

Chapter 10 Environment

10.1 Introduction

The council is aware of the need to preserve, enhance and protect the quality of the environment whilst facilitating and encouraging development. A good quality environment is not only of intrinsic value in itself but is also extremely important for economic development and quality of life. Water resources in particular are extremely important but have often been neglected in the past in the name of economic progress and advancement. This has also been the case in relation to air quality. The protection of the water and air quality of County Louth is therefore of great concern to the council.



This chapter outlines the policies of the council in relation to the protection and management of these essential resources, including measures existing and proposed, to protect the environment of the county for the benefit of existing and future generations.

10.2 European, National and Regional Policy

The environmental policies contained in this plan have been devised having regard to the large body of European and national legislation, directives and regulations.

The Environmental Protection Agency (EPA) and the local authorities are the bodies charged with the responsibility for overseeing environmental protection in the state.

The EPA in its *State of the Environment Report*, 2004, identified five overall environmental priorities for the state. These are:

- Meeting international commitments on air emissions
- Eutrophication prevention and control
- Waste management
- Better integration of environmental and natural resource considerations in the policies, plans and actions of economic sectors
- Improving enforcement of environmental legislation

The council will pursue environmental policies that will seek to safeguard the long term economic, social and environmental wellbeing of the county and will lead by example

in the compliance with EU, national and regional policies. It will also seek to ensure that the highest possible environmental standards are maintained so that a high quality environment can be bequeathed to future generations.

Policy

- ENV 1 To implement european, national and regional policy in relation to the protection of the environment and the pursuance of sustainable development principles in respect of the council's policies and procedures.
- ENV 2 To pursue the precautionary and the polluter pays principles in relation to permitted development in the county.
- ENV 3 To promote and maintain the highest achievable standards of air, noise and water quality in the county.

10.3 Environmental Noise

Environmental noise refers to noise emitted by means of road traffic, rail traffic, air traffic and noise in urban agglomerations over a specified size. It is regulated under the *Environmental Noise Directive (END)* which was transposed into Irish law by the *Environmental Noise Regulations 2006*. The aim of the Directive is to provide for a common EU approach to the avoidance, prevention and reduction of the harmful effects of exposure to environmental noise.



10.3.1 Noise Action Plan 2008

The Louth Local Authorities have prepared a *Noise Action Plan (NAP)* to address environmental noise for major roads carrying more than six million vehicles per annum. These include parts of the M1 motorway, N1/A1 dual carriageway, the N52 and the R132. The National Roads Authority has prepared noise maps for the relevant sections of these roads which provide a base line for noise measuring and monitoring.

The *Noise Action Plan* is designed with the twin aims of avoiding significant adverse health impacts from noise and preserving environmental noise quality where good.

Policy

- ENV 4 To implement the *Louth Local Authorities Noise Action Plan 2008* in order to avoid, prevent and reduce the harmful effects, including annoyance, due to exposure to environmental noise.
- ENV 5 To require that where new development is proposed within the limits of the noise maps for the designated sections of the M1, N1, N52 and R132, that appropriate mitigation measures are undertaken so as to prevent harmful effects from environmental noise.

10.4 Water Quality

The long term economic, social and environmental wellbeing of County Louth requires water quality to be of the highest possible standard. This includes surface water, ground water and sea water all of which are vital to life and therefore must be managed wisely.

The quality of water in County Louth is monitored on a regular basis against a list of quality measurement criteria. This includes the carrying out of farm surveys, the licensing and monitoring of trade effluent discharges and the assessment of proposed development in order to ensure that water quality is maintained. Increased awareness through educational and other means is essential for informing the public of the need and importance of maintaining the highest possible water quality standards.

10.4.1 The Water Framework Directive 2000

The *Water Framework Directive 2000* sets an agenda for the protection and improvement of water bodies such as rivers, lakes and streams, groundwater, coastal and estuarine waters, on the basis of river basin districts. The Directive is concerned with all waters and their uses and brings all water related directives under one framework, including those dealing with bathing water, drinking water wells and supplies, water taken from rivers, sewage disposal and the protection of salmon and shellfish habitats. As part of the implementation of this Directive, a total of eleven existing EU directives must be complied with in full under legal obligation. There is an onus on local authorities to prevent any deterioration in the existing status of our waters, including the protection of good and high status where it exists, and where deterioration has occurred, to ensure that all waters so affected are restored to at least good status by 2015.

10.4.2 River Basin District Management Plans

A river basin is the area of land from which all surface run-off flows through a sequence of streams, rivers and possibly lakes, into the sea at a single river mouth, estuary or delta. A river basin district also includes coastal and marine waters up to one nautical mile beyond the baseline from which territorial waters are measured.

The *Water Framework Directive* requires that river basin management plans be prepared and implemented, primarily by local authorities, for each identified river basin within the EU boundary. These set out a roadmap as to how the status of natural waters will be protected and restored where necessary.

County Louth straddles two river basin districts, the Neagh-Bann and the Eastern River Basin District. The bulk of County Louth lies within the Neagh Bann River Basin District and its management plan is being prepared jointly by Louth, Cavan, Meath, Monaghan and authorities north of the border.

The council will implement the requirements and recommendations contained within both of these plans in so far as they relate to County Louth.

10.4.3 River Basin Management Planning Guidance for Public Authorities

In 2008, the Department of the Environment, Heritage and Local Government issued the *River Basin Management Planning Guidance for Public Authorities*. These guidelines explain the relationship that exists between the river basin management plans and other plans and programmes, including statutory development plans. It stipulates that local authority



development plans will need to, both influence and be influenced by, river basin management plans and that planning authorities should ensure that any relevant objectives of any water quality management plan be included in the development plan. The guidelines also highlight the need for the strategic environmental assessment to take into account the impact that the development plan will have on the environmental protection objectives established for waters in the area covered by the plan.

Policy

ENV 6 To Increase awareness through educational and other means so as to inform the public of the need and importance of maintaining the highest possible water quality standards.

ENV 7 To implement the recommendations contained in the River Basin District Management Plans for the Neagh Bann and the Eastern River Basin Districts, in so far as they relate to County Louth.

10.5 Natural Water Systems and Groundwater

Good quality groundwater is an important natural resource which has an inherent ecological and economic benefit. The quality of groundwater is continually being threatened by human activities which can cause pollution. The intensification of agriculture, particularly the spreading of animal slurry and farmyard wastes such as silage effluent and soiled water, and increases in population and septic tank effluent, have all led to an increased risk of pollution to groundwater and surface water systems, lakes, estuarine and coastal waters.

Approximately 34% of Louth's water supply comes from groundwater sources. The protection of this resource is of major concern to the council.

Poor agricultural management can cause nutrients to be washed into ground and surface water. This results in contamination of water sources, making them unfit for human consumption and to eutrophication, which encourages rapid algae and plant life growth, thereby depriving the water of oxygen necessary for water based life. Once contamination has occurred, it is costly and difficult to rectify.



Groundwater protection schemes are county based projects that are undertaken jointly between the Geological Survey Ireland (GSI) and local authorities. The preparation and implementation of a groundwater protection scheme which will identify, quantify and protect groundwater resources in Louth is anticipated by 2009. The aim of a groundwater protection scheme is to ensure the sustainability of groundwater reserves as well as meeting the requirements of the Groundwater Directives.

Policy

ENV 8 To implement the recommendations contained in any groundwater protection scheme prepared under EU Ground Water Directives.

10.6 Nitrate Vulnerable Zones

Protection of ground waters and surface waters from pollution by nitrates is becoming an issue of increasing significance and the *EU Nitrates Directive* requires remedial actions in this regard. The presence of high levels of nitrates in soil is a health hazard as sources of drinking water can be contaminated. Nitrates can also contribute to eutrophication and this is particularly harmful to coastal and marine resources. Accordingly, areas of the county have been designated nitrate vulnerable, which is groundwater contamination by nitrates outside the limits identified.

Two areas of County Louth identified in the previous plan as exhibiting high nitrates in groundwater, namely Sheepgrange and Tullyallen, have been successfully managed. In areas at risk from water pollution, a primary consideration is the management of manures and fertilisers. The council requires a nutrient management plan for the spreading of animal slurry as part of any planning application involving the storage of such material.

Policy

- ENV 9 To ensure compliance with and to implement the provisions of the *Nitrate Directive* in so far as it falls within the remit of the council to do so.
- ENV 10 To require that collection and storage facilities for farm animal slurry are provided in accordance with the requirements of the *Nitrate Directive* and that nutrient management plans are prepared for the spreading slurry.

10.7 On Site Wastewater Treatment and Disposal Systems

All wastewater, including domestic and trade, ultimately discharges to water, whether ground, surface or marine. Therefore, the provision of satisfactory waste water treatment and disposal is essential for the protection of the environment. The majority of wastewater is discharged under license from the Environmental Protection Agency (EPA) or the council depending on the volumes involved.

Private waste water treatment systems for individual dwellings or other very small scale development may discharge to ground water without the need to acquire a licence. In such circumstances, the proposed treatment system and quality of the discharge is regulated by way of planning conditions, having regard to the EPA *Guidelines for the provision of small scale wastewater treatment systems*. In limited circumstances only, the use of small scale private communal waste water treatment systems discharging to either ground or surface water may be acceptable. Where this is permitted, the council will insist that the treatment system remains under single management, enforceable under legal agreement with the council.

In order to protect the existing and potential groundwater reserves in the county, the council proposes to undertake, in conjunction with the Geological Survey of Ireland, a comprehensive groundwater survey of the county.

It also proposes to produce a guidance document setting out the requirements and information to be submitted with a planning application for all on-site wastewater treatment systems.

Policy

- ENV 11 To require that all permitted development taking place within an area served by a public wastewater treatment system connects to that system.
- ENV 12 To require that on lands identified for development and where no public waste water facility exists or is proposed, that the wastewater be treated and discharged to suitable receiving water subject to a discharge licence.
- ENV 13 To consider permitting development, on zoned land only, on the basis of acceptable interim waste water treatment arrangements under license where there is insufficient capacity within the existing water treatment facilities.
- ENV 14 To require that private wastewater treatment systems for individual houses, where permitted, comply with the recommendations contained within the EPA manuals and code of practice for wastewater treatment systems for single houses.
- ENV 15 To implement the requirements of the Groundwater Protection Scheme to protect known and potential ground water reserves.
- ENV 16 To adhere to the guidance document setting out the requirements and information to be submitted with a planning application for an on site wastewater treatment systems.

10.7.1 Design and installation of On Site Wastewater Treatment Systems

The proper supervision, installation and commissioning of on site wastewater treatment systems by competent persons is regarded as most important in ensuring protection of surface and ground waters.

Policy

- ENV 17 To insist that proper supervision, installation and commissioning of on site wastewater treatment systems by requiring site characterisation procedures and geotechnical assessments be carried out by competent professionally indemnified and suitably qualified persons approved by the council.
- ENV 18 To require that the construction and installation of all wastewater treatment systems are supervised and certified by a suitably qualified competent person as fit for the intended purpose and complies with the council's requirements.

10.8 North East Region Waste Management Plan 2005 -2010

The *North East Region Waste Management Plan*, including the counties of Louth, Cavan, Meath and Monaghan, covers the period 2005 - 2010 and will be subject to further review during the period of the Plan.

The aim of the *North East Region Waste Management Plan* is to decrease the amount of waste generated and disposed of to landfill throughout the region by promoting the principles of reduce, reuse and recycle and to provide sustainable measures of waste disposal. In any area where there is conflict in relation to environmental policy contained in the development plan and the waste management plan, the latter will take precedent.

Policy

ENV 19 To implement and support the provisions of the *North East Region Waste Management Plan*.

10.9 Seveso Sites

The *European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations, 2000* gives affect to the European Directive on the control of major accidents involving dangerous substances. The legislation is more commonly known as *Seveso II Directive*. There are three such sites in the county, all of which are located within the jurisdiction of Drogheda Borough Council.

Policy

ENV 20 To impose restrictions on developments abutting or within close proximity of a Seveso site. The extent of restrictions on development will be dependant on the type of risk present and the quantity and form of the dangerous substance present.

10.10 Derelict Sites

Under the *Derelict Sites Act 1990* and the *Litter Pollution Act, 1997*, the planning authority can require improvement of neglected lands, the renewal of structures, the removal of unsightly vehicle parts and general refuse.

Policy

ENV 21 To implement the provisions of the *Derelict Sites Act 1990* and the *Litter Pollution Act, 1997* in respect of derelict and obsolete areas.

10.11 Veterinary Services

The council's veterinary services are a joint initiative between the council and the Department of Agriculture. It can impact on development proposals in a number of ways through the requirement to comply with EU, national and local regulations. Its function includes the management of the council's animal pound, the issuing of dairy certificates under the *European Communities (Hygiene Production and Placing on the Market of Raw Meat and Heat Treated and Milk Based Products) Regulations 1996*, the implementation of the *Abattoirs Act 1988* and matters concerning animal welfare and by-products.

Policy

ENV 22 To implement the function of the veterinary office in partnership with the Department of Agriculture.