of and participate in vibrant rural communities. It is also reflected in Ireland’s settlement pattern, which has created a living countryside.

The failure of both the previous consultation document and this draft plan to recognise or adequately address the importance of supporting the *extended family network* concept demonstrates a lack of understanding of rural Ireland, and raises questions regarding the Government’s commitment to *rural-proof* all Government policies and decisions. The draft plan, by being silent on the need for rural housing, sidesteps the legitimate expectation that a planning framework out to 2040 would have a clear statement, with stipulating actions, which supports families with an intrinsic link to rural areas.

IFA proposes that the *Sustainable Rural Housing – Guidelines for Planning Authorities* must be revised and put on a statutory footing. The Guidelines should provide that local authorities would grant planning permission for families who wish to live and work in their local community, and for sons and daughters of farmers who have an intrinsic link with the rural area.

Addressing the *doughnut effect* in rural towns and villages

Planning policy has, over the past number of decades, supported the development of out-of-town shopping centres, commonly on the periphery of towns and villages, instead of in-filling existing brown field sites.

This planning policy has created a *doughnut effect* in many rural towns, devastating commercial life in the town centres, with foot-fall and commercial activity gravitating towards the out-of-town locations.

IFA proposes that the National Policy Objective 15 in the draft plan, which refers to the need to reverse rural decline in the core of small towns and villages should be supported, by the delivery of the following measures:

- **New business start-ups should receive incentives, such as exemptions from rates, for an initial time period and relief from capital gains tax, to encourage innovation and enterprise.**
- **Double tax relief should be provided on rental expenditure for businesses establishing in rural towns and villages.**
- **A condition for a valid planning application for an out-of-town development must include an obligation to demonstrate how all scenarios, including locating in the village or town centre, were first considered.**

Rebalancing development in Ireland

The failure to deliver balanced regional development is acknowledged in the consultation document and identified as a key strategic objective to be addressed in the draft plan. In order to deliver on the strategic objective of improving the *regions and rural fabric*, there is a greater need to align planning policy to support the delivery of services, including broadband and other such communications infrastructure.

Planning policy for the regions cannot be developed in isolation. Therefore, IFA calls for the swift conclusion by Government of the tendering process for the new rural broadband scheme, which must ensure that every home, school and business in rural Ireland has access at a universal price to high-speed fibre broadband, no matter where they are located.

In anticipation of this, planning policy must evolve to remove the necessity to commute long distances to work, or purchase more expensive dwellings in urban locations, by embracing the concept of e-working in the local community. The local needs criteria for planning applications would therefore no longer be universally applicable.

The delivery of this proposal would play a part in delivering a reduction in greenhouse gas emissions from the transport sector, which is singularly the sector where emissions have spiraled out of control. It will also take pressure off the 43 densely populated regions, which have direct discharges of wastewater and sewage into our waterways.

Renewable energy that works for rural Ireland

Renewable energy development in Ireland has to date broadly been developer led and haphazard, with many local authorities including chapters on renewable energy in their County Development Plans in reaction to community concerns or developers' activities, rather than in a planned policy led way. The draft plan does not provide sufficient guidance to address this issue.

The failure of Government to develop a consensus approach to energy development continues, with the failure to establish a National Energy Forum, as committed to in the energy white paper ‘Ireland’s Transition to a Low Carbon Energy Future 2015-2030’.

Renewable energy, particularly community based, has an important role to play as an alternative farm income source to mitigate greenhouse gasses and to reduce dependency on imported fossil fuels.

IFA proposes the following:

- **Government must introduce statutory legislation, which places legal set-back distances that renewable projects should be from sensitive properties, including family homes, schools and villages.**
- **The potential of the extensive electricity network must be maximized by ensuring that the planning environment facilitates locally produced power to access the electricity grid.**
- **A national planning policy must be developed for community energy projects, which facilitates renewable projects that have community participation.**
- **Similar to other EU Member States, farm scale and roof-top renewable projects should be exempt from planning requirements.**

The absence of clarity in the draft plan on renewable energy planning policy must be addressed in the final plan, to provide the necessary assurances and certainty for farmers and the wider rural community.

Pre-planning consultation for infrastructure projects

Non-statutory consultation with communities by electricity, renewable energy and other large scale infrastructure projects has generally varied from non-existent to inadequate. This has led to resistance and opposition from communities.

IFA proposes that planning applications must only be considered valid by a planning authority, where the project promotor can demonstrate that they have communicated directly with all property owners within a 10km radius of the proposed project.

Supporting farm development

Farm fragmentation is a common characteristic of many family farms in Ireland. In recent years more and more farmers are continuing to address this issue through share farming, farm partnerships and other measures, including the construction of underpasses for farm animals to use. These underpasses benefit road users by removing livestock off roads and are also good for farm safety by reducing risks of farm accidents when handling the livestock.

However, the increased standards and specifications being imposed by some local authorities add prohibitive costs, which result in farmers not being able to afford to complete such underpasses.

IFA proposes that a cost effective nationwide specification for animal underpasses should be developed and accepted by all planning authorities, which supports the development of the sector and consolidation of farm holdings.

Water quality protection and enhancement

Recent studies by the EPA in addition to increasing incidences of sewage based pollution and un-licensed discharges have caused great concern to the aquaculture sector and in particular shellfish operators who rely on clean unpolluted waters in the inter-tidal area for the safety and sustainability of their businesses.

Any reported food poisoning outbreak from the Irish shellfish sector in the rapidly growing export markets would do irreparable damage to the image of shellfish and threaten the livelihoods of thousands in the sector around the coast. Inadequate sewage treatment, lack of investment and poor management in urban centres and misplaced and unregulated developments of new housing estates in rural areas are the primary cause for concern. The Marine Strategy Framework Directive protects intertidal waters and Ireland is very close to being very heavily punished by the Commission for failing to meet its commitments under the MSFD which incorporates the 1979 Protection of Shellfish Waters Directive. Decisions on new planning must take into account not only the marine elements of the Habitats Directive when it comes to sewage outfalls but also the MSFD.

IFA insists that planning decisions and policies applied to new developments do not repeat the mistakes of the mid noughties where the need of marine food producers were ignored in the rush to avail of seaside developments and expanding coastal towns and villages.

Access to the countryside

This draft plan has erroneously introduced the UK concept of *Open Countryside*, which is proliferated throughout the document. While voluntary schemes are developed with bodies such as Comhairle na Tuaithe and others, in Ireland, there is no common law 'right to roam' across the countryside. Any implied or otherwise rights or entitlements should be removed from the document.

Green networks and infrastructure

IFA recognises that recreational routes such as Greenways and Blueways referred to in the draft plan have an important role to play in promoting agri-tourism and economic activity in rural areas.

However, they will also have a significant impact on farming activity and rural communities. Naming of recreational routes such as "*Greenways*" should be reconsidered, as they almost imply an entitlement to go off route and fragment farm holdings in pursuit of the development of recreational routes. Such routes should firstly be confined to state-owned lands and then only developed by agreement on private lands, along farm boundaries and be a combination of off and on public roads, similar to the development of recreational routes in other countries.

In addition, all funding for the development of recreational routes should be withheld by the Department of Transport, Tourism and Sport until a national framework is developed, which respects the rights and entitlements of landowners and sets out the professional procedure that development agencies must follow when developing greenways.

The Associations' position on the key issues raised in the consultation paper are set out below.

Engagement when developing Recreational Routes

In general, consultation with landowners has been haphazard and in some instances nonexistent. For example, members impacted by the proposed Dublin to Galway project have reported that their first knowledge of a greenway came when they attended meetings where maps were produced that had lines drawn across their farms, which disregarded the impact of the proposed greenway on their businesses, livelihoods as well as the security of their families. This is unacceptable.

Landowners are the most important stakeholder in the development process. They are expected to host a greenway, endure disturbance during construction and have the on-going impact of it on their holdings.

Therefore, there is an obligation on the lead agency (Department of Transport, Tourism and Sport) to develop a standardized approach of engagement with landowners that all local authorities must follow.

This must recognise the unique position of landowners, as key stakeholders. It must also commit to working with landowners and rural communities to deliver the following:

- Landowners and IFA must be consulted in advance of route selection and the publication of a defined route corridor.
- All efforts must be made to secure voluntary agreements with landowners. There should be no threat of the compulsory acquisition of land.
- The integrity of farm holdings must be protected by limiting the impact of a proposed recreational route on individual farms. This should be achieved by engaging with local landowners at route designing stage and it must take place in advance of wider public consultation.
- All efforts must be made to use available public lands, before seeking to encroach on farmers' lands.
- A code of practice must be developed, which sets out the rights and entitlements of landowners.
- The services of a professional agronomist must be provided to each landowner impacted to assist in understanding and resolving concerns, at no cost to the landowners.
- Any losses incurred, such as exclusion from farm schemes and impact on basic payment, must be fully compensated.
- Local authorities and other delivery agencies must hold community clinics throughout the development of each project, to address queries and concerns and a Project Liaison Officer must be appointed to each project.
- Any landowners impacted by recreational routes must be indemnified against any potential claims arising or associated with such projects.
- All health and safety concerns, including and most importantly farm security, must be adequately addressed.

Land access arrangements for Greenways and Blueways

Farmers and rural communities have a proven track record of working with Comhairle na Tuaithe and others, to develop acceptable land access arrangements for themselves and recreational users.

For example, the Walks Scheme launched in 2008 provides a blueprint for the successful delivery of recreational routes, by involving farmers in the development and maintenance of such projects.

The Walks Scheme has removed much of the conflict that previously existed by highlighting the voluntary nature of the scheme, providing on-going local employment for the maintenance and upkeep of the walks and ensuring adequate insurance cover is in place by local authorities. The scheme has also contributed to a significant level of economic activity in rural areas.

IFA is of the view that the Department of Community & Regional Affairs is best placed to develop the necessary land access arrangements.

Consideration in the consultation document to developing a land access policy based on the use of CPOs must be avoided.

Greenway users, standards & accessibility

Concerns expressed by IFA members who may be impacted by proposed recreational routes include:

- Security
- Privacy

- Dogs
- Littering
- Agricultural & domestic crossings.

In light of these genuine concerns, IFA supports controlled access to greenways, with:

- Access during daylight hours only
- No access of dogs to greenways
- Designated litter wardens, with powers to issue fixed notice penalties
- CCTV cameras installed to deter littering and criminal activity

Specifically on animal health, IFA's Animal Health committee has recently adopted a position in relation to infrastructural development. This is due to the disturbance of wildlife that occurs and the animal health threat that emanates from this. The key concern in this area is the disturbance of badgers and the TB impact on neighbouring farms that this can have and, in certain areas, deer are also a concern.

To mitigate against this, the Committee is seeking the inclusion of a wildlife survey and action plan in advance of any recreational routes taking place, to minimise the numbers disturbed, which reduces the risk of disease spread to cattle.

Therefore, IFA is seeking the inclusion of such a wildlife survey in the initial planning stages of recreational routes. Where populations of badgers are identified in the area, a plan must be included to reduce numbers before works commence. It should be noted, in areas that have previously experienced TB in cattle, a licence is already in place to capture badgers. Therefore, intensive capturing should be planned prior to works commencing. Where a license does not exist, the Department of Agriculture, Food and the Marine must develop a mechanism that provides a short-term capture license for the preventative removal of badgers.

The disturbance of deer is primarily due to deforestation and where/if this is required as part of a development, on disease preventative grounds, the Department of Agriculture, Food and the Marine must facilitate and support a reduction in the numbers of deer in the area.