



Your Ref: **Draft Leitrim County Development Plan 2023 - 2029**

Our Ref: **FP2022-010**

(Please quote in all related correspondence)

26/04/2022

Leitrim County Council
Aras an Chontae,
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Via email cdp@leitrimcoco.ie

Re: Preparation of the Draft Leitrim County Development Plan 2023 - 2029

A chara

I refer to correspondence received in connection with the above. Outlined below are heritage related observations/recommendations of the Department under the stated heading(s).

Archaeology

National Monuments Service of the Department of Housing, Local Government and Heritage welcomes the opportunity to comment on the Draft Leitrim County Development Plan 2023-2029 and notes that the plan contains a specific Heritage chapter (Chapter 11) that includes dedicated sections on protection of the built environment, archaeology and archaeological assessment.

This submission follows the chapter headings in Volume 1: Written Statement of the CDP, as well as subsequent volumes:

Volume 1—Chapter 11 Heritage

The Department broadly welcomes the objectives and policies set out in this chapter in relation to the protection and promotion of our archaeological, architectural and built heritage.

Section 11.21 Archaeological Heritage

Any proposed Development Plan should, as part of the Archaeological Heritage section, have definitive sections/policies on the protection of the county's underwater cultural heritage. The plan should include provision for the adequate assessment and protection of both known and potential underwater archaeology. It should be noted that the results of such assessments can inform other areas of planning policy throughout the life of the plan, including cultural tourism, local amenity needs and development zoning.



Pertaining specifically to the Underwater Cultural Heritage, The Department therefore recommends that Leitrim County Council take into consideration the following in relation to developing **Policies and Objectives** for the proposed County Development Plan (2023-2029). This will further strengthen and build upon the current protection afforded the archaeological heritage of the county under the plan.

It is essential that the county development plan includes a general and over-arching objective for the protection of all wrecks protected under the National Monuments Acts or otherwise included in the Wreck Inventory of Ireland Database (WIID) as maintained by the National Monuments Service of the Department of Housing, Local Government and Heritage. The **Wreck Inventory of Ireland Database (WIID)** for Leitrim lists a number of shipwrecks off the coast of Leitrim and numerous logboats have been recorded from the county's lakes and inland waterways. Under the 1987 National Monuments Amendment legislation, all wrecks over 100-years old are protected. Of the c. 18,600 total wrecks listed for Ireland, most are without exact locations and the records of wrecking pertaining to them date from the 18th century or later. Many more previously unknown wrecks therefore await discovery in the coastal waters off Leitrim, dating to earlier times but which went unrecorded when lost. Similarly, many more logboats and historic wrecks await discovery in the county's inland waterways. Wrecks 100 or more years old have full legal protection under the National Monuments Acts. They (along with any associated archaeological objects) are automatically protected and generally do not feature in statutory listings (the Record of Monuments and Places and the Register of Historic Monuments). It is nevertheless (indeed, all the more so) essential that appropriate objectives are made which ensure due account is taken of protection of underwater cultural heritage in all its forms (which includes a range of features additional to wrecks, e.g. remains of bridges and submerged, or partially submerged, coastal structures). An inventory of **known** historic wreck sites is now available at www.archaeology.ie (<https://www.archaeology.ie/underwater-archaeology/wreck-viewer>) but given the nature of the underwater environment there is always high potential for previously unknown archaeological features to be present and this needs to be reflected in development plan objectives. This also applies to areas formerly underwater, such as reclaimed lands.

The Department recommends the following additions to **Section 11.21:**

The archaeological heritage of Co. Leitrim includes, according to the European Convention for the Protection of Archaeological Heritage, 1992 (Valetta Convention) structures, constructions, groups of buildings, developed sites, all recorded monuments as well as their contexts, and moveable objects; situated both on land and under water. This means that the archaeological heritage is not confined to the archaeological sites within the Record of Monuments and Places, but also includes any archaeological site that may not have been recorded yet, as well as archaeology beneath the ground surface, underwater archaeological heritage, as well as the context of any site. Leitrim has a rich underwater archaeological heritage that includes protected wrecks that lie off the coast of the county, logboats and artefacts that have been recorded from the county's lakes and inland waterways, crannoga, fish-traps, riverine and lacustrine built heritage and many other forms of underwater



archaeological heritage. One underwater heritage order in the county (UHO 1/90), which refers to Lough Donogher, located to the north east of Cloone.

The Department recommends the following additions to **Section 11.22:**

The Council will protect all such sites and monuments and their settings from inappropriate development. All planning applications likely to interfere with such a recorded site, protected wreck or underwater archaeological heritage site, monument or zone of archaeological interest will be referred to the Development Applications Unit of the Department of Housing, Local Government and Heritage, An Taisce and the Heritage Council. Regard will be given to the advice and recommendations of these bodies in respect of whether planning permission should be granted and the nature of conditions to be attached to any grant of planning permission. The Council will also have regard to the guidance document Framework and Principles for the Protection of the Archaeological Heritage, as published by the National Monument Service in 1999. Proposed development on, or in close proximity to, a site and monument of archaeological significance will only be allowed where development does not adversely affect their character and setting. Where allowed, the Council will use planning conditions and agreements to enable an archaeological assessment, on site monitoring, testing and/or excavation by a licensed archaeologist.

All aspects of archaeological heritage and underwater cultural heritage, in all environments, shall be considered in the development process, including impacts on unidentified elements of the archaeological and underwater cultural heritage. Areas that have developed around watercourses, including rivers and lakes may contain known and/or previously unknown underwater archaeological sites, structures, features or artefacts, and this should be considered when reviewing the existing Development Plan and developing policies for the new plan. Likewise, reclaimed areas may also contain previously unknown, buried archaeology that could be revealed during development impacts. Any plan should include this in its policy and objectives section. Sites such as slipways, historic quays, quay furniture, fixtures and fittings, fishtraps, harbours with associated marine infrastructure, including causeways, as well as specific sites such as shipwrecks, logboats, etc., singular sites such as rock cut platforms and steps, and of course artefactual material associated with sites or as individual depositions in underwater environments, etc. can all be retained and preserved in intertidal/foreshore and underwater contexts or on land previously covered by water (e.g. reclaimed areas).

The Department recommends inclusion of the following additional Policies in relation to Archaeology:

1. To protect, preserve and promote the archaeological value of underwater archaeological sites and objects in rivers, lakes, intertidal and subtidal environments. In assessing proposals for development, the Council will take account of the Archaeological Potential of rivers, lakes, intertidal and sub-tidal environments. Where flood relief schemes are being undertaken, the Council will have regard to the Archaeological Guidelines for Flood Relief Schemes (DHLGH and OPW 2021).



2. To support community initiatives and projects regarding preservation, presentation, publication of and access to archaeological heritage and underwater cultural heritage, provided such are compatible with appropriate conservation policies and standards, having regard to the guidance and advice of the Department of Housing, Local Government and Heritage.
3. To support research and the production of a Conservation Management Plan for the Black Pig's Dyke in Co. Leitrim.

The Department recommends inclusion of the following amendments to the proposed Policies in relation to Archaeology:

ARCH POL 1 To secure the preservation (i.e. preservation in-situ or in particular circumstances where the Council is satisfied that this is not possible, preservation by record as a minimum) of all archaeological remains and sites of importance such as National Monuments, Recorded Monuments, protected wrecks and underwater archaeological heritage, to include their setting and context.

ARCH OBJ 2 To ensure that any development (above or below ground or underwater), within the vicinity of a site of archaeological interest or protected wreck or area of underwater archaeological heritage shall not be detrimental to the archaeological remains, character of the site or its setting.

ARCH OBJ 3 To require, where appropriate, that an archaeological assessment or underwater archaeological impact assessment be carried out by a suitably qualified person prior to the commencement of any activity that may impact upon archaeological heritage, including underwater archaeological heritage.

ARCH OBJ 4 To protect the zones of archaeological potential, as identified in the Record of Monuments and Places, protected wrecks and underwater archaeological heritage.

ARCH OBJ 5 To protect archaeological sites, protected wrecks and underwater archaeological heritage discovered since the publication of the Record of Monuments and Places, which are recorded in the Sites and Monuments Record.

Volume 1—Chapter 12 Climate Action and Renewable Energy

The Department notes neither this chapter does not include any specific commitments in relation to climate change and archaeology, architectural and cultural heritage. As part of the implementation of the *Climate Change Sectoral Adaptation Plan for Built and Archaeological Heritage*, we strongly encourage that this omission is directly addressed.

The Department recommends inclusion of the following policy objectives:

- To promote awareness and the appropriate adaptation of Ireland's built and archaeological heritage to deal with the effects of climate change.



- To identify the built and archaeological heritage in local authority ownership and areas at risk from climate change including, but not necessarily restricted to, the Record of Monuments and Places, protected structures and architectural conservation areas designated in the development plan.
- To undertake climate change vulnerability assessments for the historic structures, sites, and underwater archaeological heritage in its area.
- To develop disaster risk reduction policies addressing direct and indirect risks to the built and archaeological heritage in its area.
- To develop resilience and adaptation strategies for the built and archaeological heritage in its area.
- To develop the skills capacity within the local authority to address adaptation /mitigation /emergency management issues affecting historic structures and sites, including underwater cultural heritage, in order to avoid inadvertent loss or damage in the course of climate change adaptation or mitigation works.

Nature Conservation

These observations are intended to assist you in meeting the objectives and obligations that may arise in relation to European sites, other nature conservation sites, and biodiversity and environmental protection in general in the context of the preparation and implementation of the proposed County Development Plan (CDP) for 2023-2029. Their aim is to support and encourage the development of a CDP that integrates biodiversity protection and nature conservation into all aspects of life in Leitrim county.

The Department provided a substantial submission at the issues papers stage and the Department welcomes the incorporation of many of those recommendations into the CDP.

Specifically, the Department welcomes the inclusion of the following specific sections and their associated Policies and Objectives;

- 11.3 Natural Heritage and Biodiversity
- 11.4 Development management guidance on ecologically sensitive sites
- 11.5 Biodiversity outside of habitats designated for Nature conservation
- 11.8 Wetlands
- 11.9 Peatlands
- 11.10 Trees, Woodlands and hedgerows
- 13.17.4 SuDS,

1. The Department takes this opportunity to further highlight that Ireland and by association Leitrim is experiencing a Biodiversity crisis and to address this the government recently declared a Biodiversity Emergency. Within this context, the Department recommends that Biodiversity and Natural heritage is separated into an individual section of the CDP or alternatively Section 11 of the CDP (Heritage) is relabelled 'Heritage and Biodiversity'. This labelling change will help to highlight and reflect the importance of biodiversity in Leitrim as well as its role in supporting our national resilience to climate change and the provision of ecosystem services.
2. With regard to 11.12 Invasive Species: The Department welcomes the inclusion of a specific policy on this matter. However, the Department recommends that consideration is given to rewording IS POL 1 to incorporate reference to the EU



Regulation on Invasive Alien Species. <https://www.npws.ie/legislation/eu-regulation-invasive-alien-species>

3. With regard to 13.15. Where full Appropriate Assessment is required, the Department recommends that the draft wording is further strengthened to ensure that appropriate skillset is used in this task e.g. the assessment shall be based on best scientific knowledge, and undertaken by a person with appropriate ecological expertise and qualifications.
4. With regard to 13.17.4 SuDS, the Department welcomes the dedicated objective to adopt/ incorporate best practice SuDS standards or equivalent for all new development consents within the county, irrespective of their location.
5. With regard to General Development Standards 13.9 and 9.8 Flood Risk Management. Within the wider context of climate change and increased rain bursts nature based solutions can contribute to addressing the demands arising from new and existing infrastructure development as well as county wide water management issues. County Leitrim has prominent water management issues (i.e. 300 areas or communities believed to be at significant risk of future flooding) in both its upper catchments (e.g. significant volumes of forestry with associated drainage on relatively deep peat) and lower catchment areas (e.g. Carrick on Shannon where a flood relief scheme is planned). Hard engineering solutions at the point of flood pressure are typically a response to chronic flooding at pinch points but do not address the underlying causes of increased speed and volume of water flow through the upper catchment. Moreover, hard engineering solutions in isolation may increase the rate of flow through an upstream area and frequently result in increased flooding downstream. This is particularly apt for catchments with low gradients such as the Shannon basin. The county development plan has a strong role in helping to address the underlying causes of downstream flooding (i.e. flow of water from the upper catchment) and can contribute to policies that support slowing the flow of water into vulnerable areas. To that end, the Department recommends that a dedicated policy is adopted to ensure that slowing the flow of water from, through or off development sites in upper hydrological catchments is central to any new design brief.
6. With regard to section 8.9 Blueways and Greenways. Whilst the development of such amenities is welcomed the CDP should explicitly acknowledge that such routes constitute a class of road development and consequently, there are significant risks to biodiversity and nature conservation associated with the development of such trails in environmentally sensitive areas. The National Greenway Strategy stipulates that greenways and other associated linear trails should be designed to take into account, and avoid where necessary, the sensitivities of natural heritage. The Department also recommends the need to apply the precautionary principle when undertaking environmental assessment of such proposals that are typically located in features of high ecological interest. Moreover, the Department highlights that project splitting has been a feature of greenway development in the county and the CDP should endeavour to ensure that sufficient high level plans are in place to coordinate and assess the in-combination and cumulative impacts of local projects that contribute to the development of wider cycle and walking infrastructure.



7. With regard to 13.20.1 Wind energy. The Department recommends that impacts to peat and risks arising from potential peat slippage are specifically highlighted in this section.
8. With regard to Agricultural Buildings and Structures. 13.18.1. The Department recommends that environmental constraints such as proximity to designated and proposed nature conservation sites is flagged and the need for screening for appropriate assessment where necessary is highlighted in this section.

In conclusion, the Department welcomes and recognises the significant efforts that have been made to incorporate and address concerns raised at issues paper stage. The Department commends the council for its leadership in drafting strong policies for protecting biodiversity and nature conservation interests in the CDP. At this stage the Department reminds the council that NPWS staff are available to discuss these observations and other nature conservation issues arising from the preparation of the CDP via an online meeting.

Important, the observations here are not exhaustive, and are made without prejudice to any recommendation that may be made by this Department in the future. Data collected and surveys carried out in connection with this proposed development may raise other issues that have not been considered here.

You are requested to send any further communications to this Department's Development Applications Unit (DAU) at manager.dau@housing.gov.ie, or to the following address:

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