

Emma Mulroy - Naas Town Development Plan 2011-2017

From: Brian Beckett <brian.beckett@erfb.ie>
To: <devplan@naasudc.ie>
Date: 03/07/2009 10:44
Subject: Naas Town Development Plan 2011-2017
CC: 'Gretta Hannigan' <gretta.hannigan@erfb.ie>
Attachments: Naas_TownDevPlan2011_2017SEA.pdf

Dear Sir or Madam,

Please find ERFB submission on Naas Town Development Plan 2011-2017 attached.

Best regards,

Brian Beckett

Brian Beckett,
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Eastern Regional Fisheries Board

Bord Iascaigh Réigiúnach an Oirthir

Ken Kavanagh
Town Clerk
Naas Town Council
Aras Chill Dara, Devoy Park, Naas,
Co. Kildare.

Your Reference: NA
Our Reference: BB/DD/01

July 3rd, 2009

Re: Naas Town Development Plan review (2011-2017) including SEA.

Dear Mr. Kavanagh,

The Development Plan zone under consideration is traversed by the Lakelands Stream (Craddockstown), the Morrell River and the Convent / Oldtown Demesne Stream in addition to smaller associated surface water channels. All of these channels are classed as salmonid by the ERFB (i.e. supporting populations of Atlantic salmon and / or Brown trout). It is of vital importance that development in the area will not have a deleterious effect on aquatic life in surface water systems. The Hartwell and Morrell Rivers support significant populations of Brown trout and downstream of their confluence (outside the Town Development Plan Zone) also provide spawning habitat for a population of Atlantic salmon (*Salmo salar*, listed under Annex II and V of the EU Habitats Directive) in the Morrell main channel. It must again be highlighted that the Lakelands or Craddockstown stream and downstream lakes in the area support a significant population of Brown trout, a somewhat unique feature in an urban context and one deserving of careful protection from an urban planning perspective. Recent ERFB data also highlights the presence of lamprey and white clawed crayfish (both Annex II species) in the Lakelands catchment. This highlights the sensitivity and regional importance of the stream. Only clean, uncontaminated surface waters should leave the TDP area and drain to the surface water network.

In determining the likely significant effects of plans or programmes under SEA, regard should be had to the need for the sustainable development of the inland and marine fisheries resource (including the conservation of fish and other species of fauna and flora, aquatic habitats and the biodiversity of inland and marine water ecosystems). Consideration should be given to potential significant impacts on:

- Water quality
- Surface water hydrology
- Fish spawning and nursery areas

- Passage of migratory fish
- Areas of natural heritage importance including geological heritage sites
- Biological Diversity
- Ecosystem structure and functioning
- Sport and commercial fishing and angling
- Amenity and recreational areas

The Board would ask that the following is noted and incorporated in the final Town Development Plan:

- While the Infrastructure section of the Issues Report notes that Osberstown wastewater treatment plant is due to be upgraded in 2012, it must be highlighted that until such as time as the upgrade (to 130,000 p.e.) is fully commissioned and operational the connection of additional wastewater loading to the system is premature. We believe there is no capacity in Osberstown WWTP to receive effluent from the granted development. This assertion is borne out by Kildare County Council's (KCC) refusal of permission for developments (e.g. 09/7, 08/1967, 08/1893, 07/1581, 07/83) in the Upper Liffey Valley Sewerage Scheme catchment area on the basis that 'Osberstown Wastewater Treatment Plant (WWTP) has no capacity for flows generated from proposed development' and that while 'Osberstown has a capacity of 80,000 P.E., KCC has already granted permissions in excess of 100,000 P.E'. It is important to note that sufficient treatment capacity must be available both within the receiving sewerage system locally and downstream at Osberstown WWTP over the full duration of the plan in order that the ecological integrity of the ultimate receiving water (River Liffey) is protected. The Board would highlight the importance of building a comprehensive and robust assessment of both local infrastructural needs and Local Authority capacity to meet those needs into the local area planning. Should the WWTP fail to provide expected capacities during the life of the plan, the Board would highlight the risk of associated significant environmental effects resulting from local development.
- The impact of development on watercourses should be handled with the utmost sensitivity to the relevant aquatic and riparian habitats. It is essential that the Board be contacted in relation to all works that may have an impact on surface waters (as per PLANNING AND DEVELOPMENT REGULATIONS, 2001, Section 28). The disturbance of riparian habitats should be minimised. An undisturbed buffer zone between development area and river bank should be maximised (10m minimum). Riparian vegetation should be retained in as natural a state as possible at all times.
- Development plans for pristine areas such as the North-western Quadrant should provide for salmonid waters constraints in relation to surface waters. It is recommended that the "Requirements for the Protection of Fisheries

Habitat during Construction and Development Works at River Sites” (<http://www.fishingireland.net>) be consulted when planning to undertake works in this area. The maintenance of habitat integrity (both in-stream and riparian) is essential in safeguarding the ecological value of this important urban natural resource. The specific details of any works directly affecting watercourses or riparian habitats in the Naas Town area must first be submitted to the Board for assessment and approval.

- Preparation of the plan should facilitate the utmost priority for protection and conservation of salmonid systems in the area (including the Lakelands Stream, Morrell River, Convent Stream etc.). The Board’s policy is to maintain watercourses in their open natural state in order to prevent habitat loss, preserve and enhance biological diversity and aid in pollution detection. The Board would welcome the designation of lands adjacent to surface waters, particularly salmonid systems as areas of open preservation allowing protection / enhancement of biological diversity while providing open space and recreational amenity for river users (and enhancing the quality of the urban environment. Natural heritage objectives should include maintenance of buffer zones of at least 10m from the water’s edge along both banks of the surface waters. This measure should help to protect fisheries and ecological interests.
- The protection of habitats outside designated areas and a Council commitment to reject proposals that would interfere with natural floodplains would greatly benefit both aquatic and riparian features in Naas environs and the surrounding areas. The Board is strongly opposed to any development on floodplain lands. Any manipulation of surface waters for flood risk management should incorporate fisheries requirements as outlined in our guidelines document (listed above).
- The implementation of a SUDS design for surface water disposal in any areas of increased urbanisation is a positive indicator of the Council’s intention for the sustainable development of the area and should, in conjunction with good management of the site, aid in flooding and pollution management. Policies and recommendations made under the Greater Dublin Strategic Drainage Study (GDSDS) should be applied in development of a drainage strategy for the town plan under consideration. Any scheme to address increasing drinking water demand in the area should not compromise objectives as set out in Fisheries and Water Framework Directive Legislation.

Commitment to these broad principles within the plan is recommended. The principles of sustainable development as set out in the National Sustainable Development Strategy adopted by Government should form the basis for development approaches. It is essential that infrastructural development (such as local sewerage system capacity) should precede actual development at all times.

I trust you will take our concerns on board.

Yours sincerely,

Pat Doherty
Chief Executive Officer