An Taisce
The National Trust for Ireland

Planning Department
Galway County Council
Áras an Chontae
Prospect Hill
Galway

Submitted via online portal

30th July 2021

RE: Draft Galway County Development Plan 2022-2028

A Chara,

An Taisce welcomes the opportunity to comment on the Draft Galway County Development Plan 2022-2028. We wish to make the following submission, which we request the Council take into consideration in the finalisation and adoption of the Plan.

We would also request that the Council make An Taisce known of any further consultation periods regarding the making of the new Development Plan.

Yours sincerely,

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An Taisce – The National Trust for Ireland

Submission on the Draft Galway County Development Plan 2022-2028



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1. Overarching Comments

The new Galway County Development Plan (hereafter referred to as the CDP or Draft Plan) should represent a catalyst for positive change and facilitate the development of the county in a plan-led, sustainable manner. The CDP should strive to establish a coherent framework for the coordinated sustainable economic, social, cultural and environmental development of the county in line with the UN Sustainable Development Goals.

An Taisce's key objectives in making this submission on the Draft Plan include:

- Ensuring that the climate and biodiversity loss emergencies are addressed at all levels of planning and development;
- Ensuring that European, national, regional and local policy and guidelines are implemented;
- Reducing Ireland's fossil fuel use and greenhouse gas emissions in accordance with EU law;
- Protecting town centres, and counselling against unserviced development and sprawl;
- Promoting compact development served by public transport;
- Promoting rapid and extensive shifts toward walking and cycling and away from private car use;
- Ensuring the implementation of EU environmental law and protecting habitats and biodiversity, particularly Natura 2000 sites;
- Protecting our water bodies and water quality, including through the prevention of inappropriate development;
- Conserving the quality of the Irish landscape, archaeological monuments and built heritage, particularly protected structures;
- Promoting efficient investment in public infrastructure and services; and,
- Promoting local self-reliance, public health and quality of life.

We are pleased that many of these goals already form key parts of the Draft CDP.

1.1 City and County Cooperation

An Taisce recommends that cooperation and coordination between Galway City and Galway County be further enhanced and that this be provided for in the new CDP. This is particularly needed to strengthen vision planning for the extended MASP area around Galway City. We submit that this would benefit from joint meetings between the County and City Strategic Policy Committees. While we are aware that planners and other Council

officers from the City and County do collaborate, we consider that a systems of public forums for City-County cooperation is needed.

2. Addressing the Climate and Biodiversity Emergencies

2.1 Climate Change

Given that the global climate and biodiversity loss emergencies are the defining challenges of our time, An Taisce strongly supports the significantly increased emphasis on climate mitigation and adaptation the Draft Plan, particularly the focus on climate action in Chapter 14.

All climate mitigation provisions in the new CDP must be assessed against Ireland's fair share emissions reduction commitments in line with the Paris Agreement and the need to limit warming to 1.5C over pre-industrial levels. Similarly, the new Plan should ensure that development decisions are also assessed against these commitments. We also recommend that commitments be added to Chapter 11 (Community Development and Social Infrastructure) to address the disproportionate impact of climate change on marginalised communities.

As climate change both impacts and is impacted by all areas of planning and development, we welcome the sections in each chapter that consider the relevant climate context. We similarly welcome the addition of a summary of objectives relating to climate action within Table 14.3 of Chapter 14. However, notwithstanding the chapter-specific climate sections, we consider that the Draft CDP could improve its explicit integration of climate action throughout. We recommend that each chapter of the new plan be *directly* assessed against climate objectives and targets, including those outlined in the Paris Agreement and EU policy.

The recent Draft Longford Development Plan provides a useful example of climate integration throughout the plan. Each chapter contains a climate context section with climate-specific objectives relating to the theme of the chapter. We recommend that a similar approach be added to the Galway Plan.

An Taisce also considers that climate concerns, particularly mitigation of emissions, should figure more prominently in the overall vision and strategy for the Plan. For instance, Section 2.3.11, Key principles of the core strategy, focuses largely on adaptation to the impacts of climate change. We submit that emissions mitigation must be given the same weight.

We would highlight that the National Mitigation Plan was struck down by the Supreme Court on 31 July 2020 for non-compliance with the Climate Action and Low Carbon Development Act 2015. However, we note that the National Mitigation Plan is still included in various sections of the Draft Plan and submit that the Draft should be amended to reflect the Supreme Court Judgement.

Both the policies and the zoning in the new CDP should take account of up-to-date climate projections. This is of particular importance with regard to increased coastal, fluvial and pluvial flood risk. New development proposals should also be required to demonstrate consideration of this.

2.1.1 Just Transition

The equitable and united transition as a society towards decarbonisation is a central tenet of national climate policy, and ensuring a 'Just Transition' should be a guiding principle in forward planning. Our move away from away from fossil fuels and emissions-intensive industries must be equitable and support the viability and vibrancy of life in Galway. It is therefore imperative that workers and other stakeholders impacted by these changes are provided with the appropriate resources, compensation and training. A Just Transition model is needed to plan and deliver a package of complementary interventions to secure livelihoods while shifting rapidly to sustainable methods of energy and food production.

We therefore recommend that the Just Transition principle is integrated into the final Plan (beyond the mention of the fund in Policy Objective CC 7), particularly in relation to peat harvesting, other fossil fuel based industries and agriculture.

2.2 Biodiversity Loss

While the Draft CDP has a strong focus on climate, An Taisce considers that it does not sufficiently address the concurrent biodiversity loss emergency. The 2018 "Living Planet Report" from the World Wildlife Fund[1] presented a very bleak picture of the state of global biodiversity. There has been an overall 60% decline in species population size in just over 40 years (1970-2014). This decline stands at 83% for freshwater species. We would also draw the Council's attention to a recent paper[2] published by an international cohort of

[1] Living Planet Report, World Wildlife Fund (2018): https://www.worldwildlife.org/pages/living-planet-report-2018

[2] Bradshaw et al (2021) Underestimating the Challenges of Avoiding a Ghastly Future, Frontiers in Conservation Science: https://www.frontiersin.org/articles/10.3389/fcosc.2020.615419/full ; Covered in the *Irish Times* here: https://www.irishtimes.com/news/environment/a-ghastly-future-leading-scientists-offer-bleak-prediction-for-civilisation-1.4456653

researchers highlighting the scale of the challenge posed by biodiversity loss, the implications for human society and the lack of adequate responses from policymakers.

We submit that the new CDP should directly and thoroughly address the gravity of the biodiversity crisis in a manner commensurate to the way it in which addresses the climate crisis. While there are many robust objectives in the Draft Plan aimed at ecological protection, especially in Chapter 10, we do not consider that the Draft Plan as a whole sufficiently considers the context or addresses the scale of the current biodiversity loss emergency.

3. Sustainable Settlement

The defining pattern of settlement development in Galway, and indeed around Ireland, in recent decades has generally been of a sprawling, uncoordinated nature where land has been developed in a 'leapfrog', low-density pattern. This type of land use has diminished the liveability of areas, created places that lack adequate public facilities, and generated car dependency for long commutes.

To achieve compact and sustainable settlement, combat rising transport emissions, and improve the quality of life for citizens, it is imperative that the new CDP addresses future population growth and continues to encourage a shift away from dispersed, car-orientated development patterns to walkable, cycleable, transit-orientated and consolidated urban forms. A crucial aspect of this will be the maintenance of and improvement in investment in public transport, walking and cycling to offer communities viable alternatives to private cars.

The prioritisation of future development in Galway's towns towards efficient, compact, and serviced locations in accordance with the sequential approach and existing infrastructural capacity is critical. The CDP should be guided by the existing essential social infrastructure (schools, community facilities, etc.) and physical infrastructure (transport, water services, communications, etc.), including realistic prospects for addressing capacity constraints. Where services are not available, there should be a reasonable expectation of their provision within the plan period. Land should not be zoned if there is no reliable prospect of providing key physical infrastructure within the plan period or within a reasonable time period thereafter, such as improved roads, footpaths, drainage and lighting to serve likely future development. The Council should engage with the providers of essential physical and social infrastructure and ensure that the town-specific policies are based on realistic assessments regarding the funding and timing of such infrastructure, recognising that some levels of strategic infrastructure may take a number of cycles to provide.

An Taisce therefore welcomes the many commitments throughout the Draft Plan to, for example:

- Promote compact development;
- Locate residential development "*at or close to the services people will rely on to support sustainable living*";
- Create walkable and cycleable places and support public transport provision;
- Prioritise brownfield, infill and underutilised land in future development;
- Encourage the renovation of vacant and/or derelict dwellings;
- Facilitate inclusive placemaking;
- Strengthen rural towns and settlement centres.

We also welcome the recognition in Section 4.4 in relation to one-off housing:

> "*The sporadic nature of one-off housing results in an over-dependence on the car, with limited opportunities for people to walk or cycle due to the distance between homes and school, work or local services. As we strive to mitigate against the impacts of climate change, it is important that future development patterns reduce our carbon footprint, protects our environment and promotes more sustainable ways of living."*

However, we consider that the policies directing new residential development to existing settlements and the criteria for limiting one-off housing to those with a demonstrated need should be as robust as possible as well as fully implemented and enforced.

As an additional measure to address compact settlement creation and the issues discussed above, An Taisce recommends that the Council make the seven location test standards for new housing outlined in the now replaced National Spatial Strategy 2002 (see chart below) a mandatory CDP requirement for new housing development. Unlike sustainability and quality of life indicators, these should be strictly enforced threshold standards without which no development should be permitted. This requires that zoning and decisions for new housing be conditional on integration with existing communities, affordability and mix of housing types, walking and cycling access to local services and schools, public transport access to employment locations, and availability of recreation facilities.

	Evaluation Considerations
The Asset Test	Are there existing community resources such as schools, etc. with spare capacity?
The Carrying Capacity Test	Is the environmental setting capable of absorbing development in terms of drainage, etc.?
The Transport Test	Is there potential for reinforcing usage of public transport, walking and cycling?
The Economic Development Test	Is there potential to ensure integration between the location of housing and employment?
The Character Test	Will the proposal reinforce a sense of place and character?
The Community Test	Will the proposal reinforce the integrity and vitality of the local community and services that can be provided?
The Integration Test	Will the proposal aid an integrated approach to catering for the housing needs of all sections of society?

Tests for housing locations from the National Spatial Strategy 2002

3.1 Town Centres

An Taisce welcomes the Policy Objectives in the Draft CDP that promote town centre vitality and regeneration. These are also supported by the 2020 Programme for Government, which includes a mandate for implementing a Town Centres First policy to: "*implement a strategic approach to town centre regeneration by utilising existing buildings and unused lands for new development, and promote residential occupancy in our rural towns and villages. We will use the National Planning Framework as our template*."

4. Rural Development

Please note that rural housing and settlement is addressed in the preceding section of this submission.

4.1 Agriculture

Current models of intensive agriculture in Ireland are resulting in an array of adverse impacts including to water quality, air and climate, and biodiversity.

The EPA released the Water Quality in 2020 report[3] on 14th July 2021, indicating that nearly half of our rivers (47%) and a third of lakes are failing to meet their environmental quality standards for nutrients, with serious consequences for the health of Irish waters. Rather than meeting our obligations under the Water Framework Directive to halt and reverse water pollution, it is actually on the rise: more than one third of river sites (38%) have increasing levels of nitrate pollution.

Similarly, the 2019 data[4] (published in December 2020) highlighted that agricultural activities are the most significant source of pollution for Irish waters, with a direct impact on 53% of the 1,460 water bodies monitored. Critically the 2020 report outlined:

> *"Of significant concern is the finding that nitrate is increasing in nearly half of our river sites. Phosphate levels are also on the rise in a quarter of river sites. This is in sharp contrast to the picture prior to 2015 when only a small proportion of sites had increasing nitrate and phosphate concentrations (1.4% and 4.2%, respectively)."*

These results build on those from the more comprehensive EPA report in 2019[5], which presented the results of the second six-year assessment undertaken since the introduction of the Water Framework Directive (WFD) for 2013-2018[6], providing a full assessment of the state of Ireland's aquatic environment, including the ecological and chemical status of Ireland's surface waters and the quantitative and chemical status of its groundwater resource. That report highlighted that more than half our rivers, lakes and estuaries (47%; 49.5%; and 62% respectively) were in less than good status. The following excerpt is particularly critical:

> *"there has been an overall decline in surface water quality, especially in our rivers, following a period between 2004 and 2012 when overall water quality levels had improved, albeit with persistent deterioration of our highest quality waters. This recent net decline in water quality means meeting the targets set in Ireland's River Basin Management Plan 2018-2021* ***will be extremely challenging unless urgent steps are taken to address the causes of deterioration****. The increase in nutrient concentrations, which coincide with areas impacted by agricultural activities, are a particular concern, in the context of the ambition for further growth in the sector under the FoodWise 2025 strategy."* [An Taisce emphasis]

[3] EPA (2021) Water Quality in 2020: An Indicators Report. https://www.epa.ie/publications/monitoring--assessment/freshwater--marine/EPA_Water_Quality_2020_indicators-report.pdf
[4] Environmental Protection Agency (2020) Water Quality in 2019: An Indicators Report. https://www.epa.ie/pubs/reports/water/waterqua/waterqualityin2019-anindicatorsreport.html
[5] Environmental Protection Agency (2019) Water Quality in Ireland 2013-2018. https://www.epa.ie/pubs/reports/water/waterqua/waterqualityinireland2013-2018.html
[6] Ibid.

The latest EPA water quality reports discussed above are a clear indication that the water protection measures currently in place under the Nitrates Directive are failing to adequately protect our water quality, despite increased investment in this area, with the establishment of Agricultural Sustainability Support and Advisory Programme (ASSAP), and other measures intended to address this. Ireland has obligations under the EU Water Framework Directive to bring all water bodies into good status by 2027, and roughly 50% of waters are currently failing this.

Ireland is also in ongoing breach of its 116kt per annum limit under the National Emissions Ceiling Directive (2016/2284/EU),[7] 99% of which is caused by agriculture. This breach is currently subject to an EU legal infringement complaint. Ireland is legally obliged under the Directive to decrease its ammonia emissions to 107.5kt by 2030. While previous reporting indicated that Ireland's total ammonia emissions were already in breach of EU thresholds since 2016, this is now recognised as a serious undercount. Data released by the EPA in June 2021[8] highlights that the State has been non-compliant for seven out of the last nine years, driven by growth of the agriculture sector.

Ammonia is a toxic gas that is a major by-product of animal-based agriculture that combines with other pollutants to form $PM_{2.5}$, one of the most dangerous and deadly types of air pollution particles. This small particulate matter is well known to be harmful to health, penetrating deep into the lungs, and is linked to higher death rates, respiratory problems, cardiovascular diseases, cognitive decline and low birth weights. A recent study found that at least 3,000 premature deaths could be prevented annually in the UK by cutting ammonia emissions in half.

This gas also poses a serious threat to biodiversity, with well-established links between ammonia and biodiversity loss. It can cause soil acidification and runoff of polluting nitrates into nearby waterbodies. It also impacts some of the country's most pristine habitats such as bogs and heaths, killing the sensitive species, such as lichens and mosses, and damaging whole ecosystems.

Agriculture is also a major emitter of greenhouse gases and is contributing significantly to Ireland's ongoing failures to reach its legally binding Paris Agreement targets; GHGs from agriculture account for one third of Ireland's total emissions.

[7] EPA, June 2020, Ireland's Air Pollutant Emissions: https://www.epa.ie/pubs/reports/air/airemissions/irelandsairpollutantemissions2018/EPA-Air-Pollutant-Emissions-website.pdf; https://www.epa.ie/news-releases/news-releases-2021/ireland-continues-to-be-in-non-compliance-with-the-eu-national-emissions-ceiling-directive.php

[8] EPA, June 2021, Ireland's Air Pollutant Emissions: https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/EPA-Irelands-Air-Pollutant-Emissions-report_2021Final.pdf

It is submitted that stronger Policy Objectives are required to promote environmentally sustainable agriculture while reflecting the scale of the changes needed in the agricultural sector to address the aforementioned issues. These issues are also not sufficiently addressed in Chapter 14 on Climate Action. We submit that objectives are required to ensure that permission for agricultural developments is only granted when the direct, indirect and cumulative impacts of a proposal to water, air, climate and biodiversity have been evaluated and mitigated if necessary. This includes impacts in the wider landholding (outside of the red line-bounded site) resulting from activities resulting from or facilitating the proposal (e.g. slurry spreading in relation to an application requiring slurry storage). Compliance with the Habitats, Birds, Water Framework and Nitrates Directives is also key.

The new CDP should also require compliance with River Basin Management Plans as well as the use of catchment sensitive farming practices.

4.1.1 Diversification

An Taisce fully recognises that agriculture will continue to form a key part of the rural economy in Galway. In the interest of making it maximally sustainable, we therefore welcome the inclusion of specific policy objectives promoting agricultural diversification and water protection. We recommend these specifically promote the production of vegetables, grains, nuts, pulses, fruits, etc.

4.1.2 New European Strategies

In May 2020, in furtherance of the European Green Deal, the EU Commission published in parallel "A Farm to Fork Strategy" and the "EU Biodiversity Strategy for 2030 - Bringing nature back into our lives". The Biodiversity Strategy includes 14 key targets, the majority of which are relevant to agriculture (see Section 10 below on biodiversity for the full list).

We submit that the policies, objectives and targets of these two strategies should be incorporated into the new CDP. We therefore recommend the inclusion of the following policy objective:

> "*Galway County Council will implement the objectives and targets at county level of the EU 'A Farm to Fork strategy', published in May 2020. The Council will also implement the targets of the 14-point EU Nature Restoration Plan in the 'EU Biodiversity Strategy for 2030 - Bringing nature back into our lives'. Agricultural development proposals must demonstrate compliance with the targets and policies of both strategies.*"

4.1.3 Horticulture

We consider that Policy Objective HO2 should be significantly strengthened in relation to the need to rapidly move away from the use peat for horticulture, the extraction of which is highly ecologically damaging and causes the release of significant amounts of carbon. This would better complement the objectives in Chapter 10 on the ecological protection of peatlands.

4.2 Forestry

An Taisce considers that the objectives around forestry should better differentiate between the planting of native woodland and the planting of other species such as sitka spruce, which create what are essentially ecological dead zones. We also suggest that greater emphasis be placed on facilitating the planting of native broadleaf woodlands.

4.3 Mineral Extraction and Quarries

We submit that an additional policy objective be included to require strict enforcement against unauthorised development and of conditions applied to permitted quarry development. We also consider that Section 35 of the Planning and Development Act 2000 (as amended) regarding past failures to comply should be rigorously applied to proposals for continued or expanding quarrying operations.

5. Economic Development

We welcome the objectives to support remote working as this has the potential to contribute significantly to the vitality and long-term viability of Galway's rural areas and small towns.

All new commercial and business developments (such as the Innovation, Business and Technology Campus on the former airport site) should apply sustainable transport principles, not just *within* the site but *to* the site.

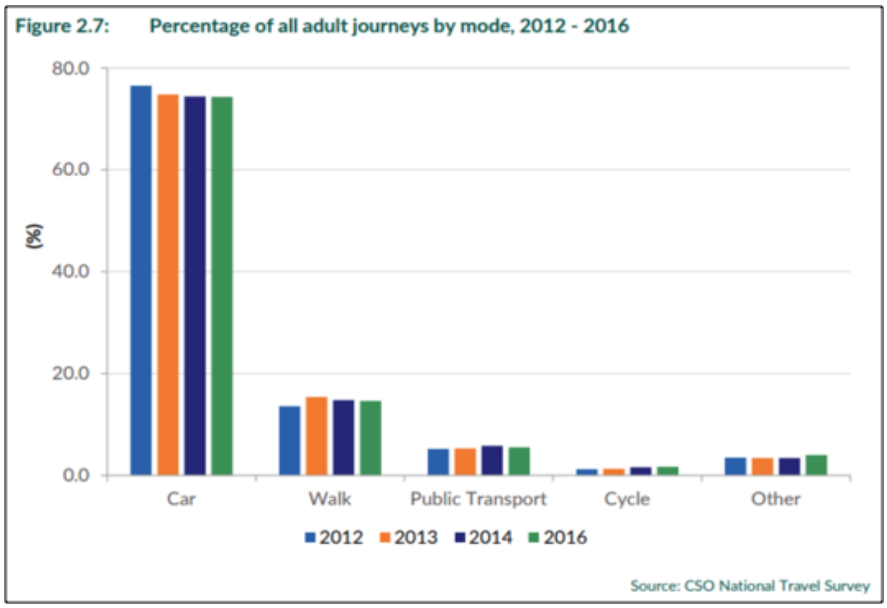
6. Sustainable Transport

To achieve compact and sustainable settlement, combat rising transport emissions, and improve the quality of life for people in Galway, it is imperative that the CDP comprehensively addresses future population growth and encourages a shift away from dispersed settlement towards more consolidated urban forms. A crucial aspect of this is that

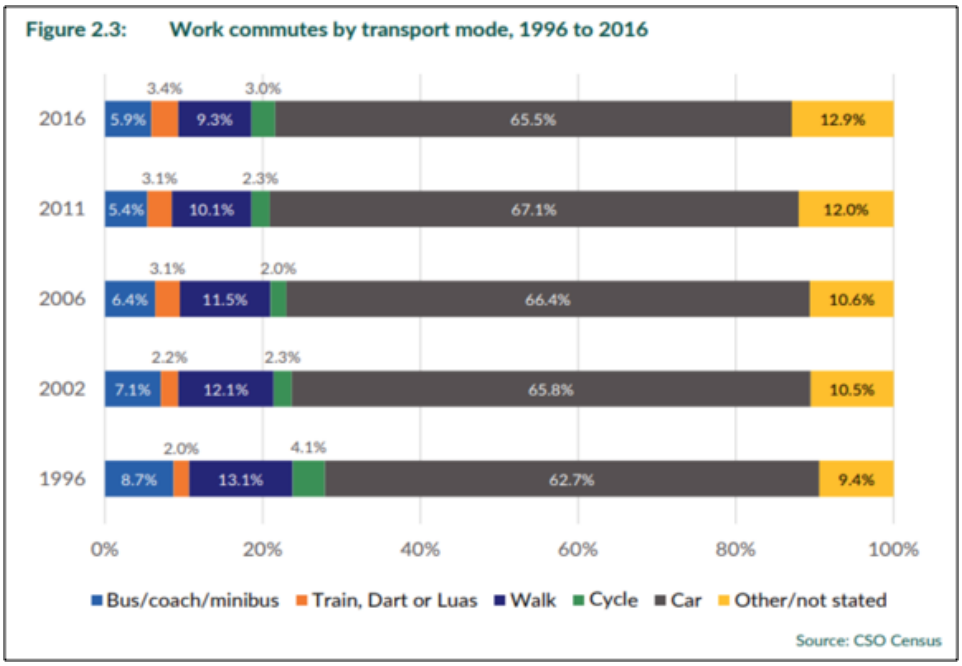
investment in public transport, walking and cycling is maintained and improved across the county in order to offer communities viable alternatives to private cars.

The data presented in a recent Government review of sustainable mobility policy make it unequivocally clear that Ireland has failed to achieve the modal shift in transport that was envisioned in the Smarter Travel policy (2009) and a suite of other transport-related policies. This presents a significant climate mitigation challenge as well, since EPA data indicate that transport accounted for 20.4% of Ireland's overall greenhouse gas emissions in 2019.

CSO data show that private car dependence is extremely high across Ireland - 74.3% of all journeys are made by car. 15% are made on foot while only 5.5% are by public transport and 2% by bicycle (see chart below). We note that the National Cycling Strategy, which ran in parallel to Smarter Travel, provided that 10% of all journeys would be made by bike by 2020. Notably, public transport use and accessibility in smaller towns and rural areas is also particularly poor.



Similarly, a cornerstone target of the Smarter Travel policy was that commuting journeys made by car should drop from 65% to 45% by 2020 while commuter journeys by walking, cycling and public transport should increase to account for 55%. As the 2016 census data below shows, we have completely failed to achieve that. In fact, the share of car journeys to work has risen since 1996 and actually surpassed the Smarter Travel baseline of 65%. The percentage of commutes made by cycling, walking or taking the bus has decreased and is nowhere near the 55% share stipulated by Smarter Travel.



According to the data presented in the Draft CDP, Galway's reliance on private cars for commuting journeys is higher than the national average – 71.4% of people travel to work by car. Only 1.9% use public transport, 4.7% commute by foot and less than 1% cycle.

An Taisce therefore welcomes the many transport and mobility provisions which aim to support the objectives of compact development, integrate land use and transport planning, facilitate a modal shift away from car dependency, and support the provision of public transport as well as high quality pedestrian and cycling infrastructure. We make the following recommendations to bolster the ability of the plan to deliver on sustainable transport objectives.

Crucially, we submit that robust targeted and timelined plans are needed to ensure the efficient implementation of these policies. We recommend that specific modal shift targets for 2028, (settlement-specific targets and an overall county target) be set in line with the Smarter Travel policy.

We also submit that the language changes in various Policy Objectives would strengthen the Plan's commitments to improving transport. For instance, Policy Objective GCTPS 3 Sustainable Transport should be amended as follows:

> "*The County will ~~seek to~~ support a variety of measures which will reduce car dependency for residents, and will specifically ~~seek to~~ improve access to sustainable*

transport choices (including responsive and "flexible" modes) for those residents in rural areas of the County."

GCTPS 6 Road Based Public Transport would be similarly strengthened by the removal of "seek to". PT 1 Sustainable Modes of Transport should be amended to: *"To ~~encourage~~* ***facilitate*** *a modal shift form the use of the private car towards more sustainable modes of transport."*

An additional specific measure that An Taisce recommends for inclusion is an explicit Policy Objective ensuring that sufficient public transport capacity as well as safe cycling and pedestrian infrastructure be provided *prior to or in tandem with* any new residential development. Increased sustainable transport infrastructure and capacity provision needs to come before expanded residential development, particularly in larger towns and their catchment areas.

Significant amounts of existing road space also needs to be reallocated for high quality segregated cycle lanes and footpaths.

6.1 Programme for Government

The 2020 Programme for Government sets out as an overarching mission: *"A Better Quality of Life for All"* with *"A national clean air strategy," "Better work life balance"* and *"a fundamental change in the nature of transport in Ireland"* as key objectives. It sets out as immediate priority actions:

> *"Necessary improvements in climate impact, quality of life, air quality and physical and mental health demand that every effort is made by the Government to make active travel and public transport better and more accessible."*
>
> *"Each local authority will be immediately mandated to carry out an assessment of the road network, to see what space can be allocated for pedestrians and cyclists. This should be done immediately*."

In light of the Programme for Government mandate and the aforementioned transport data, we cannot overstate the urgency with which the Council needs to address the current unsustainability of transport in the county and the ongoing failure to achieve meaningful progress toward a modal shift away from private car use. We therefore recommend that provision for the immediate review called for in the Programme for Government be included in the CDP.

6.2 Road Investment

We submit that transport policy and investment in Galway should be reprioritised away from road infrastructure, of course with the exception of necessary maintenance and small town bypasses, and instead redirected to support public and active transport projects and cycling infrastructure. This should align with the Programme for Government commitment to a 2:1 ratio of expenditure between new public transport infrastructure and new roads. We consider that any future investment in motorway or dual carriageway schemes, other than small-scale bypasses to relieve urban congestion points, would be a misdirection and misspending of limited public money.

The N6 Bypass remains a significant concern for An Taisce. Our Galway Local Association and our Head Office have engaged extensively on this issue throughout the development process. We consider that the plan runs completely counter to sustainable transport policies and will increase rather than decrease dependence on private car use. It will also likely facilitate further sprawl around Galway City and exacerbate traffic congestion.

7. Infrastructure Utilities and Environmental Protection

7.1 Water and Wastewater

The management of surface and ground water in accordance with the provisions of the EU Water Framework Directive (WFD) and Groundwater Directive will be one of the most crucial challenges in this new CDP. Ireland faces an immense challenge in achieving 'good' status in all water bodies by 2027 as required by the WFD (see also Section 4.1 above on current WFD issues).

We submit that Policy Objective WS 7 should be amended to include a requirement for all development proposals to demonstrate full compliance with the WFD, Groundwater Directive and River Basin Management Plans.

7.1.1 Wastewater

An Taisce has serious ongoing concerns regarding wastewater drainage, particularly in the Galway Bay area. We have submitted a formal complaint on this matter to the EPA, including an extensive water quality analysis.

The completion of drainage plans has been slow and not kept pace with the rapid expansion of development. For instance, the Drainage Area Plan (DAP) for the Galway City Area

(started in 2016) was due for completion in 2019. Table 7.8 of the Draft Plan states that Stage 3 (of 4) of the DAP will be complete by Q3 of 2022. Irish Water's Annual Environmental Report for 2020 suggests that the DAP will not be complete until 2024 or after. This process should be significantly accelerated, as ongoing delays while development proceeds rapidly will continue to exacerbate the environmental impacts of inadequate wastewater treatment capacity in the area.

The Council should also take all the necessary steps to ensure the completion of the Greater Galway Area Drainage Strategy in 2022.

We also highlight the ongoing failure to develop adequate wastewater treatment facilities at Kilronan on Inis Mór (see Section 12 for more on this issue).

While connection to public wastewater infrastructure is preferable to further proliferation of private systems, planning permission for developments that require additional public wastewater treatment capacity must be deemed premature until such capacity is in place. Policy Objective WW 4 therefore must be rigorously enforced. Furthermore, land should not be zoned if there is no plan in place to provide the necessary wastewater treatment capacity within the plan period.

The range of new treatment plants, etc. as noted in Table 7.8 are welcome. However, we cannot overemphasise the urgency with which wastewater treatment issues in the County must be resolved. Cooperation with the City Council will be crucial in addressing these problems in many cases.

7.1.2 Private Treatment Systems

The ongoing proliferation of private wastewater treatment systems will present significant challenges for the achievement of Ireland's legally binding water quality targets under the WFD. We therefore welcome Policy Objective WS 8 but recommend that it be strengthened by the inclusion of criteria to better define "over-concentration/proliferation". Defining criteria should be done with the protection of water quality prioritised. The CDP should also ensure the adequate provision of serviced sites within close proximity to established water/wastewater infrastructure, where a connection to services can be readily facilitated, and where there is sufficient cumulative capacity within the wastewater treatment plant.

We also recommend the insertion of a policy objective to promote changeover from septic tanks to public collection networks in all cases where this is feasible.

7.1.2 Unassigned Waterbodies

We would highlight the recent court ruling by Justice Hyland (2018 740 JR), which clarifies how unassigned waterbodies must be treated when assessing planning applications against WFD requirements, with implications for projects in proximity to unassigned waterbodies:

> "*The WFD, as interpreted by the CJEU, requires a Member State to ensure that the requirements of Article 4 are met before permission is granted. It cannot be so satisfied in respect of development affecting a water body whose status has (in breach of the WFD and the implementing regulations in Ireland) not been assigned by the EPA*." [para 130 2018 740 JR]

It is submitted that the new CDP should take account of this ruling and its implications for granting planning permissions.

7.2. Electricity - Gas Network and Fossil Fuels

See Section 13 of this submission.

7.3 Air Quality - Ammonia

See Section 4.1 of this submission on Ireland's ongoing breach of legally binding ammonia limits. We recommend the inclusion of a specific objective on the mitigation of ammonia emissions.

8. Tourism and Landscape

8.1 Sustainable Tourism

It is a particular objective of An Taisce that future tourism and recreational visitor promotion nationally should be as car-free as possible. A new tourist model is required based on longer area-based stays accommodated in locations to a level commensurate with the capacity of the host environment rather than high volume car trips and drive-through tourism. It should and on enhanced promotion and development of safe greenway cycling routes, and attractive walking and hiking routes and other outdoor activities for all ages and abilities. It is noted that the 2020 Programme for Government sets out a range of policies on tourism including to: "*Develop Ireland as a **long stay** tourism destination to spread tourism more evenly across the country. This will help reduce emissions and maximise economic return*" (emphasis added).

The overarching consideration of any tourism project needs to:

A. Assess the suitability of its nature, scale and location impact; and
B. Ensure that there will be no direct, indirect or cumulative adverse impacts on the quality and character of the host location and wider area (for example, causing traffic congestion and damaging nature conservation sites).

Projects seeking to attract larger visitor numbers, and consequently causing traffic generation and physical impacts, should not be located in areas of ecological or landscape sensitivity and which do not have the carrying capacity for the impact and service demand generated.

Policy Objectives TI 1 and 2 to provide for additional tourist infrastructure and accommodation in appropriate locations, particularly in existing settlements, are noted and welcome. We also welcome the various Policy Objectives, including CT 3 and HT 3, to promote Galway as a destination for low-impact activities that both showcase and protect the county's environment and natural beauty.

We also welcome the Policy Objectives to continue promoting the development of walking and cycling routes greenways. We submit that GBW 1 could be amended to specifically commit to avoiding conflicts with sensitive ecological sites and ensuring compliance with the Habitats and Birds Directives. Similar commitments to compliance with EU Directives are welcome in LWT 1.

However, there is an overall need to better integrate sustainable transport integration with tourism. We recommend the inclusion of additional explicit objectives to:

- Increase the access to public transport, walking and cycling options from key tourist destinations and accommodation hubs;
- Increase car-free, long-stay trips; and
- Provide for additional tourist accommodation in appropriate locations, particularly in areas with existing services and infrastructure.

8.2 Landscape

Galway is place of stunning natural beauty in many forms and the attention to this in the landscape Policy Objectives is welcome. We consider that specific objectives for landscape level protection are needed for the Connemara area.

9. Marine and Coastal Management

We note that many of the objectives in the Draft CDP appear to prioritise economic growth in the marine area over the protection of marine ecology, including MCE 1:

> "*To support development and growth of the maritime economy and balance the competing demands for available space along the coast by different users and encourage co-location and coexistence of activities and infrastructure while having regard to appropriate environmental considerations*."

An Taisce considers that instead of the ocean environment being simply another pillar of a sustainable approach to marine planning, in addition to social and economic concerns, it must be recognised that a healthy ocean ecosystem is absolutely fundamental for the realisation of any economic or social benefits. The Policy Objectives for the marine area should therefore directly address the trade-offs that may arise between economic interests and the pressing need to address declining marine biodiversity.

We recommend that an ecosystem approach be adopted in the CDP's marine-related policy involving basing all decisions on the proper functioning of the ecosystems upon which human activities in the marine area depend. This would better ensure that the ecological health of the marine area takes precedence over human pressures such as fishing and aquaculture. Indeed, such an approach will have long-term economic benefits, particularly for coastal communities, as our seas return to a healthier ecological state. We consider that an objective to apply this approach for marine planning and policy should be explicitly stated. This is particularly important in light of the imminent commencement of the new marine planning regime.

An Taisce therefore welcomes the commitments in Policy Objectives MCC 1-4 with regard to the environmental protection of the coastal area.

In addition, it is key that the final plan includes an objective to ensure that any economic activity which utilises the marine area must comply with the Marine Strategy Framework Directive and achieve the legally binding target for reaching Good Environmental Status in coastal and marine waters.

9.1 Aquaculture and Fishing

We also consider that an explicit commitment to ecological protection and an ecosystems approach is required in the objectives relating to aquaculture and fisheries.

We submit that the ambition of Objective AF 1 pertaining to aquaculture could be strengthened by a commitment to using an ecosystems approach. We consider that an explicit statement relating to compliance with Habitats Directives requirements is needed here.

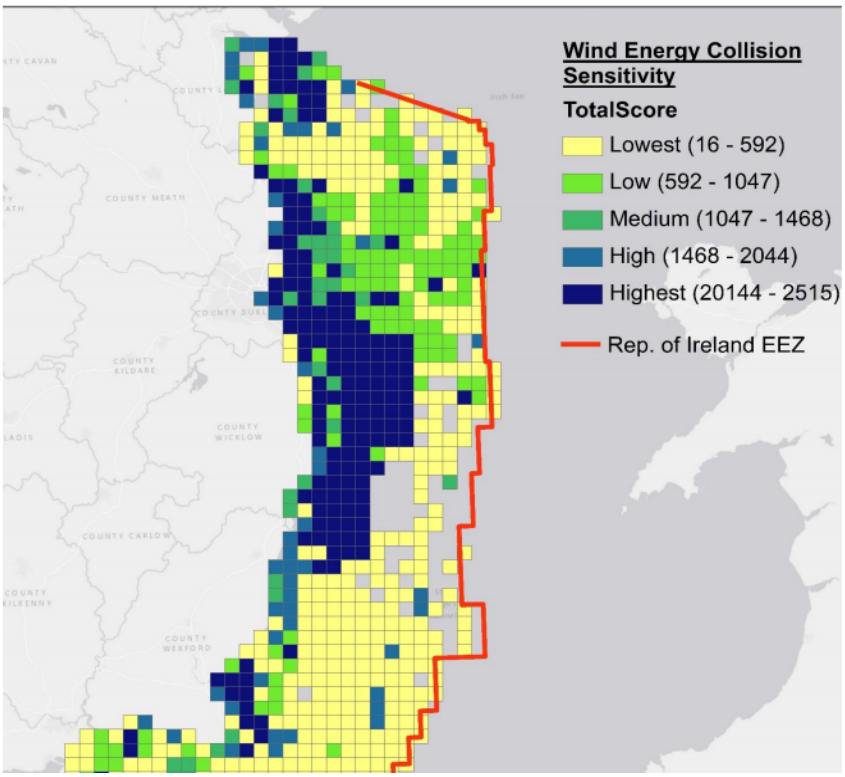
Similar amendments are also needed in the Policy Objectives relating to shellfish. SF 2 should be further strengthened by the removal of "seek to".

9.2 Marine Renewable Energy

The development of a sustainable and effective offshore energy regime for Ireland is a major strategic priority for the decade ahead. Wind energy installation has been decreasing in costs, and the technology for the deployment of floating turbines is now in place, radically increasing the marine area open to consideration for use (subject to ecological constraints).

It is essential to ensure that the advancement of wind turbine deployment to address the climate emergency is reconciled with the biodiversity loss emergency. Birdwatch Ireland has been trialling a bird sensitivity mapping tool[9] which could be used to identify potential constraints early in the planning process. It would allow developers to further investigate the potential risk of impacts and include suitable mitigation measures where necessary. An example of this trial sensitivity mapping is given below, adapted from Figure 4 in the original publication.

[9] Burke, B. (2018) Trialling a Seabird Sensitivity Mapping Tool for Marine Renewable Energy Developments in Ireland. BirdWatch Ireland, Kilcoole, Co. Wicklow.



Trial bird sensitivity mapping by Birdwatch Ireland[10]

We therefore recommend that the CDP include a policy requiring the use of a seabird sensitivity map in the early stages of planning, to assess the risk posed by marine renewable energy developments, and to fully comply with our legal obligations to protect birds and their habitats.

We also recommend that Policy Objective MRE 1 be amended to explicitly include a requirement for compliance with Environmental Impact Assessment, Birds and Habitats Directives obligations.

9.3 Marine Resource Innovation Park

We submit that Policy Objectives MRI 1 and 2 be amended to explicitly include a requirement for compliance with Environmental Impact Assessment, Birds, and Habitats Directives obligations.

[10] Ibid

10. Natural Heritage, Biodiversity and Green/Blue Infrastructure

10.1 Biodiversity

Ireland has a poor record when it comes to protecting the natural environment. The sprawling nature of development is a driving force for habitat fragmentation, biodiversity loss and agriculture-related land loss and is contributing to climate change.

The 2019 report on "The Status of EU Protected Habitats and Species in Ireland" (prepared every six years as required by Article 17 of the EU Habitats Directive)[11] illustrates the poor condition of Ireland's biodiversity. Out of Ireland's 59 European protected habitats, 85% were assessed as being in an unfavourable conservation status and 46% suffering from ongoing declines. The report highlighted agriculture and development (housing, commercial, industrial, and recreational) as two of the primary threats facing these habitats.

In light of the above, the urgency with which we need to address the biodiversity loss emergency must be reflected in the CDP. As such, we are pleased to see the suite of policies aimed at biodiversity protection and enhancement, including for Galway's many Special Areas of Conservation, Special Protection Areas, Natural Heritage Areas (existing and proposed) and other protected sites.

However, the implementation and enforcement of these policies, whether in relation to protected sites or biodiversity and ecology more broadly, must be upheld in the planning process at all levels. In An Taisce's experience, this is frequently not the case.

10.1.1 Habitats Directive Requirements

In light of the aforementioned poor state of many of Ireland's protected habitats and species, we would highlight the strict legal requirements of the Habitat's Directive with regard to the granting of planning permission where the proposal could impact Natura 2000 sites.

It is now well established in law that approval can only be granted for plans and projects when it has been established beyond all reasonable scientific doubt that the subject proposal will not adversely impact any Natura 2000 sites.

In Case C-258/11, Sweetman & Others v An Bord Pleanála & Others, it was held that the provisions of Articles 6(2)–(4) of the Habitats Directive must be interpreted together "*as a*

[11] Habitats Directive Article 17 Report Summary 2019: https://www.npws.ie/sites/default/files/publications/pdf/NPWS_2019_Vol1_Summary_Article17.pdf

coherent whole in the light of the conservation objectives pursued by the directive" and that they impose a series of specific obligations necessary to achieve and maintain favourable conservation status. A plan or project will negatively impact upon a site if it prevented the "*lasting preservation of the constitutive characteristics*" of the site for which it was designated, with reference to the site's conservation objectives. Significantly it was determined that "*authorisation for a plan or project ....may therefore be given only on condition that the competent authorities ....are certain that the plan or project will not have lasting adverse effects on the integrity of the site. That is so where* ***no reasonable scientific doubt remains*** *as to the absence of such effects*" [emphasis added].

The competent authority must therefore refuse authorisation for any plans or projects where there is uncertainty as to whether the plan or project will have adverse effects on the integrity of the site. It was also held in paragraph 44 that:

> "*So far as concerns the assessment carried out under Article 6(3) of the Habitats Directive, it should be pointed out that it* ***cannot have lacunae*** *and* ***must contain complete, precise and definitive findings*** *and conclusions capable of removing all reasonable scientific doubt as to the effects of the works proposed on the protected site concerned (see, to this effect, Case C 404/09 Commission v Spain, paragraph 100 and the case-law cited)...*" [emphasis added].

In Kelly v An Bord Pleanála & Others, [2013 No 802 J.R.] with reference to Commission v Spain c-404/09, the High Court held in paragraph 36 that the competent authority must carry out an Appropriate Assessment for a plan or project in light of the best scientific knowledge in the field. It was also held that the competent authority must lay out the rational and reasoning which was used to arrive at the determination.

The case repeated the conclusion of the CJEU at paragraph 44 in the aforementioned Case C-258/11, namely that an AA "*cannot have lacunae and must contain complete, precise and definitive findings and conclusions capable of removing all reasonable scientific doubt*." Consequently, it was held that an AA must include "*examination, analysis, evaluation, findings, conclusions and a final determination*."

The Kelly Judgement has provided a very helpful clarification of the requirements of an AA and in particular in paragraph 40, a summary of what must be delivered by the process in order to be lawfully conducted:

> *"(i) Must identify, in the light of the best scientific knowledge in the field, all aspects of the development project which can, by itself or in combination with other plans or*

projects, affect the European site in the light of its conservation objectives. This clearly requires both examination and analysis.

(ii) Must contain complete, precise and definitive findings and conclusions and may not have lacunae or gaps. The requirement for precise and definitive findings and conclusions appears to require analysis, evaluation and decisions. Further, the reference to findings and conclusions in a scientific context requires both findings following analysis and conclusions following an evaluation each in the light of the best scientific knowledge in the field.

(iii) May only include a determination that the proposed development will not adversely affect the integrity of any relevant European site where upon the basis of complete, precise and definitive findings and conclusions made the Board decides that no reasonable scientific doubt remains as to the absence of the identified potential effects."

If uncertainty exists regarding the potential impact of any proposed development full account should be taken of the precautionary principle, and the development should be refused.

These points of law regarding Appropriate Assessment must be upheld in the planning process in Galway and provided for in the CDP.

10.1.2 EU Biodiversity Strategy

We recommend that the implementation of the 14 points in the EU Biodiversity Strategy 2030 should be included as a specific biodiversity objective:

1. *Legally-binding EU nature restoration targets will be proposed in 2021, subject to an environmental impact assessment. By 2030, significant areas of degraded and carbon-rich ecosystems are restored; habitats and species show no deterioration in conservation trends and status; and at least 30% reach favourable conservation status or at least show a positive trend.*
2. *The decline in pollinators is reversed.*
3. *The risk and use of chemical pesticides is reduced by 50% and the use of more hazardous pesticides is reduced by 50%.*
4. *At least 10% of agricultural area is under high-diversity landscape features.*
5. *At least 25% of agricultural land is under organic farming management, and the uptake of agro-ecological practices is significantly increased.*
6. *Three billion new trees are planted in the EU, in full respect of ecological principles.*
7. *Significant progress has been made in the remediation of contaminated soil sites.*

8. *At least 25,000 km of free-flowing rivers are restored.*
9. *There is a 50% reduction in the number of Red List species threatened by invasive alien species.*
10. *The losses of nutrients from fertilisers are reduced by 50%, resulting in the reduction of the use of fertilisers by at least 20%.*
11. *Cities with at least 20,000 inhabitants have an ambitious Urban Greening Plan.*
12. *No chemical pesticides are used in sensitive areas such as EU urban green areas.*
13. *The negative impacts on sensitive species and habitats, including on the seabed through fishing and extraction activities, are substantially reduced to achieve good environmental status.*
14. *The by-catch of species is eliminated or reduced to a level that allows species recovery and conservation.*

10.2 Green Infrastructure

We welcome the Draft Plan's approach to green infrastructure and the recognition of the benefits to both environment and communities. Policy Objective GBI 1 for the inclusion of green/blue infrastructure plan for large development proposals is particularly welcome.

10.2.1 Greenways and Blueways

We welcome the progress made to date on the development of a network of greenways and blueways in Galway. We recommend that specific targets for further progress during the lifetime of the new CDP be set in the Draft Plan.

10.2.2 Urban Greening

We would highlight Point 11 of the aforementioned EU Biodiversity Strategy that: "*Cities with at least 20,000 inhabitants have an ambitious Urban Greening Plan.*" While only Galway City currently has a population of over 20,000, we would nevertheless recommend that the new Development Plan should provide for the development of Urban Greening Plans for the county's larger towns, particularly those which are targeted for significant growth over the next decade. We would nevertheless encourage the development of urban greening plans in smaller towns as well. Specific timelined and targeted policies for achieving urban greening objectives during the plan period should be developed.

With regard to greening urban and peri-urban areas, Section 2.2.8 of the EU Biodiversity Strategy states:

"*Green urban spaces, from parks and gardens to green roofs and urban farms, provide a wide range of benefits for people. They also provide opportunities for businesses and a refuge for nature. They reduce air, water and noise pollution, provide protection from flooding, droughts and heat waves, and maintain a connection between humans and nature.*

The recent lockdowns due to the COVID-19 pandemic have shown us the value of green urban spaces for our physical and mental wellbeing. While protection of some urban green spaces has increased, green spaces often lose out in the competition for land as the share of the population living in urban areas continues to rise.

This strategy aims to reverse these trends and stop the loss of green urban ecosystems. The promotion of healthy ecosystems, green infrastructure and nature-based solutions should be systematically integrated into urban planning, including in public spaces, infrastructure, and the design of buildings and their surroundings.

To bring nature back to cities and reward community action, the Commission calls on European cities of at least 20,000 inhabitants to develop ambitious Urban Greening Plans by the end of 2021. These should include measures to create biodiverse and accessible urban forests, parks and gardens; urban farms; green roofs and walls; treelined streets; urban meadows; and urban hedges. They should also help improve connections between green spaces, eliminate the use of pesticides, limit excessive mowing of urban green spaces and other biodiversity harmful practices. Such plans could mobilise policy, regulatory and financial tools.

To facilitate this work, the Commission will in 2021 set up an EU Urban Greening Platform, under a new 'Green City Accord' with cities and mayors. This will be done in close coordination with the European Covenant of Mayors. The Urban Greening Plans will have a central role in choosing the European Green Capital 2023 and European Green Leaf 2022.

The Commission will support Member States and local and regional authorities through technical guidance and help to mobilise funding and capacity building. It will also reflect these objectives in the European Climate Pact."

11. Architectural, Archaeological and Cultural Heritage

Ireland's, and indeed Galway's, unique built and cultural heritage is increasingly threatened with destruction. Ireland is a signatory to UNESCO's Convention Concerning the Protection

of the World Cultural and Natural Heritage ratified by Ireland in 1991 and the Granda Convention ratified in Ireland in 1995. These conventions provide the basis for our national commitment to the protection of architectural heritage, the importance of "*handing down to future generations a system of cultural references*". To be effective, it relies on its signatory countries implementing their own national protective regimes.

The CDP should ensure the effective promotion of the Architectural Heritage provisions of Planning and Development Act 2000 (as amended) and therefore the protection of Galway's built heritage, including Architectural Conservation Areas (ACAs) and Protected Structures.

We recommend that Policy Objective AH 1 be amended as follows:

> "*Ensure the protection of the architectural heritage of County Galway which is a unique and special resource, ~~having regard to~~ in accordance with the policy guidance contained in the Architectural Heritage Protection Guidelines 2011 (and any updated/superseding document).*

Crucially, we also submit that Chapter 12 should be amended to include policies for monitoring buildings at risk and using the provision of Section 59 of the Planning Act to serve notices of endangerment to negligent property owners.

12. The Galway Gaeltacht and Islands

We would highlight the need for infrastructure provision on Galway's islands to keep pace with development. For instance, the introduction of a new 400-seat daily ferry service from Galway to Oileáin Árann is putting considerable pressure on the islands' infrastructure. As highlighted in the above section on water infrastructure, there is a particular need to address ongoing wastewater treatment issues in Kilronan on Inis Mór prior to the permitting of any further development.

It is therefore imperative that the Council ensures that sufficient infrastructure (water, wastewater, electricity, sustainable transport, etc.) and services are in place when evaluating proposals for new development on the islands. We recommend that Policy Objectives relating to the islands be amended to condition future development on the adequate provision of infrastructure either prior to or in tandem with development proposals.

13. Climate Change, Energy and Renewable Resources

Please see Section 2 of this submission for overarching comments on the Draft Plan's approach to climate. Additional recommendations are included here.

13.1 Flooding

An Taisce submits that Policy Objective FL 10 be amended to state: "*SFRAs and site-specific FRAs shall provide information on the implications of climate change with regard to flood risk in relevant locations* ***and provide assessments using the most up-to-date climate projections****."*

We would also submit that where flood mitigation measures are necessary, soft engineering solutions should preferentially be employed over hard engineering solutions where possible.

13.2 Energy

We welcome the Draft Plan's robust consideration of renewable energy development of various types and scales across Galway and well as the many policy objectives supporting and facilitating this. We also welcome the recognition that the development of renewables must be done with regard to ecological constraints, Habitats Directive requirements, heritage considerations, landscape, local amenity, etc.

13.2.1 Gas

With regard to Policy Objective EG 2 in Chapter and EG 1 and 3 in Chapter 14, An Taisce submits that there is no capacity for further expansion of the fossil gas network under national, EU and international climate policy. Fossil gas must be phased out of our energy mix as rapidly as possible if we are to reach our Paris Agreement targets to keep warming under 1.5C. Further expansion of gas networks also risks that infrastructure becoming "stranded assets" as Ireland makes the required transition away from fossil fuels. We therefore recommend that the portion of the objective to further expand the gas network be removed.

An objective should also be included to require proposals for new fossil fuel infrastructure or for proposals requiring significant fossil fuel use to provide an emissions assessment evaluating the impact of proposal on progress towards binding national emissions targets.

13.2.2 Bioenergy and Anaerobic Digestion

In principle, we welcome the development of bioenergy through anaerobic digestion but *only* where the sustainability of this resource is justified. In order for bioenergy to be deemed renewable and to contribute to overall emissions reduction, the feedstock sources and the supply chain of these feedstocks must be assessed to be sustainable.

For example, while the burning of biogas generated from biomass, slurry, etc. might be deemed 'carbon neutral', the emissions that contribute to the growth, harvesting and transport of the feedstock must also be considered, and can negatively impact bioenergy's overall contribution to climate mitigation. The fertiliser used to accelerate the growth of energy crops and feed cattle, which eventually produce slurry, not only produce emissions but also contribute to water pollution. In the worst cases, the emissions mitigation potential of biogas may be negligible.

We would highlight that anaerobic digesters suffer from significant fugitive emissions problems via methane leaks. The effect of the leakage of this potent greenhouse gas may greatly reduce or cancel out the claimed climate benefits of using biogas in place of fossil fuels.[12] Digesters also do not remove ammonia from the digestate.

Anaerobic digestion predicated on increased grass/energy crop production should not be permitted in light of the increased levels of fertiliser input needed to grow the grass and the associated water quality and climate impacts. The use of existing waste streams for energy provision are often a more sustainable option as they do not promote an increase in production of energy crops, which can increase NO_2 soil emissions and water quality impacts through higher requirements of fertiliser.

However, with regard to the use of slurry, intensive cattle farming is also a major emitter of greenhouse gases and is contributing significantly to Ireland's ongoing failures to reach its legally binding Paris Agreement targets; GHGs from agriculture account for one third of

[12] Paolini, V., Petracchini, F., Segreto, M., Tomassetti, L., Naja, N., Cecinato, A., 2018. Environmental impact of biogas: A short review of current knowledge. Journal of Environmental Science and Health, Part A 53, 899–906. https://doi.org/10.1080/10934529.2018.1459076; Grubert, E., 2020. At scale, renewable natural gas systems could be climate intensive: The influence of methane feedstock and leakage rates. Environ. Res. Lett. https://doi.org/10.1088/1748-9326/ab9335; Liebetrau, J., Reinelt, T., Agostini, A., Linke, B., 2017. Methane emissions from biogas plants. IEA Bioenergy; Ebner, J.H., Labatut, R.A., Rankin, M.J., Pronto, J.L., Gooch, C.A., Williamson, A.A., Trabold, T.A., 2015. Lifecycle Greenhouse Gas Analysis of an Anaerobic Codigestion Facility Processing Dairy Manure and Industrial Food Waste. Environ. Sci. Technol. 49, 11199–11208. https://doi.org/10.1021/acs.est.5b01331; Baldé, H., VanderZaag, A.C., Burtt, S.D., Wagner-Riddle, C., Crolla, A., Desjardins, R.L., MacDonald, D.J., 2016. Methane emissions from digestate at an agricultural biogas plant. Bioresource Technology 216, 914–922. https://doi.org/10.1016/j.biortech.2016.06.031

Ireland's total emissions. Any use of slurry for bioenergy production should not be reliant upon or drive further bovine agriculture intensification.

To ensure the sustainability of biogas production, the sustainability of the biogas's end use must also be fully assessed. Permission for biogas facilities should only be granted where the biomethane will not be mixed with fossil gas, as this would exacerbate lock-in to fossil fuel use and contribute negatively to Ireland's potential to reach its 2030 emissions reduction targets. Biogas cannot be considered to be sustainable if it relies on fossil gas for its end use.

Supplying biogas to off-grid industrial users would be a potentially sustainable option, provided it is used for electricity generation and is not mixed with fossil gas. Biogas can also be sustainably used to power buses and delivery vehicles in urban areas, which will have the parallel benefit of reducing air pollution.

The CDP must therefore ensure that any provision of bioenergy is accomplished in a sustainable manner. We submit that a Policy Objective is needed to specify that biogas development will only be supported where it can be demonstrated that the feedstock source is sustainable and where the end product will not be mixed with fossil gas.

13.2.3 Data Centres and Energy Use

The Draft Plan Written Statement does not explicitly address data centre development in Galway, however, An Taisce considers that policies on the standard of assessment necessary for such proposals are needed.

Ireland has been called the "data centre capital of Europe" due to its favourable climate and openness to Foreign Direct Investment (FDI). The proliferation of data infrastructure here has largely gone unchecked, and data centres now consume 11% of Ireland's total grid-generated electricity. The Irish Academy of Engineers has projected that this will increase to 31% by 2027, and adding between 1.5 and 3 million tonnes of CO_2 to Ireland's overall greenhouse gas emissions by 2028[13]. By increasing overall energy demand in Ireland through the uninhibited development of data centres, we are actively diluting the end benefit of renewable energy penetration that has been created and added to the grid over the past 20-30 years. Any new data centre should not jeopardise Ireland's existing national climate/renewable energy targets.

[13] http://iae.ie/wp-content/uploads/2019/08/Data-Centres-July-2019.pdf

We recommend the inclusion of the following Policy Objectives:

- Any new data centre proposal must fully comply with the requirements of the Environmental Impact Assessment Directive and assess the cumulative impacts of the energy demand and associated emissions in conjunction with the data centre sector as a whole.
- Any new data centre proposal must evaluate its energy demand in relation to rapidly increasing grid constraints.
- Any new data centre development should only be considered if it provides a new, directly linked supply of renewable energy or matches its energy consumption with a new commensurate or greater contribution to Ireland's renewable's supply.

13.3 Re-Use of Existing Buildings

As a priority, the need for reuse, rather than redevelopment, of existing buildings of all periods must be emphasised. Existing buildings should always be kept in use and improved in thermal performance and accessibility rather than redeveloped (projected energy savings of a new building will never overcome the massive environmental footprint of demolition and redevelopment), and having regard to the UN Sustainable Development Goals (SDGs) which oblige the reuse and repurposing of existing buildings in the aim of saving embedded energy.

14. Strategic Environmental Assessment

The Council has a legal obligation to ensure that the SEA process is robust, effective, and identifies all likely significant effects on the environment under the range of considerations set out in the Annexes to the SEA Directive. To ensure integration of environmental considerations into the plan, a general policy or land use zoning should not be maintained where likely significant effects on the environment are identified.

An Taisce highlights Article 10, which sets out the provisions for the monitoring of a programme subject to SEA and the obligation for remedial action where unforeseen adverse effects arise:

1. *Member States shall monitor the significant environmental effects of the implementation of plans and programmes in order, inter alia, to identify at an early stage unforeseen adverse effects, and to be able to undertake appropriate remedial action.*

2. *In order to comply with paragraph 1, existing monitoring arrangements may be used if appropriate, with a view to avoiding duplication of monitoring.*

The provisions of Article 10 are not just for monitoring but, notably, for the remediation of unforeseen adverse effects. Section 8.12 of the 2001 European Commission guidance states that

> "*Unforeseen adverse effects is better interpreted as referring to shortcomings of the prognostic statements in the environmental report (e.g. regarding the predicted intensity of the environmental effect) or unforeseen effects resulting from change of circumstances*."

The Council should ensure that monitoring of significant envriomental effects is carried out and that any unforeseen adverse impacts that arise are remediated.

15. Implementation and Monitoring

In the absence of rigorous application of policy, the divergence between policy and practice results in unsustainable, economically inefficient, structurally weak and spatially dispersed development patterns. Therefore, it is of paramount importance that the new CDP moves beyond objectives within the text and towards robust targets, actions and measures to achieve the tangible implementation of the plan's objectives and policies. The success or otherwise of the forthcoming CDP can only be judged against quantifiable and implementable criteria which are subject to ongoing monitoring. This will be fundamental in creating a sustainable and healthy future for Galway that supports the wellbeing of both people and planet.