

CONSULTATION

Response Document



Draft Revised National Planning Framework

12th September 2024

Introduction to CIEEM

The Chartered Institute of Ecology and Environmental Management (CIEEM), as the leading membership organisation supporting professional ecologists and environmental managers in the United Kingdom and Ireland, welcomes the opportunity to comment on this consultation.

CIEEM was established in 1991 and has over 7,000 members drawn from local authorities, government agencies, industry, environmental consultancy, teaching/research, and voluntary environmental organisations. The Chartered Institute has led the way in defining and raising the standards of ecological and environmental management practice with regard to biodiversity protection and enhancement. It promotes knowledge sharing through events and publications, skills development through its comprehensive training and development programme and best practice through the dissemination of technical guidance for the profession and related disciplines.

CIEEM is a member of:

- Scottish Environment Link
- Wildlife and Countryside Link
- Northern Ireland Environment Link
- Wales Environment Link
- Environmental Policy Forum
- IUCN – The World Conservation Union
- Professional Associations Research Network
- Society for the Environment
- UN Decade on Ecosystem Restoration 2021-2030 Network
- Greener UK
- National Biodiversity Forum (Ireland)
- The Environmental Science Association of Ireland

This response was coordinated by Members of our [Ireland Policy Group](#).

We welcome the opportunity to participate in this consultation and we would be happy to provide further information on this topic. Please contact Jason Reeves (CIEEM Head of Policy) at JasonReeves@cieem.net with any queries.

Introductory remarks

It is encouraging that ‘biodiversity’ is a more prominent feature of this draft of the revised National Planning Framework (NPF). In particular, we welcome the message that National Policy Objectives 1 (NPO 1) sends that ecological assessments must be the norm for development. Other welcome features include an enlarged section on Strategic Planning for Biodiversity, which refers to the EU’s National Restoration Law, and three new objectives that are directly relevant to biodiversity (NPOs 83, 84, 85), including the development of a National Restoration Plan (NPO 83). Integration of biodiversity into the NPF is key to ensuring that current and projected growth develops in a manner that is balanced against the needs of Ireland’s nature, the integrity of European sites and coherence of the Natura 2000 network, and global commitments to halt and reverse the loss of biodiversity.

1. Recommendations

1.1. Embrace biodiversity for effective delivery of the NPF

CIEEM welcomes the increased focus on biodiversity in the draft NPF; however, there needs to be a more intentional integration of environmental and ecological policies. While we recognise the need for growth, particularly of housing, biodiversity — as well as climate targets — must be fully embedded in the NPF to avoid it becoming an obstacle to delivery, whether through judicial reviews of compliance with EU law or lack of community support. We would like to see the following mitigations adopted:

- Throughout the NPF there should be reference to the requirement that support for sectoral plans, programmes, strategies, as well as infrastructure and project proposals — including that arising from the NPF — be subject to the application of SEA / EIA/ FRA / AA, planning and consenting processes, as appropriate (as per NPO 1).
- Development whose primary objective is to conserve, enhance or restore biodiversity should be supported in principle.
- The ‘Growth Enablers’ for effective regional development (Ch 3, draft NPF) should include the need to incorporate carbon sinks and nature restoration proposals into key development areas.
- Supporting text on Ports and Harbours should include an explicit reference to the Guidance document on the implementation of the Birds and Habitats Directive in estuaries and coastal zones with particular attention to port development and dredging, European Commission (2011).

1.2. The NPF should encompass strategic plans for:

1.2.1. Managing development pressures

Robust site and route selection which uses environmental constraints analysis is the first step to avoid impacts by looking at alternative locations and technologies which avoid conflicts with important environmental obligations.

We note the requirement in the NPF that for co-location of renewable technologies "...appropriate locations are determined based upon the best available scientific evidence in line with EU and national legislative frameworks" (NPO 74 and, similarly, NPO 75). However, we would like to see the full integration of the mitigation proposes by the Strategic Environmental Assessment (SEA), specifically that, "The NPO should clearly link to the need for robust constraints analysis and site/ route sections to underpin decision-making on where and what is appropriate.

As built environments increase in terms of their compactness/density, it is critical that natural and sustainable solutions are integrated as much as possible, while housing development should be permitted only when there is evidence of existing adequate or committed capacity to provide key services, including wastewater management.

Similarly, we support co-location of renewable technologies and complementary land uses (NPO 74), though feasibility studies should be conducted at both Regional Authority and Local Authority level to assess potential areas located in close proximity to larger industrial parks and brownfield areas. Co-location should be supported by guidance for different community settings in Ireland.

Furthermore, housing development must consider the impact of recreational pressure from the new population (and cumulatively with existing populations using the areas) on local biodiversity and protected habitats and species. A Recreational Access Management Plan should be prepared to identify necessary mitigation strategies where significant pressures are identified.

1.2.2. Biodiversity outside of existing designations

In addition to managing pressures, a strategic plan for identifying and protecting biodiversity features which act as stepping stones or corridors, but that are outside of existing designations (e.g. woodlands, hedgerows, field boundaries, sand dunes, saltmarshes, rivers, streams and associated riparian zones, canals, marine habitats and wetlands), will be essential to support the implementation of the Nature Restoration Law. This plan should be national, but could also be tailored to regional or local planning tiers because, while a local approach is necessary, there is a clear need for an overarching approach to strategically plan for our national biodiversity needs.

1.3. Biodiversity checklist for those that fall short of threshold for EIA

While we welcome the inclusion of NPO 1, we are concerned that it does not include a requirement for plans, projects, and activities which fall below the threshold for EIA, be subject to an Ecological Impact Assessments (EclA). It's absence creates a legislative gap which we propose be addressed by requiring that all proposals below the EIA threshold be subject to a Biodiversity Checklist¹ similar to that used in Northern Ireland. This will support decision making that is cognisant of biodiversity.

1.4. Addressing Capacity issues in the Ecology and Environmental Sector

The shortage of skilled workforce relative to the current demands of the ecological sector in Ireland has been raised as a concern by CIEEM in recent years². Actions for biodiversity will be undermined by the lack of ecological expertise to effectively implement them, and this will be ultimately detrimental to achieving the objectives of the government's National Planning Framework.

1.5. Consolidate and better align legislation with the EU

The legislation is fragmented and requires consolidation to better align with that of the European Union, including the Water Framework Directive, Marine Strategy Framework Directive, Soil Monitoring and Resilience Directive, Corporate Sustainability Reporting Directive (CSRD), Habitats Directive, and Regulation 1143/2014 on Invasives

¹ <https://www.daera-ni.gov.uk/articles/biodiversity-checklist>

² <https://cieem.net/resource/increasing-capacity-in-the-professional-ecology-sector-in-ireland-partner-proposal/>

Alien Species. In the process, it should be simplified and accompanied by clear policy and guidance for its implementation.

1.6. Official government guidance on biodiversity in planning from NPWS

There is a need for official government guidance on biodiversity in planning from NPWS. In Northern Ireland, Planning Policy Statement 2: Natural Heritage outlines biodiversity-related planning policy, covering designated sites, legally-protected species, priority species and habitats, and other non-protected habitats. This system offers clear guidelines for ecological assessments and necessary mitigation or compensation. It would be beneficial for the NPWS to publish a similar policy statement for ecological matters not covered by legislation. Guidance should include the mitigation hierarchy, which dictates that all plans do everything possible to first avoid and then minimise impacts on biodiversity. Mitigation and compensation for losses should only be a last resort when impacts cannot be avoided.

2. Other specific mitigations that should be adopted

- 2.1.1. NPO31: This objective should be revised to acknowledge the current evidence base showing continuous environmental decline and the need for the rural economy to proactively address impacts to biodiversity while prioritising the "right activity in the right place".
- 2.1.2. NPO74: Strengthen the NPO's reference to biodiversity by including a reference to 'restoration'.
- 2.1.3. NPO80: While broad and general policy support for NbS and SuDS is welcomed, including retrofitting of existing infrastructure, these can no longer be seen as an optional approach in developments, and should be strengthened to more than support.
- 2.1.4. NPO 79 and NPO 80: These objectives should link to Green and Blue infrastructure provision in NPOs 81, 82 and 90 as additional benefits could be achieved for biodiversity and water quality where NbS and SUDs are integrated.
- 2.1.5. NPO81: The policy should be further enhanced by linking it to plans for urban greening at settlement level.
- 2.1.6. NPO 81, NPO 82 and NPO 90: Green and Blue infrastructure provisions should be enhanced to incorporate biodiversity-

specific infrastructure provisions to ensure that these are proactively protected and planned for in wider strategies.

- 2.1.7. A new NPO addressing light pollution, especially in areas designated as 'Dark Sky' should be considered.
- 2.1.8. A new NPO should be included to specifically support the alignment of terrestrial planning with marine planning at regional and local level to provide for the sustainable development of port infrastructure that enables the development of Offshore Renewable Energy.