

An Taisce Submission

on

Heritage Ireland 2030

Elaine McGoff
Natural Environment Officer,
An Taisce
elaine.mcgoff@antaisce.org

An Taisce is a membership-based charity | Join at www.antaisce.org/membership

An Taisce – The National Trust for Ireland | Tailors’ Hall, Back Lane, Dublin, D08 X2A3, Ireland | www.antaisce.org

+353 1 454 1786 | info@antaisce.org

Contents

1. Taking International Leadership.....	5
1.1 Policy framework for Heritage	6
2. Consultation Questions	7
3. Overarching Recommendations for Heritage Ireland 2030.....	11
Theme 1: National Leadership and Heritage	12
Theme 2: Heritage Partnerships	13
Theme 3: Communities and Heritage.....	13
4. Specific Recommendations for the Protection of Our Natural Heritage.....	14
1. Targeted, Resourced and Timetabled Plans for Enhancing Habitats and Species	14
2. Make Biodiversity Enhancement an all-of-Government Legal and Policy Objective....	15
3. Integrate CAP and Rural Development Funding with Effective Biodiversity Action	15
4. Make Ireland an International Leader in Protecting Marine Biodiversity.....	16
5. Resource Peatlands Management in line with EPA Bogland (2011) Report.....	16
6. Integrate Climate Mitigation and Adaptation with Biodiversity	16
7. Resourcing effective Invasive Species Action	16
8. Cross Border Cooperation on Nature Protection	17
5. Recommendations for Cultural Heritage and Landscape.....	17
5.1. Theme 1: National Leadership and Heritage	17
5.2 Theme 2: Heritage Partnerships	19
5.3 Communities and Heritage.....	19
6. Terrestrial, Marine and Avian Natural Heritage.....	20
6.1 The Global Context.....	20
6.2 The State of Ireland’s Habitats and Species.....	22
6.2.1 National Context	22

6.2.2 The Marine Ecosystem.....	23
6.2.3 Irish National Parks	24
7. Adequacy of Irish Legal and Policy Measures	25
8. Addressing and Reversing the Adverse Impacts on Irish Nature	27
8.1 Agricultural Intensification	27
8.2 Peatlands.....	28
8.3 Forestry	30
8.4. Ireland’s Marine Life	32
8.5. Climate Change Impacts - Mitigation and Adaptation Response	34
8.6 Maintaining Cross Border Cooperation on Biodiversity and the Marine area	36
9. Cultural Heritage and Landscape	37
9.1 Overarching International Obligations, Conventions and Charters.....	37
9.2 Climate Change Mitigation and Adaptation.....	38
9.3 Archaeology, Monument and Site Protection	38
9.3.1 National Monuments Acts and Monument Protection	39
9.3.2 Monument Access	40
9.3.3 Protecting the Physical and Landscape Setting of Monuments and Archaeological Landscapes.....	41
9.3.4 Archaeology and Peatlands	41
9.3.5 Historic Battlefields.....	41
9.3.6 Marine Archaeology.....	42
9.4 Built Environment.....	42
9.4.1 National Inventory of Architectural Heritage and Record of Protected Structures	42
9.4.2 Designation of Architectural Conservations Areas	43
9.4.3 Major Buildings at Risk	43

9.4.4 The Landscape and Historic Collections of Country Houses.	44
9.4.5 Country House Ruins	45
9.4.6 Rural Vernacular Houses and Farm Buildings	46
9.4.7 New Building height conflicts in historic urban areas.	47
9.4.8 Historic Collections, Paintings and Artefacts.....	48
9.4.9 Resourcing of County and Other Local Museums.....	48
9.4.10 Partnerships.....	49
9.4.11 The Irish Heritage Trust and The Landmark Trust.....	50
9.4.12 An Taisce.....	50
9.5 Landscape	51
9.5.1 Hedgerows and Field Boundaries.....	53
9.5.2 Peatlands	53
9.5.3 Plantation Forestry	54
9.5.4 Geological Heritage	54
9.5.6 Access to Landscape	55

Heritage Ireland,
DCHG,
Custom's House,
Dublin 1.

Sent by email to:
Heritageireland2030@chg.gov.ie

29th March 2019

Re: Public Consultation for Heritage Ireland 2030

An Taisce welcome the opportunity to comment on the National Heritage Plan, and wish to make the following points.

1. Taking International Leadership

The Minister outlined in her foreword that:

'It is of the future in that the decisions we make today will shape and influence the heritage of our children and the generations to come'

Heritage cannot be compartmentalised. No individual category, whether natural or cultural legacy, can be treated as an isolated unit. The continuation of human society requires a change as profound as any in human history in reforming our relationship to the natural world, and the maintenance of a stable climate, if our collective cultural heritage is to be maintained.

This consultation on Heritage Ireland 2030 provides the welcome opportunity to advance the protection of our land and marine biodiversity, and landscape and cultural heritage to the most exemplary international standard for the decade ahead. At the national Biodiversity

Conference in February 2019 President Michael D. Higgins addressed the mounting global biodiversity collapse:

"If we were coal miners, we would be up to our knees in dead canaries"

Ireland needs to establish a new relationship with nature as we face the sixth, and for the first time human-caused, great extinction in global species. There is an imperative for developed countries to take leadership in protecting the natural world both at national level, and in international action. Parallel to this are the measures needed to meet the Paris Agreement Targets to mitigate global warming, as well as the impact of ocean acidification.

The moral imperative of caring for "our common home" has been communicated by Pope Francis in his 2015 Encyclical Letter "Laudato Si". The encyclical follows the message of Pope Paul VI: "Due to an ill-considered exploitation of nature, humanity runs the risk of destroying it and becoming in turn a victim of this degradation". He also spoke in similar terms to the Food and Agriculture Organization of the United Nations in 1970 about the potential for an "ecological catastrophe under the effective explosion of industrial civilization", and stressed "the urgent need for a radical change in the conduct of humanity", inasmuch as "the most extraordinary scientific advances, the most amazing technical abilities, the most astonishing economic growth, unless they are accompanied by authentic social and moral progress, will definitely turn against man".

1.1 Policy framework for Heritage

Targets and measures for the protection of ecosystems, landscapes and cultural heritage have been set by the 2015 UN Sustainable Development Goals (SDGs) which all States are party to. SDG 11.4 is an overarching objective for heritage:

"Strengthen efforts to protect and safeguard the world's cultural and natural heritage"

In addition, the UN International Convention on Biological Diversity, the RAMSAR Convention, as well as other UN, UNESCO and Council of Europe conventions on biodiversity, land use,

urban and rural development, landscape and cultural heritage require exemplary application in Ireland. Further, UNESCO provides global support for heritage protection and embraces both natural and cultural heritage, including through the designation of World Heritage Sites, of which the State only has two: the Boyne Valley passage graves; and Skellig Michael. The EU Biodiversity Strategy objective is *"to halt the loss of biodiversity and ecosystem services in the EU, and help stop global biodiversity loss by 2020"*. It reflects the commitments taken by the EU in 2010, within the International Convention on Biological Diversity.

Ireland also has legal obligations under the Birds and Habitats Directives, which require more effective implementation to reverse biodiversity loss; the EU Marine Strategy Framework Directive (MSFD), which requires the restoration of EU waters to Good Environmental Status (GES) by 2020, and provides for the designation of Marine Protected Areas (MPAs); and the Water Framework Directive (WFD) which requires that all fresh and coastal waters achieve 'good status' by 2021. The International Union for the Conservation of Nature (IUCN) provides the standards for National Parks which need better application in Ireland.

In regard to built heritage, ICOMOS has provided a range of statements such as the Washington Charter on historic towns which are of great value in informing the objective of accommodating a million extra population under Ireland 2040.

2. Consultation Questions

1: What is the most important thing Heritage Ireland 2030 needs to deliver?

In regard to Natural Heritage, the most important thing Heritage Ireland 2030 needs to deliver is a plan which recognises the scale and urgency of the threats facing our natural world through mass extinction and climate change. David Attenborough recently outlined:

"Right now, we are facing a man-made disaster of global scale. Our greatest threat in thousands of years. Climate change. If we don't take action, the collapse of our civilisations and the extinction of much of the natural world is on the horizon "

While the Minister outlined in her foreword that *'Our heritage is the...diverse and beautiful landscape... whose biodiversity sustains us'*, Heritage Ireland 2030 fails to provide the objectives, targets or resources which are urgently required to address these issues.

Climate change and mass extinctions threaten our very existence, and the vision and objectives put forward in Heritage 2030 will be entirely superfluous in such a precarious future. To fail to address these issues when discussing how this plan will shape and influence the heritage of our children and the generations to come is both naive and short sighted in the extreme.

Section 4 of our document outlines key measures which can go some way towards addressing these issues, and Sections 6-9 outline the rationale underpinning these recommendations.

In regard to cultural heritage Ireland 2030 needs to adopt, as a starting point, the exemplary implementation of the UN Sustainable Development Goals 2015; the UN Biodiversity Convention; The RAMSAR Convention; the legal obligations contained in the EU Directives on Strategic Environmental Assessment, Environmental Impact Assessment, Marine, Birds, Habitats and Water; and the provisions of the Council of Europe Conventions on Landscape, Archaeology, Architectural Heritage, and other areas of cultural heritage.

2: What do you think of the vision for Heritage Ireland 2030? Is there anything we should add?

The vision in Heritage Ireland 2030 lacks any clear objectives, or any real targets. It presents an aspirational vision with no indication of how this could be achieved. It does not instil any confidence that any of the objectives can, or will, be realised.

Heritage Ireland needs clear and targeted objectives, and a clear indication of how these could be achieved. As above, in our opinion, the objectives in the current

document are not addressing the urgent issues at hand, and the entire focus of the document should be changed.

3: What are the biggest challenges facing our heritage?

Lack of funding is one of the biggest issues impeding the protection of our natural heritage. The NPWS should be properly financed, along with the National Biodiversity Centre. Environmental NGOs should be resourced to bolster community engagement.

This lack of funding is indicative of a lack of government recognition and ambition when it comes to real protection of our natural heritage. Without a fundamental shift in the mind-set of the whole government, our heritage faces the biggest global threat we've ever encountered: climate change and mass biodiversity loss.

In addition, decline in urban and village centres is a major threat to our cultural and built heritage, and this is being worsened by current national and local authority policies favouring scattered one off car-dependent houses. The conflict between current Department of Housing, Planning and Local Government building height guidelines conflict with the protections of the cultural heritage integrity of historic Irish urban centres, and there is an ongoing conflict between landscape protection in Ireland and the policies in the National Development Plan, which accommodate continuing rural housing sprawl, and by DAFM in relation to continuing promotion of non-native conifer plantations.

4: What do you think of the draft objectives in the document? In your view, is there something important missing?

In our view, most of the important things are missing. Climate change is mentioned once, but is given no serious consideration. There is no mention of biodiversity loss or extinction. Biodiversity itself is mentioned in the foreword, in regard to how it sustains us, but gets no further mention despite this provision of sustenance. The SDGs are not referenced, despite them having an overarching goal of protecting heritage.

The objectives need to address the real issues and threats which our heritage faces. There are no actions in this plan. There are no targets in this plan. The plan, as stands, and all of the objectives within it, are an aspiration wish list, which cannot give rise to meaningful measures to protect our heritage.

5: What changes are happening right now that might impact on our heritage?

Climate change and mass biodiversity loss. See sections 6-8 for background information.

6: How can we work better together and engage all our communities under Heritage Ireland 2030?

Support and expand community initiatives, such as the Abbeyleix bog project; provide secure and rolling funding for the National Biodiversity Centre and associated citizen science campaigns; support eNGOs to engage with the community; promote results based agricultural payment schemes which engage farmers, such as in the EIP Bride project. See Section 4, and Section 5 (Theme 3).

Since preparation of the consultation brief, the European commission published "European Framework for Action on Cultural Heritage" in December 2018 to mark the culmination of European Year of Cultural Heritage. This sets out a range of actions which should form the basis for supporting and promoting Community engagement in Cultural Heritage in Ireland.

7: How can we ensure Heritage Ireland 2030 delivers?

By providing clear, targeted and achievable goals which are focused on the areas which urgently need to be addressed. Heritage Ireland 2030, as stands, is a wish list, not a plan, and without clear and targeted objectives we submit that it will not be possible to review the progress, as there are no deliverables presented. See Section 4 and 5 for recommendations.

3. Overarching Recommendations for Heritage Ireland 2030

There is a specific definition of heritage under Irish law, in setting out the functions of the Heritage Council in the Heritage Act 1995:

6.—(1) The functions of the Council shall be to propose policies and priorities for the identification, protection, preservation and enhancement of the national heritage, including monuments, archaeological objects, heritage objects, architectural heritage, flora, fauna, wildlife habitats, landscapes, seascapes, wrecks, geology, heritage gardens and parks and inland waterways.

These have varying interactions and inter relationships, but are useful in informing the headings under which legislation, regulation and policy can be addressed. However, the framing of Heritage Ireland 2030 as presented in the consultation is too narrow in scope, not least because it fails to embrace the marine area which covers 90% of the territorial jurisdiction of the State. The consultation document is startlingly devoid of any reference to the SDGs and the UN Conventions on Biodiversity; to EU Law, and Directives on SEA, EIA, Marine, Water, Birds and Habitats; or to the Council of Europe Conventions which cover archaeology, architectural heritage, and landscape.

In comparison to other EU countries of comparable wealth, support for the protection of landscape and cultural heritage in Ireland is poor. Planning policies are inadequate for the protection of landscape character, including coastal, upland peatland and river valley areas. The maintenance of the integrity of historic urban centres faces a new threat with the 2018 publication of the Department of Housing, Planning and Local Government's Building Height Guidelines which are inimical to the protection of the historic environment. Promulgation of policy, and the promotion of partnerships, community projects and engagement is irrelevant unless legally effective and adequately resourced and timetabled actions are put forward. These actions will need to be targeted and measurable, and should address, amongst other things, biodiversity loss, and threats to cultural heritage.

Our overarching recommendations on the three themes set out in the Heritage Ireland 2030 Consultation are outlined below, and a detailed overview of the issues affecting the Irish

ecosystem, landscape and cultural heritage and the actions recommended in response is set out in sections below.

Theme 1: National Leadership and Heritage

While led by the Department of Culture Heritage and the Gaeltacht, the strategy will need to set out an all of Government commitment for the legislative, regulatory and fiscal measures required for protection of biodiversity, landscape and cultural heritage for the decade ahead, to the most exemplary international standard.

Theme 1 "*National Leadership and Heritage*" states as overriding action:

"At the national level we must have an effective policy and regulatory framework for heritage that balances the needs of a modern society with a profound respect for the beauty and irreplaceability of our built heritage and habitats"

Four of the ten objectives set out in Theme 1 of the Heritage 2030 Consultation "*National Leadership and Heritage*" relate to regulation, governance and enforcement (objectives 1, 4, 5 and 9). If these actions are to be achieved, a new all of Government action plan will be required to mainstream heritage. Existing policies including the DCHG National Biodiversity Action Plan, and the National Peatlands Strategy, are inadequate because they fail to provide the level of timetabled action, or the provision of resources which would be required to achieve their aims.

Government supported policies on promoting or supporting: offshore oil and gas exploration; unsustainable levels of commercial fishing; use of herbicides and pesticides; agricultural targets, such as those promoted by Foodwise 2025; non-native conifer plantation based forestry; peat cutting; and car based scattered housing are individually and cumulatively undermining our climate and biodiversity targets, in addition to damaging our cultural heritage. In addition, these practices also contravene key UN Sustainable Development Goal objectives and targets. The same applies to the current function and operation of State agencies and companies including Teagasc, Bord Bia, Coillte, Bord na Mona and Gas Networks Ireland. The legal constitution and remit of these State agencies and companies should be

amended to embrace overarching biodiversity restoration and landscape and cultural heritage objectives, if all of Government action is to be achieved.

Theme 2: Heritage Partnerships

Heritage Partnerships should not be considered as some sort of luxury add on, and, similar to the above point, they must be facilitated by means of a meaningful and effective all of Government approach. Core biodiversity, landscape and cultural heritage protection measures need to be incorporated into the remit and core function of Local Authorities, and all State and State supported agencies, as much as climate action. With this in place engagement with all sections of society and the economy can be achieved in meaningful partnership.

Theme 3: Communities and Heritage

While more effective legislation and integration of Government and State agency policy is clearly required if Ireland is to measure up internationally, this is only part of what is needed. Public engagement with Heritage Ireland 2030 can provide the impetus for better citizen and community action at national and local level.

The Heritage Council initiated and supported Heritage Officer Programme needs to be better resourced. This would give support to our communities and voluntary organisations to be the guardians of our common natural environment and cultural legacy. Local and county museums, and the continued expansion of the Heritage Council administered Museum Certification Programme, has been a welcome development in the last two decades. The value of local museums for awareness and education of the communities in the areas which they serve cannot be overestimated

A major initiative is now required to foster public and community engagement in reversing biodiversity loss. This should include locally based initiatives, such as new or enhanced native woodlands, adopting peatlands or other areas for conservation, support for the conservation of species rich grasslands and pollinators, or species monitoring using citizen science methodology to input into the National Biodiversity Data Centre. Non-Government Organisations (NGOs) whether having overarching transnational objectives, and remit for all

areas of heritage like An Taisce, or single issue or location based, need support and resourcing. NGOs have a major potential to work with communities in heritage protection on the ground, or to be directly involved in partnerships and programmes, and to be effective advocates for heritage.

4. Specific Recommendations for the Protection of Our Natural Heritage

Public engagement is paramount to address the range of actions needed to enhance our relationship with the natural world. The concept of ecosystem services is neither technical nor esoteric, and provides a means to communicate the benefits of supporting nature, in protecting good water and soil quality, maintaining fish stocks, pollination, flood curtailment, and recreation.

Where practices need to be changed, new livelihood opportunities must be identified and supported for those affected. In many cases, the issue causing ecological damage, such as scallop dredging, is doomed by its nature to destroying the species or habitat which is being exploited. This needs to be clearly communicated to avoid the previous controversies which have been generated by the necessary restriction of salmon drift netting.

There are good community initiatives which could and should be emulated on the larger scale, the Burren Beo High Nature Value farming programme maintaining cattle grazing on limestone pavement areas, the Monaghan/Tyrone cross border supported Sliabh Beagh Natura 2000 site management project, and the AbbeyLeix community-led bog conservation initiative. Our recommendations are:

1. Targeted, Resourced and Timetabled Plans for Enhancing Habitats and Species

The Birds and Habitats Directives have gone through a major fitness check at EU level and have been endorsed with wide public and political support. Ireland needs to take leadership in its actions and policies on enhancing biodiversity and addressing the species and habitat actions needed to address the adverse status issued in the Article 17 and Article 12 reports.

In the short term, the Government should prioritise the provision of additional funding to fully implement the National Biodiversity Action Plan 2017-2021, along with a long-term commitment to increased funding for far greater ambition and implementation of future Biodiversity Action Plans.

2. Make Biodiversity Enhancement an all-of-Government Legal and Policy Objective

For Ireland to enhance the status of the habitats and species identified as inadequate and bad, and to mainstream biodiversity will require a step change in our current approach. The NPWS should be reconstituted as a legally-effective delivery agency, with financial support to deliver a National Biodiversity Action Plan which has real ambition, impact and supporting resources.

Biodiversity should be 'mainstreamed' in a meaningful way, not just given lip service as is currently the case. One mechanism for achieving this is for the Department of Agriculture, Food and the Marine, and all agencies under its control, in addition to other relevant Government agencies or bodies including Bord na Mona and Teagasc to incorporate the UN Sustainable Development Goals including land, marine and avifauna biodiversity.

3. Integrate CAP and Rural Development Funding with Effective Biodiversity Action

Instead of the current ineffective 'greening' measures under CAP, RDP funding should be allocated for results based measures which promote biodiversity, similar to what is being very effectively demonstrated in the EIP Bride project. Direct and indirect subsidies should be made available for effective biodiversity action, in particular for integrated area-based initiatives combining biodiversity enhancement where appropriate with High Nature Value farming, historic native woodland restoration, carbon soil management and flood attenuation and recreational amenity.

4. Make Ireland an International Leader in Protecting Marine Biodiversity

The most fundamental thing necessary for the protection of the marine area is the urgent implementation of the Marine Strategy Framework Directive, including the thorough and rigorously enforced designation of Marine Protected areas. These areas should restrict dredging, bottom trawling and fishing and allow for fish population renewal and the protection of marine habitats including cold water reefs, and feed sources for marine birds and mammals. In addition, it is vital that Ireland address the lack of legal protection for fish or marine vertebrates under the Wildlife Act of 1976.

Ireland must ensure the designation of Marine Protected Areas (MPAs) under the Marine Strategy Framework Directive across at least 10% of the Irish marine area in order to comply with the target in SDG 14 "Life Under Water" requiring that "By 2020, conserve at least 10 per cent of coastal and marine areas, consistent with national and international law and based on best available scientific information"

5. Resource Peatlands Management in line with EPA Bogland (2011) Report

Adopt the recommendations of the EPA Bogland (2011) report as the basis for management of peatland areas with an amended National Peatland Strategy supported by the resources and actions required.

6. Integrate Climate Mitigation and Adaptation with Biodiversity

Ensure that new wind, solar, biomass and marine energy development does not conflict with, and is integrated with, the enhancement of biodiversity. Adopt river basin flood management which is assessed at a catchment scale, and recognises the importance of restoring floodplains and wet woodlands in tandem with other measures.

7. Resourcing effective Invasive Species Action

Implement an adequately resourced and targeted approach to combating invasive species, particularly those which pose the greatest threat to protected habitats and species.

8. Cross Border Cooperation on Nature Protection

Ensure maintenance of effective All Ireland cooperation in the protection of habitats and species

5. Recommendations for Cultural Heritage and Landscape

5.1. Theme 1: National Leadership and Heritage

Mainstream Cultural heritage and landscape protection all-of-Government Legal and Policy Objective

Mainstream cultural heritage and landscape protection as an all of Government approach, redefining the legal remit and operation of Government Departments and agencies, State Companies and Local Authorities.

- a. Integrate CAP and Rural Development Funding landscape management
 - Integrated cultural heritage and landscape protection policies, with CAP farm support, forestry planting and peatland management and energy transport and other infrastructure.

- b. Archaeology and updating National Monuments legislation to comply with Valetta Convention
 - Introduce and enact updating of National Monuments Acts by end of 2020 to apply full provision of Valetta Convention including area based protection of archaeological landscapes.

 - Apply adequate archaeological monitoring controls to all land and sub aqua based activities, including peat extraction.

- Enhance local area and community appreciation of archaeology with support for site excavation access programmes and both permanent and temporary display of excavation finds in local museums and other appropriate locations

c. Architectural Heritage and Urban and Village Cultural Environment

- Implement effective national policies to combat Urban and Village decline. Out of town retail and business park development with free parking is undermining the retail and other core functions of older urban centres.
- Apply appropriate overarching legal and planning protection to ensure the maintenance of the character scale and integrity of historic urban centres amending the current Department of Housing Planning and Local Government Building Height Guidelines.
- Enhance the fiscal support regime for architectural Heritage including introduction of an application based tax credit provision which would be subject to a cap and vetting process similar to a direct financial grant.
- Ensure that all local authorities are resourced to provide Conservation Officer support
- Maintain the Section 482 tax scheme for historic buildings providing public access
- Apply historic landscape protection guidance to the parkland setting of country houses and other significant designed landscapes.

d. Support for Local Museum's and Historic Collections

- Enhance support for local museums with and Heritage Council administered Museums Standards Programme.
- Maintain and enhance the Section 1003 tax relief donation scheme for acquiring significant heritage items for qualifying public collections.

Cross Border Co-operation on Cultural Heritage and Landscape

Ensure maintenance of effective All Ireland co-operation in the application of the European Landscape Convention and other Council of Europe Convention, and the maintenance of the current protection applied under the EIA and SEA Directives.

5.2 Theme 2: Heritage Partnerships

a. Revitalising town and village streets

Develop partnerships at all levels to promote revival and new use of vacant buildings in towns and villages Ensure effective application of the Design Manual for Roads and Streets and provide speed limit controls to enhance the amenity of urban and village centres

b. Action on Buildings at Risk

Local Authorities to take a proactive targeted approach to identify and secure intervention on Buildings at Risk, before a spiral of neglect and dereliction sets in.

c. Public and NGO partnerships to develop heritage projects.

Facilitate enhanced partnership potential between State bodies and companies including Coillte Local Authorities, Irish Heritage Trust, An Taisce, Irish Landmark Trust and other NGOS, to create or enhance new public access and heritage amenity projects, and revival of neglected buildings or historic landscapes.

5.3 Communities and Heritage

Apply the measures in the December 2019 “European Framework for action on Cultural Heritage” as the basis for community engagement in heritage. Most relevant to the

achievement of more effective community engagement in Cultural Heritage are the following specific action identified in the Framework:

- a. Engaging the wider public, including via digital means
- b. Engaging school children and empowering young people
- c. Breaking barriers
- d. Regenerating cities and regions through cultural heritage
- e. Supporting the adaptive reuse of heritage buildings
- f. Balancing cultural heritage with sustainable cultural tourism and boosting synergies between natural and cultural heritage

6. Terrestrial, Marine and Avian Natural Heritage

6.1 The Global Context

'We are the first generation that has a clear picture of the value of nature and our impact on it. We may be the last that can take action to reverse this trend. From now until 2020 will be a decisive moment in history.' (The Living Planet Report, 2018)



Figure 6.1: Benefits from Nature- Living Planet Report (2018)

The benefits of nature are manifold, and underpin our very existence (Figure 6.1). In this age of the Anthropocene, we are in the midst of what is widely acknowledged to be the 6th mass extinction of species. The Living Planet report (2018) outlined that global wildlife populations have fallen by an average of 60 per cent over the last 40 years, with the main drivers of this biodiversity decline being the overexploitation of species, agriculture and land conversion. Rising food production and increased demand for energy, land and water has left only a quarter of the world’s land area free of human activity, according to the report.

A study published in February 2019 found that, at present, about a third of all insect species are threatened with extinction, with biodiversity declines resulting in an annual 2.5% loss of biomass worldwide. The authors concluded that:

'The conclusion is clear: unless we change our ways of producing food, insects as a whole will go down the path of extinction in a few decades.....The repercussions this will have for the planet’s ecosystems are catastrophic to say the least, as insects are the structural and functional base of many of the world’s ecosystems'

The authors called for habitat restoration, a dramatic reduction in pesticides and changes to agriculture to help insects, such as flower-rich strips planted along the margins of fields, or rotating crops with clover to benefit bumblebees.

Further to that, the diminution of the global marine environment is overwhelming. A 2015 WWF report established that marine vertebrates, including fish, fell by 49% between 1970 and 2012, with some fish species declining by 75%. Plastic pollution affects even the deepest parts of the world's oceans and chemical pollution threatens half the world's killer whale population. An international study by Paleczny *et al.*¹ (2015) on the population trends of seabirds from 1950 to 2010 found a 70% decline. The increasing human impact through fishing, waste and chemical release on the ocean ecosystem remains inadequately understood.

The global view of our terrestrial and marine biodiversity is clear, unless dramatic changes are implemented all ecosystems are threatened with collapse, with attendant threats to species, including ourselves.

6.2 The State of Ireland's Habitats and Species

6.2.1 National Context

The outlook is not any better at a national level. In regard to insect decline, the Irish picture is worse than the global trends outlined above. Figures from the National Biodiversity Data Centre in February 2019 reveal Irish butterfly populations have plummeted by a rate of 12% over the past decade while bumblebee numbers are down 14% in the last six years.

In addition, the NPWS 6 yearly Article 17 Report from 2013, on the status of habitats and species, shows the scale of the challenge facing Ireland. Of the 59 overall habitat assessments, only 5 stood at "Favourable" status, 30 at "Inadequate" and 24 at "Bad". The habitats identified as having bad status include peatlands, including raised and blanket bogs, and

¹ Paleczny M, Hammill E, Karpouzi V, Pauly D (2015) Population Trend of the World's Monitored Seabirds, 1950-2010. PLoS ONE 10(6): e0129342.

heaths; and biodiversity rich grassland areas, including orchid-rich and species-rich grasslands. For protected species, of the 61 overall species assessments, only half were "Favourable". 11 were "Inadequate", and 6 were "Bad" namely the Freshwater Pearl Mussel, and its Nore variant, Sea Lamprey, Twaite, Shad and Pollan.

The Birds and Habitats Directives have gone through a major fitness check at EU level and have been endorsed with wide public and political support. Despite this, Ireland continues to fail to protect our biodiversity. The next Article 17 report is due in 2019, and the NPWS have already indicated that there has been little, or no improvement, and in certain cases a further disimprovement (NPWS, pers. comm.).

Ireland needs to take leadership in its actions and policies on enhancing biodiversity and addressing the species and habitat actions needed to address the adverse status of our protected habitats and species. The very basis of our natural heritage, upon which all life depends, is hugely threatened. Any Government plan, particularly one which aims to 'value and protect' our heritage, which lacks specific and decisive action to address these issues is merely window dressing.

6.2.2 The Marine Ecosystem

For marine fish species, which are not reported under the Habitats Directive, the latest figures from the European Commission's Scientific, Technical, and Economic Committee for fisheries confirm that overfishing continues. According to the most recent updated data, 41% of fish stocks were still being overfished in 2015. Assessment and conservation status data on marine mammals and habitats generally in Irish waters is inadequate.

As a country with 90% of its territorial jurisdiction being in the marine area, there is a particular onus on Ireland to take leadership in marine life protection and the implementation of the EU Marine Strategy Framework Directive (MSFD). The MSFD provides the means for Ireland to take leadership in marine conservation. This includes the key provisions to designate Marine Protected Areas (MPAs). To date these have not been designated in Ireland,

beyond those areas which are already covered by the Natura 2000 network. These issues are further outlined in Section 8.4.

6.2.3 Irish National Parks

Project Ireland 2040 provides a welcome recognition of the importance of our National Parks:

'Our national parks and nature reserves are also key natural assets '

And a commitment to conserving them:

'Conserve and enhance the rich qualities of natural and cultural heritage of Ireland in a manner appropriate to their significance.' (National Policy Objective 60)

As such, it should be expected that Irish National Parks would lead the way in biodiversity enhancement. However, currently Irish National Parks are, unlike other countries internationally, limited solely to areas under State ownership, and there is no legislative basis for them in place as yet. This manifests in shortcomings in the management of many of our natural parks. Killarney National Park is designated as both a Biosphere Reserve by UNESCO, and an IUCN international park, but the failure to meet the standards required by these, as a result of invasive Rhododendron, and deer grazing management, is a source of ongoing concern to Irish NGOs. Additionally, the Glenveagh National Park is being adversely affected by mechanised turf cutting for domestic use, which bears no relation in impact to former turbary cutting. Further, the Wicklow National Park is suffering the impact of past overgrazing, where the erosion of deep peat of up to two metres opens gullies. These gullies create "hags" which then suffer irreversible erosion. In addition, the NPWS are also failing to control indiscriminate quad bike use in the area.

Given that these parks are recognised as *'key national assets'* under Project 2040, these should be explicitly identified for protection and conservation under Heritage 2030. This protection should include legal protection, and the regulation and cessation of damaging practices within the parks.

7. Adequacy of Irish Legal and Policy Measures

The first objective stated in the 2017 NPWS National Biodiversity Action Plan (NBAP) is to '*Mainstream biodiversity into decision making across all sectors*'. This is clearly not happening. Government supported production driven sectoral targets, such as Foodwise 2025 and Harnessing our Ocean's Wealth, are allowed to drive agricultural, forestry, marine and general land use policy at the expense of natural habitats and other species. This imperils the well-being of future generations. Policy and decision makers, particularly those in the public sector, have a responsibility to understand that the environment is not something to address as an afterthought of production-based economic targets. The UN recognised concept of ecosystem services provides the conceptual framework for the support of nature, not just for its intrinsic value which must be paramount, but the range of benefits in terms of sustaining all life, water quality, soil fertility, pollination, flood attenuation, carbon storage, recreation and human well-being (Figure 6.1).

There is an unjustified public policy conflict in Ireland between current State support for the intensification of agriculture, forestry and marine life exploitation, and the maintenance of the natural environment on which those sectors depend. Allowing short-term economics to prevail over climate and biological science is causing individual sectors, whether bovine agriculture, or fishing, to undermine the ecosystems services on which all life depends. Allowing the influential farming or business lobby to drive the agenda of the Dept. of Culture, Heritage and the Gaeltacht, or other Departments, is detrimental for our environment. One example of such successful lobbying by the farming sector is the Heritage Act of 2018, which will hugely exacerbate the destruction of our wildlife.

In addition, the lack of resources and legal support given to the NPWS is reflected in poor ambition in its current National Biodiversity Action Plan, with the downgrading of policies and objectives contained in two previous NPWS National Biodiversity Action Plans. The National Biodiversity Action Plan is disappointing on several fronts. It reveals little coherence, continuity or accountability between the previous two Action Plans. Far too many of the actions relate to gathering further data instead of clear targeted and timetabled measures and interventions to halt biodiversity loss. There is already substantial evidence identifying the critical threats and pressures, and outlining what needs to be done to address them. Indeed, some of these

key actions from the previous plans have disappeared from the current plan without explanation, such as any mention of NHAs, which the previous NBAP had intended to review and designate, as appropriate. This measure was not implemented. The plan, although produced by a public authority, fails to address or demonstrate the policy engagement needed with the other Government Departments and agencies in the use of CAP and rural development funding, the promotion of agricultural targets and standards, and the regulation of forestry, peat extraction, marine life exploitation and other activities.

Furthermore the proposal under Section 1.1.4 of the NBAP to "*strengthen ecological expertise in Government Departments, agencies and local authorities*", is not underpinned by any meaningful action. An objective in the July 2016 draft NBAP for "*Biodiversity Training Material for Government Officials*" was dropped as a mid-term target. The detailed An Taisce submission on Draft NBAP is available on the An Taisce website².

Enhanced funding and legislative support are of paramount importance if we are to reverse Irish biodiversity loss. The direct Government spending on biodiversity from 2010 to 2015 amounted to €1.49 billion, or 0.31 per cent of government expenditure. The total 2017 budget for the chronically underfunded NPWS was €11 million. By way of comparison, in 2017 the Greyhound Racing Board received €16 million of public money, while Horse Racing Ireland received €64 million. The NPWS needs to be reconstituted and resourced as an effectively functioning independent agency, provided with the significant additional staff, and legal support required. In addition, we need long-term funding for the National Biodiversity Data Centre, with a clear commitment to properly financing the All-Ireland Pollinator Plan. Further, our existing regulations must be rigorously enforced, with a specialised unit with the Gardai to deal with wildlife crimes. Heritage 2030 should commit to funding these measures if it is serious about protecting Ireland's natural heritage.

²http://www.antaisce.org/sites/antaisce.org/files/25012017_an_taisce_submission_re_public_consultation_on_the_draft_national_biodiversity_action_plan_2017_-_2021_-_jan_2017.pdf

8. Addressing and Reversing the Adverse Impacts on Irish Nature

8.1 Agricultural Intensification

Agriculture is the leading threat to Irish biodiversity. Current quantity, and export driven Irish agricultural targets, as set out in Food Wise 2025, are in direct conflict with maintaining and enhancing biodiversity, as well as climate mitigation. The current annual cattle herd increases of 6% per annum are further damaging water quality, with concomitant slurry and fertiliser run-off. The integration of CAP farm support and Rural Development funding with biodiversity is an overriding requirement. Successive EU funded REPS, AOS and GLAS schemes have not resulted in meaningful impact on Irish biodiversity protection and enhancement, and a complete re-think is required. As outlined by President Higgins when he addressed the National Biodiversity Conference in Dublin Castle in 2019 an *'assessment of the environmental benefits of EU farming subsidies has been historically weak'*. A widescale results based system needs to be implemented, similar to what is proving very successful in the European Innovation Partnership programmes such as the Bride project, and the Freshwater Pearl Mussel project. At present public money simply compensates for compliance with the law. This situation should be replaced with a more meaningful system of controls and checks that will ensure environmental protection. Beneficiaries of payments should be appropriately penalised if found to be contravening any environmental protection laws. As outlined above, the proper enforcement of environmental law, and adequate resources to do this, is essential.

The coalition of Irish development, environment and faith-based NGOs forming Stop Climate Chaos and The Environmental Pillar, which both include An Taisce, published a science-based report "Not So Green: Debunking the Myths around Irish Agriculture"³ in 2016. This report challenges Government and industry claims of the sustainability of Irish agriculture concluding that overall, Irish agriculture in its current form is damaging to climate, water quality and biodiversity, and is not contributing to global food security. Indeed, new data published by the United Nations Food and Agriculture Organisation (FAO) reveal that Ireland is the most

³ <https://environmentalpillar.ie/not-so-green-debunking-the-myths-around-irish-agriculture/>

carbon-intensive beef producer in Europe, and ranks as Europe's third highest on emissions from its dairy sector.

Agricultural intensification has caused significant negative impacts to Irish biodiversity, and agricultural intensification or inappropriate afforestation is causing the "bad" conservation status of a wide range of internationally important Irish habitats, the decline of ten key farmland birds, and the threat of extinction facing one third of wild Irish bee species. To add insult to injury, Irish Agriculture, via a Bord Bia promotion, is now using the marketing label 'Origin Green'. This is not based on any independent internationally referenced standard, and is being promoted as 'Climate Smart' merely because the carbon impact is being counted, but not mitigated. Products given the Origin Green label include mushrooms produced with peat compost, and cattle using peat bedding harvested from bogs with no Environmental Impact Assessment.

If Ireland is to retain the 'green' image, which is part of our self-identity, it will require a new vision for land management, including mitigating or removing the current negative pressure caused by agricultural and conifer forestry intensification on water quality and biodiversity. There is an opportunity for water catchment-based and area-based initiatives for restoring the relationship with land use and nature, including peatland and flood plain restoration, wet woodland and other habitat restoration. Area-based High Nature Value farming should also be promoted, based on the approach piloted in the hugely successful Burren Beo scheme.

It is time for the government to call a halt to a model of agricultural expansion that is contributing to dangerous biodiversity loss, polluting our water, and one which is extremely emissions intensive.

8.2 Peatlands

In 2011 the EPA published a synthesis scientific report 'Bogland' on the issues affecting the 20% of the country with peat soil. It recommended a range of 39 actions, including to protect and enhance biodiversity, in addition to stopping carbon loss. Despite that, the DCHG National Peatlands Strategy 2015 is entirely inadequate in provision of resources, and timetabling of actions to meet these objectives. In addition, it is undermined by its accommodation of peat

cutting interests for energy and horticulture. It will not achieve the reversal of the overall 'Bad' conservation status of peatland and heathland habitats in Ireland.

There is, as yet, no effective strategy or funding for the range of actions required for blanket bogs and heathland areas which face multiple threats from burning, overgrazing, invasive species, inappropriate forestry, inappropriate recreation such as quad bikes, peat cutting and rising climate change impacts affecting established rainfall patterns. While legal action by the EU Commission resulted in a resourced Conservation Plan for the remaining 1% of Irish Raised Bogs, in conjunction with the turf cutting cessation scheme, this was initiated 15 years after it should have been. Much of the damage has already been done.

Neither Bord na Mona nor the other companies involved in large-scale peat extraction for horticulture have adopted an exit date for what is a destructive extractive industry, and the phasing in of alternative sustainably sourced and produced compost products. Bord na Mona, although advertising itself as 'Naturally Driven', has no strategy in place for the restoration and carbon management of the degraded cutaway peatlands. A 2030 target has been adopted for ceasing peat burning electricity, but this extends the use of co-firing of peat with biomass which is problematic in its use of imported material, including palm kernels from Southeast Asia. In addition, it fails to identify the scale of sustainable indigenous biomass required, or the carbon efficiency of biomass burning for electricity generation. Continued peat extraction, in all categories of exploitation, is occurring without Environmental Impact Assessment, despite a European Court judgment against Ireland in 1999.

A further threat to peatland is the deliberate burning of land on commonage and upland areas. This is often driven by agricultural policy, where farmers burn their land in order to comply with rules qualifying them for State subsidies. This affects designated species and habitats, destroys nesting birds and invertebrates, and causes soil erosion, carbon loss and water pollution. May and June 2017 had some of the worst ever fires, including the surroundings of Gougane Barra in Cork, and a fire extending six kilometres in length in the Cloosh valley in Galway. These fires are often started deliberately for land management, and should be classified as wildlife crime, yet no prosecutions occur. The state of our upland bog and heath areas has a knock on effect on other species with the national Red Grouse population having

fallen by 66% since the late 1960s. Effective action is required; including criminal sanction and removal of farm payment grants for landowners starting illegal fires.

A sustainable strategy for Irish peatlands requires large scale engagement with rural communities and the wider public on the multiple benefits of peatland conservation for biodiversity, flood attenuation, carbon storage and amenity. This requires enhanced direction of resources, and timetables and targets for action. Heritage Ireland 2030 should adopt, as a specific objective, the management actions set out in the Strive Peatlands document⁴. This document outlined targets under seven headings, which include managing of peatland for: biodiversity; carbon climate and archives; water; and other land uses. In addition it outlines the need to manage the state owned peatlands, and that the management of peatlands should involve using socio economic instruments, and that the management should be done both for, and with, the people.

8.3 Forestry

An Taisce has particular insight into the Irish forestry consent and management regime through being a consultee on the Forest Service application process. Since An Taisce's founder Robert Lloyd Praeger raised concern on the developing "regimented rows of conifers" in 1948, Ireland has pursued a continuing policy of non-native conifer plantations with negative impact on biodiversity, landscape, carbon and water quality. The only difference is that new forestry development is now occurring on private land, with the Coillte landholding no longer being expanded. Conifer forestry is also causing increasing concern on social impact in counties like Leitrim.

This continued model conflicts with more sophisticated alternative strategies of supporting High Nature Value farming schemes, and restoration of historic native woodland in ecologically appropriate locations. Only 2% of the country is covered by native, or semi-natural woodland, and much of this is highly fragmented. The current forest programme has to date failed to

⁴http://www.epa.ie/researchandeducation/research/researchpublications/strivereports/STRIVE_75_web_SC.pdf

achieve the modest targets set for increasing native woodland and broadleaf cover. A high percentage of the native trees which are planned for 2014-2020 come from the obligatory 10% broadleaves which are planted in all coniferous plantations, and not from pure native woodlands. Areas with non-intensive farming are also those which are often most biodiversity rich and would benefit from targeted support actions such as the Burren Beo High Nature Value farming initiative. The EU and the State is supporting a forestry programme which is not meeting its stated objectives, and is creating biodiversity loss rather than biodiversity enhancement.

New forestry development is often focused on semi-natural habitats associated with low agricultural output. This afforestation is continuing without, in our opinion, sufficiently rigorous ecological assessment, in breach of Article 6(3) Habitats Directive requirements for Appropriate Assessment. The need for a full Appropriate Assessment is often screened out, for example in 2018 only 3 applications proceeded to stage 2 AA, of approximately 600 stage 1 screenings, and 4 went to stage 2 AA in 2017, out of approximately 1400 screenings⁵. In addition, the cumulative impacts are not properly assessed, with no strategic overview or plan for afforestation per county/area, including on Hen Harrier breeding and foraging habitats, or Freshwater Pearl Mussel catchments. Drainage to enable plantation, use of herbicides, and clear felling all lead to deteriorating water quality and ecosystem function, including for catchments in the vulnerable Freshwater Pearl Mussel population areas. In Ireland's 2013 report to the European Commission on Habitats and Species, forestry rated as the second greatest pressure and threat on designated habitats and species after agriculture.

Forestry regulations are also failing to protect Annex I peatland habitats, rare grasslands such as Annex 1 Molina Meadows, and other species rich grasslands which are being lost in areas like the Comereaghs, Devil's Bit in Tipperary, and the Slieve Blooms. Semi-natural grasslands are important for the Irish hare and a range of birds including Lapwing, Curlew and Hen Harrier, as well as bees and butterflies. The Hen Harrier in particular has been affected by the loss of its traditional foraging and nesting habitats. Outside of Hen Harrier SPAs there is no *a priori* ornithological surveys carried out in areas known to support Hen Harriers, or other birds of conservation concern, although Hen Harriers are more numerous outside their

⁵ Information via AIE

designated areas. In addition, there is generally no site specific vegetative assessment for proposed forestry locations, and as such there is a serious risk to Floral Protection Order species. This is likely owing in part to a lack of personnel with ecological expertise in the assessment and decision-making process. In addition, standard ecological requirements are frequently overlooked in forestry applications, such as sufficient setback distances from high status rivers, and adequate Areas for Biodiversity Enhancement, both of which are stipulated in the Environmental Requirements for Afforestation document. An Taisce regularly receives applications which fail on both these fronts.

As such, the forestry programme, as currently stands, poses a very real risk to Ireland's biodiversity. An Taisce has made a detailed submission and recommendations on these issues to the Forest Service through the consultation on the Mid Term Review of the Forestry programme for 2014-2020⁶.

8.4. Ireland's Marine Life

The EU Marine Strategy Framework Directive (MSFD) provides for a transboundary ecosystems based approach to the marine environment. This conflicts with the continued pressure to maximise fisheries quotas under the Common Fisheries Policy over scientific advice on safe levels for individual species stability. Ireland's policy for the marine area 'Harnessing our Ocean Wealth' was adopted without Strategic Environmental Assessment, and is based on an exploitative rather than an ecosystems-based vision. The quantity based focus of this document has been highly criticised by environmental NGOs. The document has a narrow focus on GDP economic growth. It adopts the objective of creating a 'thriving maritime economy' and supports 'sustainable economic growth', which does not address ecological boundaries. Sustainable growth is an oxymoron: growth cannot be sustainable on a finite planet (Daly, 1993⁷). It now needs review to address the requirements of the MSFD, and to

⁶http://www.antisce.org/sites/antisce.org/files/20170502001_an_taisce_submission_mid_term_review_-_forestry_programme_for_2014_-_2020.pdf

⁷ <http://dieoff.org/page37.htm>

fulfil the SDG 14-Life Under Water target: "*to conserve and sustainably use the ocean seas and marine resources*"

The history of Irish marine exploitation is a cycle of over exploitation and collapse of species. The internationally recognised fisheries biologist Daniel Pawley has defined the term 'shifting baselines' to explain the avoidance of addressing the long term decline of fish and other marine species so that "normal" is seen as an ever deteriorating point of reference with fewer fish and fewer species. Eventually what Pawley defines as 'fishing down the food web' leads to tipping points which are reached whereby the larger fish are removed leaving less fertile specimens leading to trophic cascades, with the breakdown of the marine food web and a diminished marine environment where crustaceans and jellyfish dominate.

With no fish or vertebrates afforded legal protection under the Wildlife Act of 1976, Ireland is the only country bordering the North Atlantic where marine life is not officially acknowledged as wildlife. Irish inshore waters within the 6 mile limit are facing multiple threats and pressures. Dredging for scallops and clams is continuing in a manner entirely damaging to the sea bed, and ultimately destructive to the resource which is being exploited. Bottom trawling irrevocably degrades the sea bed ecosystem. New pressures to exploit marine vegetation are being allowed without proper assessment including mechanical kelp extraction in Bantry Bay. The sustainability of continued aquaculture needs to be reviewed. The EU Common Fisheries Policy (CFP) has one year remaining to meet the legally binding deadline to end overfishing by 2020. This requires effective member state implementation. In addition, the sustainability of continued and rapidly expanding aquaculture licensing needs to be reviewed.

The Marine Strategy Framework Directive requires an ecosystem based approach to the management of the marine area, and as outlined above, it provides the means for Ireland to take leadership in marine conservation. This includes the key provisions to designate Marine Protected Areas (MPAs). MPAs could include locations to protect a range of marine species and habitats including the vital feed source for sea birds. The use of MPAs to restrict fishing have been internationally demonstrated to be of major benefit to population regeneration with an impact on areas outside the MPA, including a positive impact on the surrounding fisheries.

Threat Response Plans are urgently required for particular endangered species such as the Angel Shark.

Our marine biodiversity is largely overlooked by current Government policy, with a predominant focus on the monetary worth. These issues are expanded on in An Taisce's submission on the Marine Spatial Plan consultation⁸. A policy shift is urgently required to address this, and it should be a priority under Heritage 2030.

8.5. Climate Change Impacts - Mitigation and Adaptation Response

It is well established that climate change poses a serious new threat to the natural environment. The EPA carries out, and updates, an evaluation of future climate change impacts on Ireland. The necessary mitigation and adaptation response to climate change brings new challenges for Irish biodiversity, and the NPWS climate adaptation plan to address this is currently undergoing public consultation.

There are a number of natural process which will be impacted by this. Weather patterns will be significantly disrupted, and while overall annual rainfall levels may not change significantly, climate change modelling for Ireland predicts more variable rainfall patterns with longer drier periods in late spring/early summer, as occurred in 2018. This is going to cause fodder pressure, as evidenced from the situation last year. Decreased rainfall will also lead to falling water levels, which will, in turn, create water abstraction pressure on rivers, lakes and streams, affecting the capacity of our waterways to dilute the inflowing nutrient runoff. There will also be an increased risk of wildfires, as the peatlands and vegetation become drier, in addition to higher levels of erosion, with obvious knock on biodiversity impacts. As a result of these weather and temperature fluctuations, natural process will fall out of sync, with predator and prey relationships being affected, as well as breeding success and survival, and ultimately biodiversity⁹. In addition, milder winters combined with the greater international movement of biomaterial, increases the risk of invasive species propagation and greater risk of exposure

⁸ http://www.antisce.org/sites/antisce.org/files/an_taisce_submission_on_nmpf_baseline_report.pdf

⁹ Scranton, K. and Amarasekare, P (2017) Predicting phenological shifts in a changing climate. PNAS December 12, 2017 114 (50) 13212-13217

to insect pests, fungal and other diseases¹⁰. These pose very tangible threats to our biodiversity and ecosystems, and addressing and mitigating for these pressures must be seriously prioritised and funded.

Flood management will also become increasingly important, and will need to be considered at a catchment level, as more variable rainfall patterns, combined with rising sea levels and storm conditions, will lead to increased flood risk. The flood risk protection to date for urban areas has been based on hard engineering, with the case of Bandon being of particular current concern. Natural flood measures have been found to both reduce flood risk, and benefit biodiversity, but to date these have not been implemented in Ireland. Natural Flood Management is a comprehensive approach to managing soil, wetlands, woodlands and floodplains along a river to retain and slow water at times of flood risk, reducing the speed and the peak of floodwaters. These measures should be given serious consideration as a means to protect biodiversity while implementing climate mitigation measures. This can have the added benefit of protecting our built heritage in the cities undergoing extensive hard engineered solutions to flooding, such as Cork.

The marine environment will also be impacted by climate change. The interdependence between all aspects of marine life and climate is only now beginning to be understood. A summer 2018 report from the RSPB on the Shetland Islands revealed catastrophic seabird population collapse, attributable to climate change impacts on marine feed sources¹¹. There has been a significant drop in the number of Arctic Terns, Kittiwakes and other birds. Puffin numbers have fallen from 33,000 in 2000 to 570 in 2017. There is a parallel impact of increasing anthropogenic CO₂ on ocean chemistry. Ocean acidification is caused by the absorption of carbon by the ocean, which is then converted to carbonic acid. This has the potential to undermine the functioning of ocean ecosystems, for example by coral bleaching. In addition, warming oceans are changing the migratory and distribution patterns for fish and

¹⁰ Bellard C, Jeschke JM, Leroy B, Mace GM. Insights from modeling studies on how climate change affects invasive alien species geography. *Ecol Evol.* 2018;8(11):5688-5700. Published 2018 May 4. doi:10.1002/ece3.4098

¹¹<https://www.theguardian.com/environment/2018/jun/03/shetland-seabirds-climate-change-catastrophe-terns-kittiwakes-puffins>

other marine life affecting the established natural processes. Climate change also poses an increased risk to, and impact on, coastal ports, marine transport, energy and communications infrastructure, with future impacts on Ireland including an increased exposure to, or regularity of, Atlantic storms like 2017 Ophelia. These risks must be accounted for in considering the protection of our marine natural heritage, and addressed in any future government strategy documents, such as the Marine Spatial Plans.

Renewable energy development also needs to be integrated with biodiversity protection. A number of highly damaging bog slides have been caused by wind energy development. Wind energy development needs to be compatible with peatland conservation, and the protection of Hen Harrier and other bird species. National guidelines, which are not as yet in place, are required for the location of solar farm development. Any future wind or solar development on the Bord Na Mona landholding needs to be reconciled with ecological rehabilitation of the cutaway bogs, and well as carbon management. The development of any new bioenergy sources needs to avoid any new land use change pressures affecting biodiversity.

8.6 Maintaining Cross Border Cooperation on Biodiversity and the Marine area

Target 7.3 of the National Biodiversity Action Plan 2017-2021 provides for "*Enhanced cooperation with Northern Ireland on common issues*". However, environmental organisations are concerned that Brexit may result in a diminution of environmental protections. Natura 2000 sites, and WFD catchments straddle the land and marine boundary with Northern Ireland. As such, any downgrading of EU Habitats Directive, Water Framework Directive, or Marine Strategy Framework Directive protection would have transboundary impacts and needs to be addressed in Brexit negotiations. This provides an, as yet, unknown challenge to the protection of biodiversity in Ireland.

9. Cultural Heritage and Landscape

9.1 Overarching International Obligations, Conventions and Charters

Cultural heritage is enshrined in UN Sustainable Development Goal SDG 11 as an all embracing provision:

"Strengthen efforts to protect and safeguard the world's cultural and natural heritage"

The UN agency UNESCO has promulgated a range of conventions and other interventions on global cultural heritage. In addition, safeguarding cultural heritage is an EU competence as set out in Article (3)3 of the founding treaties. Article 167 of the Treaty on the Functioning of the European Union (TFEU) defines the EU role as one of encouraging cooperation between Member States to support the safeguarding of cultural heritage of European Significance.

The December 2018 *"European Framework for Actions on Cultural Heritage"* sets out the definition:

"Cultural heritage is a common good passed from previous generations as a legacy for those to come"

The Framework sets out four overarching principles including having cultural heritage as a resource for the future; mainstreaming and integrating it across EU policies; and multi-stakeholder cooperation. The Framework includes five areas of action, along with some examples of concrete actions, for example promoting the transformation of Europe's industrial, religious and military heritage for new uses; stronger global partnerships to reinforce international cooperation; and mobilising knowledge and research.

The Strategic Environmental Assessment (SEA) and Environmental Impact Assessment (EIA) Directives include cultural Heritage and landscape among the core considerations requiring assessment. There are a range of Council of Europe Conventions relating to Landscape, Archaeology, Architectural and Cultural Heritage, including the European Landscape

Convention. ICOMOS, The International Council on Monument and Sites promulgates a range of charters on cultural heritage.

9.2 Climate Change Mitigation and Adaptation

Climate Change mitigation and adaptation poses new challenges for cultural heritage and landscape. Renewable energy development will require wind turbine, solar PV and grid infrastructure. Flood protection for urban centres has potential impact on the historic character of river fronts and quay walls, as has been as highlighted by the controversy generated in Cork city.

Climate Change modelling for Ireland projects more variability in annual rainfall distribution, and increased regularity of more severe storms. This has cultural heritage impacts ranging from increased erosion exposure of coastal archaeological sites to storm vulnerability of trees in historic parklands.

9.3 Archaeology, Monument and Site Protection

By international standards Ireland has an exceptionally diverse field archaeology. Irish peatlands are of international significance in the preservation of human remains and organic archaeological material. With 90% of the territorial area of the State in marine jurisdiction Ireland a large legacy of historic sea wrecks.

Archaeology comes under the consideration of both the Strategic Environmental Assessment and Environmental Impact Assessment Directive. The Valetta Convention on Archaeological Heritage has under Article 1 the definition:

"The archaeological heritage shall include structures, constructions, groups of buildings, developed sites, moveable objects, monuments of other kinds as well as their context, whether situated on land or under water."

And Article 2 includes provision for protection of Areas:

'Each Party undertakes to institute, by means appropriate to the State in question, a legal system for the protection of the archaeological heritage, making provision for:

"the maintenance of an inventory of its archaeological heritage and the designation of protected monuments and areas"

9.3.1 National Monuments Acts and Monument Protection

Under current legislation monuments are afforded different levels of protection depending on their allocated status. There are 4 categories:

1. Monuments that are included on the RMP (Record of Monuments and Places).
2. Monuments or places that are included on the RHM (Register of Historic Monuments).
3. National Monuments subject to Preservation Orders, or temporary Preservation Orders.
4. National Monuments in the ownership or guardianship of the Minister for Culture, Heritage & the Gaeltacht.

On the grounds that the National Monuments Act (as amended 2004) will be revised in the 'near future', no new monuments have been entered on the RMP. In the interim these monuments are entered on the Sites & Monuments Record (SMR). But, as the SMR is non-statutory, these monuments are afforded no legal protection. All of the 3,862 monuments added to the SMR in the past 5 years remain in this legal limbo. It is unacceptable that not even monuments of note have been promoted from the SMR to the RMP.

The provisions of Section 8 (2) (a) National Monuments Act, in its current form, undermines the provision of Article 2 the Valetta Convention. Section 8 (2) (a.) of the National Monuments Act provides that:

'the Minister is not restricted to archaeological considerations but is entitled to consider the public interest notwithstanding that such exercise may involve –

- (i) Injury or interference with the National Monument, or*
- (ii) The destruction in whole or in part of a National Monument.*

This does not resolve how the 'the public interest' is determined. It is apparent from cases that have arisen to date, that the decision making as currently practiced is primarily rooted firmly in terms of financial considerations. It creates a situation whereby a monument of clear national and international importance will be subject to the arbitrary decision of the relevant minister of the day. The effect of this is that the cultural and heritage aspects of an exceptional monument or historic landscape may be made subservient to financial criteria. The relevant minister will inevitably be guided by political considerations. The minister's officials and experts will inevitably service the agenda of the incumbent and cannot be regarded as independent.

It is unacceptable that there is no 'Court or Arbitration' or Cultural Ombudsman to adjudicate on disputed sites, as the legal protection hitherto afforded by the Courts is undermined. This was made clear in the ruling on the appeal in relation to the Moore Street monument. It was determined that, despite the monument having been declared a National Monument, its full extent or environs or historical landscape could only be determined by the relevant minister. This leaves the Minister's word final in the determination of the extent of the National Monument site.

9.3.2 Monument Access

The National Monuments portfolio in State care comprises approximately 1,000 monuments on 780 sites. These are either owned by the State or in State Guardianship. The OPW (Office of Public Works) is responsible for the maintenance of these monuments. It is unclear how many of these State-owned sites are accessible to the public. Access to monuments on private land is at the discretion of the individual owners despite State ownership or guardianship.

Insurance is often a key factor. It is unacceptable that the necessary conditions to facilitate public access to a State controlled monument is not provided by the relevant authorities.

9.3.3 Protecting the Physical and Landscape Setting of Monuments and Archaeological Landscapes

The Irish National Monuments Acts are framed to accommodate and provide for individual site based designation of archaeological monuments and recorded features. After the controversy generated by the M3 motorway proposal affecting the Tara Skreen valley in Co Meath, 15 years ago, it was widely recognised that more area based protection policies were required as set out in the Valetta Convention to protect complexes of monuments and the relation between, and the setting of monuments. The Government of the time promoted reform of National Monuments legislation to address area based protection, but this has not yet materialised.

9.3.4 Archaeology and Peatlands

The provisions for the archaeological monitoring of peat extraction are wholly inadequate. While there is a protocol providing some level of responsibility for the Bord na Mona landholding, this is inconsistently applied to peat extraction in general, whether for horticulture or fuel.

The progressive destruction of the Bronze Age timber trackway at Mayne Co Westmeath by Westland Horticulture to accommodate an unregulated peat extraction project evading EIA, has highlighted the scale and extent of archaeological disturbance to peatlands. The Fadden More Psalter, one of the most significant discoveries of recent years was found only by accident in a Co Offaly bog when a machine driver noticed a lump in a load of extracted peat.

9.3.5 Historic Battlefields

The case of the 1916 Rising surrender location on Dublin's Moore Street has highlighted the wider issue of other historic sites. Historic battlefields in the United States have Federal protection. There is a need for the major Irish battlefields such as Kinsale and Aughrim, as

well as engagement sites associated with the War of Independence or Civil War, to be protected.

9.3.6 Marine Archaeology

By international standards Ireland has very progressive legislation on maritime wrecks. The impact of sea bed bottom or drag trawling, which is raising continuing ecological concern, also needs to be assessed for impact on historic wrecks.

9.4 Built Environment

The built environment is a multi-generational legacy which interacts with all aspects of the natural and physical environment. It embraces the spatial distribution of human settlement and activity ranging from urban or village nucleation, to suburban and peri-urban areas. It covers the relation of buildings and functional activities to the landscape as a whole, including farming, tourism, leisure and other activities.

The greatest overarching challenge facing the built environment in Ireland is the future of town and village centres, as traditional retail and other commercial activities continue to decline, neglect of upper floors increases and smaller terraced houses in traffic clogged streets become less attractive in amenity for residential use. Car based one off housing sprawl is resulting in the functional decline of many villages and smaller towns as new housing in the hinterland uses retail outlets in larger towns, or US petrol station type mini marts. Equally in rural areas nationally the number of authentically maintained vernacular dwellings including thatched continues to decline.

9.4.1 National Inventory of Architectural Heritage and Record of Protected Structures

The substantial completion of the National inventory of Architectural Heritage NIAH is a major achievement of DCHG. The National and Regional ratings in the inventory are now largely transposed into the Record of Protected Structures scheduled by individual local authorities under the Planning and Development Act 2000. Protected Structure designation has been largely implemented across the country for individual buildings where scheduled in the NIAH, although the discretion by planning authorities not to implement Ministerial recommendations

has created anomalies. A relatively small number of buildings of significance have been lost through consents made under the planning process.

Less effective has been the application of DAHG Architectural Heritage Protection Guidelines for Planning Authorities. It remains disappointing that a number of local authorities, including Co Wexford, do not employ conservation officers. The employment of conservation officers to advise on, and have oversight on, planning applications is crucial to assisting those preparing planning applications for works and new uses for buildings, and applying good conservation standards nationally. The employment of conservation officers proportionate to the level of planning applications and numbers of Protected Structures and Architectural Conservation Areas in different local authorities needs to be put in place uniformly around the country.

9.4.2 Designation of Architectural Conservations Areas

The provision of the Planning and Development Act 2000 for the designation of Architectural Conservations Areas (ACA) has not been applied to the national extent which would be desirable. ACA designation has been particularly important in the basis for the grounds set out by An Bord Pleanála for refusing inappropriately tall buildings in three major Dublin City decisions: the Mater Hospital initial Children's Hospital scheme, the Liberty Hall redevelopment and the first application for a 22 storey Block at Tara St.

Inconsistent with this was the Bord Pleanála decision to grant permission for demolition of late Georgian buildings for the Rugby Experience development in the core ACA of Limerick's impressive Georgian grid street layout.

9.4.3 Major Buildings at Risk

Buildings at Risk continue to be a problem particularly country houses, large institutional buildings like mental hospitals, and industrial complexes, when allowed to become vacant and not maintained in use.

Neglect and abandonment leads to vandalism, theft and arson attack. Losses to fire in recent years include the rare 17th century House at Carstown Co Louth, and the complex late 18th

century geometric neo-classical villa at Vernon Mount Cork, with its painted ceiling and wall features now destroyed. Belcamp in Fingal with its fine interior plasterwork suffered serious damage.

The planning control and enforcement system is reactive and has not proved able to deal with cases where a major building may be left empty and neglected. Specific sectoral challenges facing architectural heritage include redundant industrial structures. The buildings sites and features of Ireland's industrial past are a particular risk category. They represent an insufficiently appreciated legacy, and a significant category of heritage which poses multiple challenges. There have been many successful conversions of old industrial complexes such as the Maltings, now part of University College Cork. However in other cases the low timber beamed floor levels and small windows of grain stores makes adaptation difficult.

All over the country attractive stone building complexes of the 19th century, which contribute to the character of urban areas, are now derelict and abandoned like the former Cassidy's Distillery in Monasterevin, or Errew Mill in Clara Co. Offaly which has suffered fire damage. In some cases planning permissions granted before the 2008 financial crash did not proceed, and leaving important stone industrial buildings like Donaghy's Mill on the Boyne in Drogheda to fall into dereliction. March 2019 saw this impressive structure gutted by fire

In rural areas there are major mills which form landmarks along rivers like on the Barrow where the finding of new uses is daunting.

9.4.4 The Landscape and Historic Collections of Country Houses.

The DCHG Historic Parks and Gardens Inventory is a major achievement in providing historic maps and aerial photographic data on country house designed landscapes, parks gardens and demesnes. Country Houses in family ownership retaining significant historic contents along with their historic parkland designed settings continue to diminish in number. It is likely that the loss would have been greater had the Section 482 tax provision not been in place and continuing to operate. This has provided public and tourism access to country houses, as well as being crucial in allowing their maintenance. It is desirable that this tax provision be maintained.

A major overlap between landscape and cultural heritage including the application of other Council of Europe Conventions including is the designed landscape parkland of country houses. The legal protection accorded to the landscape and setting of country houses is inadequate. A major trend in the late 1990s and up to the 2008 financial crash was the acquisition of country houses and demesnes for hotel, housing, and golf course developments. Permissions granted across the country saw housing units being put in walled gardens and golf courses negating the character of historic designed landscapes. In many cases, like Lough Rynn in county Leitrim, this resulted in serious landscape impact. In other cases such as Castle Martyr in county Cork the historic walled garden was undesirably built on with housing. There proved to be an oversupply of developments after the financial crash leaving permitted development like Carriglass, county Longford empty.

The polices for protecting the integrity of country house and designed landscape ensembles remain inadequate. While the Irish Heritage Trust has been mandated with the capacity to take on ownership of country houses and demesnes, including historic contents, the prospect of it being able to achieve the capacity to take on major new ownership is limited, when a property is put on the open market. However, it has major potential to become a management oversight or partnership entity. It has already emerged as a body to take on the management of properties, already in State ownership as with Johnstown castle county Wexford, or in philanthropic ownership as in Strokestown, county Roscommon. Both the Irish Georgian Society and the Irish Follies Trust have the capacity to offer what is modest grant support to conservation work, including follies and demesne features in the case of the latter.

9.4.5 Country House Ruins

Ruined country houses are features of the Irish landscape as much as castles and abbeys, and are the subject of many books of evocative photographs of picturesque decay. The gaunt shell of Tyrone House in Co Galway is one of the best known. Many were burnt during the War of Independence or Civil War Period and are now roofless for nearly a century, like the great classical mansion at Castle Boro county Wexford. This exposes the softer brick of internal walls to the elements so that serious structural decay is now setting in. This has had a serious

impact on Woodstock county Kilkenny, with the centre of the façade collapsing. Others were de-roofed in later decades like Tudenham county Westmeath to avoid rates.

In a few cases, including Lough Eske in county Donegal, Killeen Castle county Meath and Dunboy county Cork, ruins have been reroofed as part of hotel and holiday housing schemes. The ruin of Killua Castle county Westmeath, de-roofed in the 1950s, has been impressively restored by the Kress family as a resident, and plans have been advanced for other ambitious restoration projects. The country house ruins remain focal points of historic landscapes. The most important examples now require more active protection.

9.4.6 Rural Vernacular Houses and Farm Buildings

Experience across Europe, like in the Alpine regions, has shown that the most effective protection of rural vernacular built Heritage is area based planning. This combines landscape character protection with support for maintaining the relationship of historic human settlement, with low impact traditional farming. Combined with this, location and design guidelines for new buildings ensures harmony with the landscape.

Ireland has largely lost the opportunity to achieve this through the combination of poorly designed ribbon and scattered new rural housing, while the attrition rate of vernacular buildings continues. A particular difficulty is that Irish rural and farm dwellings and outhouses are more modest in size than in other parts of Europe like Tuscany , and do not accord with current housing size demands . There has, however, been a welcome trend in recent planning applications in providing for the retention of older houses combined with well-designed extensions with link structures to the rear.

The Irish Landmark Trust has demonstrated how historic dwellings of modest floor area can be converted to holiday accommodation. There is potential for older vernacular dwellings that might not be attractive to their owners as family houses, to become holiday accommodation particularly in coastal and other areas with tourism potential demand.

The maintenance of older stone and slate roofed farm buildings and complexes is particularly difficult as many are part of working farms where intensification of dairy production is creating demand for larger sheds and service areas The ongoing use of EU Rural Development funding

to support the Heritage Council administered traditional farm buildings programme means that a representative and geographically distributed selection of authenticity maintained older farm buildings will at least survive

9.4.7 New Building height conflicts in historic urban areas.

While the Protected Structure scheduling regime is generally proving effective in maintaining building of NIAH rating nationally, a growing conflict has arisen with high building proposals affecting historic urban centres. This is already reflected in the continued proposal for a 22 Story Block at Tara street in Dublin, and an application for the 13 storey "Prism " in a key location adjacent to Parnell Place in Cork, both under appeal to An Bord Pleanala. Limerick City and County Council has proposed 15 story block on part of the Opera Centre site at the interface of the medieval and Georgian city centre area, while an application for a 10 storey tower has been lodged for a site just to the west of the medieval walled town area of Drogheda.

An Taisce has raised significant concerns with the 2018 Department of Housing Planning and Local Government Building height Guidelines¹², in not recognising the protection of the cultural heritage value of historic urban centres. Both the SEA and EIA Directive include Cultural Heritage as a specific consideration. The Guidelines were subject to Strategic Environmental Assessment. The SEA Directives requires ongoing monitoring of implementation of a programme or policy to ensure that relational action is taken in the event of unforeseen adverse effects arise.

Specific additional Policies are required to protect cultural heritage value and integrity of the city centres of Dublin Cork Limerick Galway Waterford and historic town and village centres generally. There are international principles set out in the 1987 ICOMOS Washington Charter which establishes the principles and guidelines for the protection and conservation of historic

¹² https://drive.google.com/file/d/1QJmrgza6BHXGd4mX_Bw2kI3eMcxMOBoO/view

towns. The Charter seeks to complement the Venice Charter, whose emphasis is on the individual monument. It addresses such issues as:

- integration of preservation objectives into planning policies;
- qualities of historic towns that should be preserved;
- participation of residents in the preservation process; and
- the social and economic aspects of historic town preservation.

9.4.8 Historic Collections, Paintings and Artefacts.

The maintenance of the Section 1003 tax relief schemes is an important provision in securing objects for the national collections, which would otherwise face export risk. An Taisce has a long standing concern for the maintenance of historic collections. In 1972 An Taisce led a campaign against the sale of the older books from the Dublin Kings Inns Library. The most important were acquired and placed with University College Galway following a public appeal.

In 2016 An Taisce took a legal action on the export of part of the historic Alfred Beit Foundation Old Master Painting Collection which resulted in the withdrawal of the paintings from auction. The two most important: the David Teniers Kermesse and the Rubens Bearded Man were acquired under Section 1003 by the National Gallery, while a third The Van Oostade Nativity was returned to Russborough through purchase by the Apollo Foundation. 2019 saw the sale of the privately owned 16th century Armada table which has been on loan for display in Bunnally Castle for many decades.

Section 49 of The National Cultural Institutions Act 1997 provides for a register of documents paintings or cultural objects which may be subject to export restriction. The application of this provision is required to prevent potential controversies in the future. Parallel to this, support of the continued and enhanced operation of section 1003 tax relief is crucial to maintain cultural objects in the country through acquisition by a relevant national institution

9.4.9 Resourcing of County and Other Local Museums

The development of County Museums as a local educational and heritage resource has been a major achievement of the last two decades and requires enhanced support. The Heritage

Council administered Museums Standards Programme is of major benefit in achieving nationally applied curatorial standards.

9.4.10 Partnerships

There has been a developing range of partnerships to achieve Cultural Heritage projects, with has major potential for the future. This ranges range from the bringing of a derelict gate lodge back to life as holiday accommodation, to the revival of a major ruined country house and demesne or mill complex as a visitor attraction.

Fingal county council has set a national lead in the taking on of Malahide Castle, Newbridge House and Ardgillan Castle and the Skerries Mills, and established exemplary community engagement in their management. Coillte has in its property holding a large number of the core areas of historic demesnes. In some cases these retain the ruined house or other significant buildings in various levels of neglect notwithstanding its responsibility for ensuring that Protected Structures in its ownership are not endangered. The recent agreements between Coillte and Monaghan county council in taking on of the management of the core area of the Rossmore Park Demense and Mayo county council in taking in the Moore Hall estate including its large ruined house are a model for the future. The locally established Dartry Heritage Trust initiative to take on the restoration of the county Monaghan Dartry Temple, after years of Coillte neglect, is a model of what can be achieved when a community is given support

There is major potential for a range of partnerships for State and state agencies, or local authority owned projects with Irish Heritage Trust, Irish Landmark Trust, An Taisce, Irish Follies Trust, Irish Georgian Society and other voluntary organizations.

9.4.11 The Irish Heritage Trust and The Landmark Trust

The establishment of the Irish Heritage Trust, with provision to receive endowment funding, provides an important facility to take on the ownership or management of historic properties. The Trust has taken on the management of Fota county Cork, and Strokestown county Roscommon, and is undertaking a project to open up Johnstown Castle county Wexford as a major cultural attraction.

The Irish Landmark Trust has created an impressive portfolio of architecturally interesting buildings for tourist accommodation with double benefit in saving architectural landmarks and contributing to local economies.

9.4.12 An Taisce

An Taisce holds 14 properties of ecological, landscape or cultural heritage value. When the privately owned landmark Brown Clayton Monument in county Wexford was severely damaged by lightning strike in 1995, the challenge of securing its future seemed intractable. An Taisce was able to intervene in securing a major six figure grant from the World Monuments Fund (WMF) and establish a proposal by which the damaged column and surrounding land was acquired and restored by the setting up of a partnership company, Wexford Monument Trust, between Wexford county council, An Taisce and WMF, which continues to maintain it.

An Taisce, which is owner of the 18th century Boyne Canal Navigation, has established a partnership with the Irish Inland Waterways Association to restore navigation including lockgates, with work now proceeding on the second gate which will allow rewatering of the canal channel from Drogheda to Newgrange.

9.5 Landscape

Evaluation of landscape is an EU competence as a specific consideration under the Strategic Environmental Assessment (SEA) Directive and Environmental Impact Assessment EIA Directive.

The European Landscape Convention provides overarching principles for landscape under Article 5 General measures:

'Each Party undertakes:

to recognise landscapes in law as an essential component of people's surroundings, an expression of the diversity of their shared cultural and natural heritage, and a foundation of their identity;

to establish and implement landscape policies aimed at landscape protection, management and planning through the adoption of the specific measures set out in Article 6;

to establish procedures for the participation of the general public, local and regional authorities, and other parties with an interest in the definition and implementation of the landscape policies mentioned in paragraph b above;

to integrate landscape into its regional and town planning policies and in its cultural, environmental, agricultural, social and economic policies, as well as in any other policies with possible direct or indirect impact on landscape.'

Under Article 6 – Specific measures requiring particular action are:

'Awareness-raising

Each Party undertakes to increase awareness among the civil society, private organisations, and public authorities of the value of landscapes, their role and changes to them."

Implementation

To put landscape policies into effect, each Party undertakes to introduce instruments aimed at protecting, managing and/or planning the landscape.'

Ireland has systemically failed to apply these key provisions of the European Landscape Convention. Ireland has not put in place the measures required under the European Landscape Convention. While the Planning and Development Act 2000 makes provision for Landscape Conservation Areas, there has been no effective implementation of this provision. Planning Authorities across the country have not undertaken to amend their Development Plans to provide for, and designate, Landscape Conservation Areas. Instead different planning authorities have continued to use their entitlement to designate amenity objectives under various descriptions including Areas of High Amenity and designation of views and prospects. In areas over which planning authorities have control under planning legislation, the level of one off houses permitted outside town and village speed limits is startling. Between 2001 and 2011, 104,058 one-off dwellings were constructed in rural areas, 85% within 5km of a town or village. Between 2011 and 2016, 18,500 were permitted. After the 2008 property crash over 70% of dwellings in defined rural areas are built outside settlement centres, and higher still in some counties.

In his 1948 Radio Eireann address, An Taisce founder president Robert Lloyd Praeger warned that *"strong private interests may be at work which are by their nature prejudicial to the interest of the public. For instance ribbon building presents a difficult problem. It is not right that for a long distance beyond a built up area, a continuous line of houses should shut out that lies behind them"*

In addition to the landscape and other service demand impacts this has contributed to the decline of rural towns and villages, as rural areas become assimilated into the functional car dependent reaches of larger cities. Planning policies have applied poor design and siting standards for farm buildings. The combination of one off housing and poor farm building

design has a major cumulative landscape impact, particularly in western seaboard county areas where sparser hedgerows leaves new development more visually exposed.

A necessary part of Ireland's action on climate is the development of renewable energy. The lack of adequate guidelines on Wind Energy, or any guidelines on Solar PV farms is as undesirable for local communities as it is for applicants advancing energy proposals.

9.5.1 Hedgerows and Field Boundaries

Ireland was subject to legal proceedings by the European Commission under Case C 66-06 on lack of regulation for the removal of hedgerows and field boundaries with resulting biodiversity, as well as landscape, impact. As a consequence of a European Court Judgement against Ireland regulations were introduced to require screening for EIA and a consent regime for removal of boundaries of over 500 meters.

In 2018, the Irish Hedge Laying Association carried out an overview of implementation of the Environmental Impact Assessment (Agriculture) Regulations (SI 456 of 2011). The report raises many concerns over the implementation of the regulations not least in terms of the consultative process.

9.5.2 Peatlands

In addition to the ecological significance Irish Raised and Blanket Bogs, our peatlands are a distinctive landscape feature of European importance.

Ireland was also subject to legal proceedings by the European Commission on adequate protection of peatlands, including lack of EIA for extraction. This case did not proceed to Court on the basis that Ireland introduced additional peatland designations. However, the large scale unregulated mechanised peat extraction for domestic burning and horticulture is continuing. No exit date for the cessation of domestic and horticultural peat extraction is set out in the DCHG National Peatlands Strategy 2015, or the new regulations for extraction of

peatlands over 30 hectares laid before the Oireachtas by the Minister for Housing, Planning and Local Government in January 2019.

9.5.3 Plantation Forestry

In his 1948 Radio Eireann address An Taisce founder President raised called for “the curbing of undue energy on the part of the Forestry Division for the *'regimented rows of incongruous conifers'* in advocating a National Park in Co Wicklow. At that date the afforestation programme was being carried out by the State Forestry Commission, subsequently reconstituted as Coillte. New afforestation is now being carried out on privately owned land with a licensing regime under the Forest Service which is an agency of The Department of Agriculture, Food and Marine. This afforestation is generally occurring in areas with poorer mineral soil quality.

Applications to the Forest Service for afforestation are almost entirely under the 50 hectares threshold for Environmental Impact Assessment. However the EIA Directive requires evaluation of cumulative impact assessment, where a number of individual applications may have a significant impact in combination. The alienation by dark conifer plantations is now a major issue in county Leitrim. Irish forestry policy is continuing to favour non-native Sitka spruce, and other conifers which have an alien character in the Irish Landscape This forestry model is based on a short rotation plantation model which is clear-felled, leaving a blighting effect At the same time take up of native woodland schemes has been poor.

9.5.4 Geological Heritage

Geological heritage is one of the eleven specific considerations under the Heritage Act 1995. Geological sites are both landscape features and may be of biodiversity value also. The Geological Survey has identified a range of sites of geological sites warranting protections.

UNESCO provides the framework for the designation of geoparks or which Ireland has three the county Waterford Copper Coast, the county Clare Cliffs of Moher and Burren area and the

county Fermanagh Marble Arch Caves area. A national protection regime is required for the scheduling of feature sand areas of geological significance.

9.5.6 Access to Landscape

Ireland has major potential to enhance outdoor access and recreation through walking and cycling routes and low impact access to waterways through canoeing and kayaking.

The full development of walking and cycling greenways on redundant railways is desirable. The issue of riverbank pathways and canal tow paths is more problematic, since conflicts arise between upgrading a route to accommodate a hard surface for cycling routes, with the ecology and the character of the existing locations, as has occurred on the River Barrow.

An Taisce would request that you take these concerns in to account.

Is mise le meas,

A handwritten signature in black ink, appearing to read 'Elaine McGoff', written in a cursive style.

Elaine McGoff, PhD

Natural Environment Officer, An Taisce- The National Trust for Ireland.