

Sustainable Water Network (SWAN)

Response to the Public Consultation on the National Planning Framework



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1 Introduction to SWAN

The Sustainable Water Network (SWAN) is an umbrella network of 28 of Ireland's leading environmental NGOs, national and regional, working together to protect and enhance Ireland's aquatic resources through coordinated participation in the implementation of the Water Framework Directive (WFD), the Marine Strategy Framework Directive (MSFD) and other water-related policy and legislation. SWAN member groups are listed in Appendix 1. SWAN has been actively engaged in Water Framework Directive (WFD) and other water policy implementation at both national and regional since 2004, representing the environmental sector on past WFD River Basin District (RBD) Advisory Councils, the Irish Water Stakeholder Forum, the Public Water Forum, the National Water Forum, the Rural Water Services Committee and other water policy-related fora.

2 Introduction to this submission

The Sustainable Water Network welcomes the opportunity to comment on the National Planning Framework. Due to current constraints SWAN is not in a position to make a comprehensive submission on the Framework. However we would like to support and welcome the commitment to stronger more effective integration of planning with other policy areas and the recognition in the NPF that *"Statutory development plans must ensure the integration of sustainable water management considerations"* and that *"Planning is critically important to the management of water resources."*

It is the SWAN position that one of the crucial policy areas with which the NPF must be fully integrated is the River Basin Management Planning system in order that forward planning policy does not compromise the health and quality of our water environment and thus compromise the meeting of Water Framework Directive targets. This is equally the case for the Marine Strategy Framework Directive in coastal and off shore areas.

3 Overarching Response & Recommendations

SWAN's Vision for Ireland in 2040 is that the island of Ireland has a network of healthy and clean rivers, streams, lakes, wetlands and coastal waters and groundwaters which support thriving communities and biodiversity and contribute to the wellbeing of our citizens through amenity, recreation, tourism and other economic benefits and which meet the objectives of the EU Water Framework Directive and Marine Strategy Framework Directive. In 2040, we envisage these will be managed with active community participation, and through a truly integrated, cross-border **catchment-based approach** in which stakeholder participation in decision-making is facilitated and encouraged. Such public engagement will have been supported by a wide reaching public awareness campaign on the value of, and pressures on, our water resources so that citizens appreciate the value of their local river and are motivated to get involved in its protection.

In 2040 many of our rivers, lakes and bays will have local champions in the form of Rivers Trusts and similar well-resourced community based organisations that will be acting as effective delivery partners in maintaining the high water quality of water.

A comprehensive system of cost recovery will also have been introduced so that all users of water and dischargers to the water environment, domestic and commercial, will have the costs of their water and wastewater services recovered from them, including the environmental and resource costs. Land use planning will also be closely aligned to catchment planning so that urban and rural development and rural land use supports catchment management objectives and carrying capacity of the regions' waters.

Vision of the NPF

It is regrettable that the environment and specifically the water environment is not mentioned in any meaningful way as part of the vision of the NPF. It is implicit in some other parts of the vision ((2) sustainable choices (3) quality of life and (7) sustainable self-reliance, to some degree and finally (8) environmentally sustainable economy, and yet is not included as part of a vision for the future development of Ireland in its own right. This suggests that it is a low priority and yet the ESRI review of the NSS noted that degradation of the environment is a significant future issue. Given the longevity of this framework this is a significant and concerning omission.

Overarching Aims

SWAN believes that the overarching aim in relation to Water Quality "*Recognising the links and addressing on-going challenges between development activity, water quality and our health.*" is far too vague. This should rather read "fully integrate planning and development activity with an integrated catchment management approach taking into account catchment carrying capacity"

3.1 Interaction between land use planning and water management

The critical challenges for the land-use planning system which must be reflected in the NPF include:

- impacts on the water environment of urban waste water discharges;
- impacts on the water environment of unsewered waste water discharges;
- Impacts of direct discharges from large-scale industry and smaller-scale commercial enterprises
- environmental impacts from agriculture, forestry, wetland reclamation, drainage works; quarries and peat extraction
- Meeting obligations for the protection of sites of high conservation value ('High Status Sites')

The breadth of issues with the potential to impact upon water quality underlines the central importance of the planning system as a strategic forward planning process and as a regulatory process in water quality management. It has been to a significant extent the breakdown of this system, including the laissez faire development management approach and permissive zoning

regime adopted by many local authorities in the past thirty years, which has contributed in no small measure to the significant decline in Irish water quality.

3.1.1 River Basin Management Planning & Forward Planning Policy

River Basin Management Plans (RBMPs) are the cornerstone of the integrated water management approach required under the WFD and the draft River Basin Management Plan For Ireland (2018-2021) recognises the strong interplay between physical development & land-use change and water management planning, stating that *'A key objective for the planning system is to ensure the aims of river basin management are reflected in relevant policies and implementation actions at the various levels of plans.'* SWAN very much supports this and urges that this be recognised strongly and more clearly stated in the NPF.

SWAN welcomes the explicit legislative relationship between the River Basin Management Plans and the planning system, reflected in the PDAA 2010 which requires that all development plans include mandatory objectives for *'the promotion of compliance with environmental standards and objectives established... for bodies of surface water [and] for groundwater'*. (We believe that this should be further strengthened by removing the wording *'the promotion of'*, which lessens the obligation.)

However, there is currently no national policy guidance as to how to integrate the RBMP effectively into forward planning policy and how to implement the plans in practice, even though there was a commitment to this in the 2010 RBM Plans and now in the current draft RBMP. While most planning practitioners are acutely aware of the increased importance being placed on water management there is little sense as to how this is to be achieved and a framework for setting out how this will be done is missing from the NPF. This weakness is not fully identified and addressed in the NPF. The current draft RMB Plan states that *'the Department will, in conjunction with the development of the RBMP, prepare high level guidance for planning authorities on the relationship between physical planning and river basin management planning.'* This guidance must ensure that all relevant forward planning and planning decisions are consistent with River Basin Management Plans and the requirements of the Water Framework Directive and it is crucial that the NPF re-iterates the importance of this.

While planners do generally recognise that fundamental changes are required to physical development patterns to achieve WFD targets, the overall forward planning policy approach remains fractured and with a general absence of a plan-led strategic methodology involving clear choices as to the form and location of future development based on scientific evidence as to the environmental carrying capacity of local environments. This can in part be accounted for by the novelty of the RBMP process and the inevitable learning curve required. However, it also reflects the 'silo' culture which often exists in local authorities where there is generally a poor tradition of collaboration between planning, environment, engineering and other departments on proactive forward planning policy. Furthermore, the availability of technical expertise and resources between local authorities is not consistent with some local authorities benefiting from much

greater resources and motivated experts than others. These challenges must also be identified and addressed in the NPF.

Greater local political acceptance of the need to enhance water quality in accordance with WFD targets and timelines will also be required to achieve greater integration between river basin management planning and forward planning processes. The momentum for changed political attitudes will require action from within and outside the planning sphere and the NPF must be a key element driving this momentum.

Outside of the conventional categories of physical development (i.e. housing, commercial development etc.) the regulation of other types of development, for which the planning system has some competency, including quarries, peat extraction, forestry, intensive agriculture, agricultural infill, foreshore development and wetland drainage and which have the potential to have a very significant negative impact on water quality, is generally poor. The NPF must incorporate all of these and make it clear that these are also an important part of the planning process.

3.2 Sustainable, catchment-based flood management

SWAN welcomes policy objective 58 to “*integrate sustainable water management solutions (such as SUDS, non-porous surfacing and green roofs)*” into flood risk management but there is no mention of holistic catchment-based, natural flood management methods. The examples given while welcome fall far short of the holistic catchment based approach needed and this must be addressed, and should include examination of land-use changes and wetland reclamation.

Natural Flood Management can have major benefits to water quality and provide a significant contribution to meeting WFD objectives. Natural water retention measures can also do much to ameliorate localised flooding which is currently addressed by dredging.

3.3 Recommendations

SWAN’s overarching recommendation is that the NPF must be fully aligned with the River Basin Planning process and that it must make a clear policy statement regarding the importance of the alignment between forward planning and planning control and integrated catchment management and the meeting of WFD objectives.

- Planning must now be fully integrated with catchment management with development plans including maps of vulnerable catchments and planning decisions based on catchment data from the EPA Catchment Management Unit, regarding the capacity of that area to accommodate new development whilst protecting water status;
- there is a lack of targets and timelines, except for that for waste water: There should be a specific timetable for achievement of Water Framework Directive standards and targets

- It is imperative that the DHPCLG publish Planning Policy Guidance on integrating development planning and river basin planning, as committed to in the 2010 RBM Plans and again in the 2017 draft Plan, and that the NPF includes a commitment to this;
- A national strategy for promoting compact settlement forms in small towns and villages should be proposed in the NPF to achieve more centralised cost-effective provision of water and wastewater services, including the use of serviced-sites initiatives.
- Provision for more stringent planning requirements should be included in the NPF for catchments of 'high status', pristine rivers and lakes, and these areas should be mapped and included in local authority development plans.
- An Integrated Catchment Management Approach should be central to all coastal planning in the NPF.

Appendix I: SWAN Member Organisations & Board of Directors

SWAN National Groups		SWAN Regional & Local Groups	
1.	An Taisce	15.	Carra Mask Corrib Water Protection Group
2.	Bat Conservation Ireland		
3.	Birdwatch Ireland	16.	Cavan Leitrim Environmental Awareness Network
4.	Coastwatch Europe Network		
5.	Coomhola Salmon Trust Ltd.	17.	Celebrate Water
6.	Eco-UNESCO	18.	Cork Environmental Forum
7.	Friends of the Earth	19.	Cork Nature Network
8.	Friends of the Irish Environment	20.	Dodder Action
9.	Irish Peatland Conservation Council	21.	Longford Environmental Alliance
10.	Irish Seal Sanctuary	22.	Macroom District Environmental Group
11.	Irish Water and Fish Preservation Society	23.	River Shannon Protection Alliance
12.	Irish Whale and Dolphin Group	24.	Save Our Lough Derg
13.	Irish Wildlife Trust	25.	Save Our Lough Ree
14.	Voice Of Irish Concern for the Environment (VOICE)	26.	Save The Swilly
		27.	Shannon Whale & Dolphin Foundation
		28.	Slaney River Trust

SWAN Board of Directors:	
Mark Boyden, Chair	Coomhola Salmon Trust
Mindy O'Brien, Vice Chair & Company Secretary	Voice of Irish Concern for the Environment (VOICE)
Karin Dubsy, Director	Coastwatch Europe
David Healy, Director	Friends of the Irish Environment
David Lee, Director	Cork Environmental Forum
Elaine Nevin, Director	ecoUNESCO