Senior Executive Planner,

Planning Department,

Carlow County Council,

Athy Road,

Carlow

14 October 2022

##### **Re: Draft Joint Urban Local Area Plan for the Carlow-Graiguecullen Area**

Via Email to JointLAP@carlowcoco.ie

To whom it may concern:

Inland Fisheries Ireland (IFI) is the statutory authority tasked under section 7(1) of the Inland Fisheries Act 2010 (No. 10 of 2010) with responsibility for the protection, management, and conservation of the inland fisheries resource. With respect to the Material Alterations to the Draft Laois County Development Plan 2021-2027 IFI wishes to make following observations:

The Carlow Graiguecullen Urban Area contains two main surface water bodies, the Burren\_060 and the Barrow\_160, as well as a tributary of the Barrow\_170. All three surface water bodies have *Moderate* Ecological Status and are *At Risk* of not reaching Good Status within the next RBMP cycle. The Barrow\_160 is also part of the Barrow Nore Special Area of conversation, for which salmon and lamprey are among the qualifying interests. Among the significant pressures on these water bodies are Urban Waste Water, Urban (Diffuse) Run-Off, Hydromorphology (Channelisation) and Agriculture.

Section 10 of the Issues paper correctly states that “The most significant natural heritage feature for the Greater Urban Area is the River Barrow, which separates the historic core of Carlow town from Graiguecullen on the western side of the River”. The Barrow is an important Spring Salmon and trout fishery and supports several species listed in Annex II of the Directive including Salmon, River Lamprey, Brook Lamprey, Sea Lamprey, Twaite Shad, Freshwater Pearl Mussel and Otter. The national/international importance of the Barrow River is recognised by the fact that almost the entire main channel of the Barrow River and many tributaries have been designated as Special Areas for Conservation (SAC) under the European Habitats Directive. The SAC designation of the Barrow River relates in large part to the importance of this system for populations of Atlantic Salmon. The Barrow is the second longest river in Ireland and the importance of the salmon populations of the Barrow is significantly increased by the fact it is one of a handful of Irish rivers where that majority of the salmon population are large MSW (Multi Sea Winter) fish, (often referred to as Spring Salmon).

Unfortunately, the weir on the Barrow River connecting Carlow Town and Graiguecullen does not include a fish-pass that facilitates the upstream migration of several fish species listed as Qualifying Interests of the River Barrow SAC and represents a significant barrier to the upstream migration of these populations to most of the Barrow catchment.

IFI request that this plan includes a statement in support of the provision of measures to fully facilitate the free passage/migration of fish at the weir on the River Barrow connecting Carlow Town and Graiguecullen.

IFI advocates the application of the precautionary principle when considering fisheries and aquatic resources in the planning process. Where receiving waters are not meeting their target ecological status, or their conservation objectives as Natura2000 sites, any new development should be obliged to demonstrate how it will contribute to the meeting of these targets / objectives.

Carlow and Laois County Councils have an important statutory role in protecting water quality through their powers under the Planning and Development Acts, the Local Government (Water Pollution) Acts and the Good Agricultural Practices Regulations. Article 5 of the Surface Water Regulations (SI 272 of 2009) requires that a public authority shall not knowingly cause or allow deterioration in the chemical or ecological status of a body of surface water. Article 28(2) states that a surface water body whose status is less than Good shall be restored to at least Good status.

**Population and Housing**

The housing strategy for the Carlow – Graiguecullen Urban Area needs to take place in parallel with appropriate development of the water and wastewater treatment infrastructure. Where infrastructure upgrades are required these should precede the development and specific timeframes should be required for such upgrades. In addition, water-use efficiency targets should be established for large developments and for commercial, industrial or agricultural developments.

For larger developments, IFI recommend the inclusion of the impact of the development on the capacity of the specific water / wastewater plants to which connection is being sought. It should be incumbent upon developers to demonstrate sufficient capacity exists for the development proposed. This should include a calculation of organic and hydraulic loads and the available headroom in the proposed treatment plant. This would allow for more transparent assessment of these developments at the planning stage.

Calculations regarding drinking water abstraction and assimilative capacity for wastewater should account for changes in surface and groundwater hydrology due to climate change, including the increased frequency, severity and duration of droughts.

Consideration of planning applications should also consider the cumulative impact on surface and ground waters of development, particularly within Natura2000 sites. Each development cannot be considered in isolation. This is particularly true of development which have the potential to cause a deterioration in the ecological quality of waters or prevent them from reaching Good status.

The relevant local authority should also seek to identify missed connections in housing developments and restore connectivity to the mains sewerage network. IFI also advocates that all commercial and industrial premises, or any premises involved in the preparation of food for commercial purposes, should be obliged to install grease traps or interceptors so as not to compromise the efficacy of the foul sewer network.

**Surface Water Management**

Landscape management has an important role to play in protecting water quality. This includes maintaining vegetation along river corridors and reducing impermeable surfaces. Run-off from hard surfaces and roads can also be managed to protect water courses. Incorporation of Sustainable drainage systems (SuDS) into site layout and design can attenuate pollution and add amenity and recreational value. Reference should be made to the Inland Fisheries Ireland document *Planning for Watercourses in the Urban Environment* for further information.

Proper surface water and storm water management techniques along roads can significantly reduce the impact on receiving waters of multiple pollutants, including heavy metals, fuels and oils, and microplastics. For example, research by the European Commission estimates that 176,300 tonnes of microplastics are emitted to EU surface waters each year, over 50% of which is from road tyre wear.

**Climate, Biodiversity and Amenity**

Alignment of the housing strategy with the National Adaptation Framework in the national Climate Action Plan should give particular consideration to the co-benefits of measures to protect surface water quality and habitat. These include increased biodiversity, improved flood resilience, access to nature, and the contribution to general wellbeing.

Due recognition should be given to the value of watercourses as amenity areas which can provide a natural setting for outdoor recreation in a safe environment, especially in the context of the Covid pandemic, which has encouraged a re-evaluation of our relationship with the natural world.

For example, Strategic Flood Risk Assessment plans should consider the protection of vulnerable areas for recreational, and amenity use rather than development. Carlow and Laois County Councils should consider introducing river corridor management plans and provide a mechanism for the strategic integration of rivers and wetlands into development plans.

**Instream Habitat Protection**

Instream works may only take place during the period 1 July to 30 September and outside of that only with the prior written agreement of Inland Fisheries Ireland. All instream works must be notified to Inland Fisheries Ireland in advance. Any engineering works which take place should not negatively impact the hydro-morphological or ecological status of any water courses, for example by disconnecting watercourses from riparian zones and natural flood plains.

Reference should be made to Inland Fisheries Ireland’s *Guidelines on Protection of Fisheries during construction works in and adjacent to Waters* when construction works are being planned or

carried out. Any bridges, culverts etc should take into consideration the passage of fish and the access of anglers, where relevant. Well-designed water crossings should minimize interference with instream habitats and the river channel. IFI also request that the Urban Local Area Plan acknowledge that the removal of gravel from rivers and streams constitutes development.

Every attempt should be made to restore connectivity in river systems. This includes lateral connectivity along river channels to allow fish migration upstream and downstream, and longitudinal connectivity, for example by restoring wetlands and flood plains.

Where there is potential for the removal or replacement of barriers to fish passage, for example weirs, and poorly designed and/or undersized bridges and culverts, these should be considered. Consultation should be carried out with Inland Fisheries Ireland in the design phase before such proposals are submitted for planning approval.

Furthermore, restoring sinuosity to river channels which have been artificially straightened increases their habitat diversity and holding capacity. Increasing the natural storage of surface water systems also increases their resilience to extreme weather events. The restoration of wetlands also provides co-benefits in terms of biodiversity, flood and drought resilience and carbon sequestration.

Please address future correspondence to [donnachadh.byrne@fisheriesireland.ie](mailto:donnachadh.byrne@fisheriesireland.ie), or by post to the address below.

Yours sincerely, Yours sincerely,

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Donnachadh Byrne Cormac Goulding

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South-Eastern River Basin District South-Eastern River Basin District