

## Chapter 11: Water Services and Environment

### 11.1 Aim

Offaly County Council is committed to working with Irish Water in the provision of water services for the sustainable growth of the county and delivering on the key principles of environmental protection and climate action as a backdrop to sustainable growth.

Note that Flood Risk Management is dealt with in Chapter 3 Climate Action and Energy.

### 11.2 Water Services

The sustainable growth of the county is dependent on the provision of services and infrastructure. Irish Water was formed in 2013 as a semi-state company under the Water Services Act 2013. As of January 2014, Irish Water replaced Local Authorities as the single provider of water and wastewater services. Irish Water is responsible for the operation of public water and waste water services nationally including, strategic planning, policy development, service provision, customer service and capital investment planning and delivery.

Offaly County Council retains its role in facilitating the provision of adequate water services, in conjunction with Irish Water, at a local level, through Service Level Agreements (SLAs). Offaly County Council remains the designated Water Authority for the assessment and approval of on-site waste water treatment systems and is responsible for monitoring of Group Water Schemes; surface water drainage; and administering the Rural Water Programme.

The key Irish Water policy documents in existence / pending are:

- **Irish Water's Water Services Strategic Plan** (2015, under review in 2020), which sets out the strategic objectives for the delivery of water services over the next 25 years up to 2040 and sets a context for investment and implementation plans. This plan is reviewed every five years.
- **Irish Water's National Water Resources Plan** (expected in 2021) which is a strategic plan for water services that outlines how we will move towards a sustainable, secure and reliable public drinking water supply over the next 25 years, whilst safeguarding the environment.
- **Irish Water's Business Plan** which sets out the key deliverables for the period 2015 to 2021. The key objective of this plan is to establish a high performing leading national utility. This document sets out both the key components of the transformation and the key infrastructure improvements that will be delivered under the capital investment programme during the term of this business plan.
- **Irish Water's Capital Investment Plan 2020-2024** which outlines the indicative priorities and investments in water services infrastructure over the plan period. This Plan aims to deliver

improvements in drinking water quality, leakage, wastewater compliance, business efficiencies and customer service.

While many infrastructural requirements and issues relating to public water services are not the direct remit of Offaly County Council, they have implications for planning and development. Offaly County Council will work closely with Irish Water to facilitate the timely provision of water services infrastructure within the county in line with Council's Core Strategy and Settlement Strategy.

The impact of climate change on the water cycle and the resultant impact on water services poses a challenge. These impacts include more frequent and sustained rainfall events and greater vulnerability of low-lying areas to flooding; the availability of water sources and the capacity of water bodies to assimilate wastewater discharges through lower water levels in rivers and lakes in longer and drier summer periods. Offaly County Council will seek to ensure the effects of climate change are mitigated in the delivery of water services infrastructure, in association with Irish Water.

### 11.2.1 Water Supply

Irish Water is responsible for public water schemes in the county. Offaly County Council regulates and administers subsidies for Group Water Schemes. Offaly County Council also administers grants and provides guidance for private wells with the overall responsibility remaining with the householder.

Table 11.1 Water Schemes in County Offaly

Scheme Type	Location
Public Water Scheme	Banagher, Birr, Clara/Ferbane, Clonbullogue, Coolderry, Daingean, Dungar, Dunkerrin, Edenderry, Geashill, Horseleap, Kilcormac, Kinnitty, Moneygall, Mountbolus, Moyclare, Portarlinton, Rahan – Agall / Holmshill, Rahan - Tully, Rhode, Shinrone/Brosna, Tullamore South (Clonaslee), Tullamore North (Ardan), Walsh Island
Public Group Water Scheme	Ballindarra, Mile Tree, Ballycommon / Kilclonfert, Bishopstown, Shandra Lane, Leamore Leabeg, Durrow, Endrim, Erryarmstrong, Rashina/Kilnagarnagh, Townspark, Bog Road, Cushina / Kilnacarragh, Kilnacarra
Private Group Water Scheme	Clareen/Aghancon, Ballinagar, Ballyboy, Ballyfore / Ballykilleen, Bloomhill, Boher, Bracknagh, Cadamstown, Clondelara, Clonfinlough, Killeigh/Cloneygowan, Meelaghans, Mountlucas, Tober, Rath

### 11.2.2 Wastewater

The provision of well-maintained quality wastewater treatment infrastructure is essential to facilitate sustainable development of the county in line with the Core Strategy and Settlement Strategy while

also protecting the environment and public health. Irish Water is responsible for the collection, treatment and disposal of wastewater where public wastewater facilities exist in towns and villages. In unserviced areas and outside the main towns and villages, the main method of sewage disposal is by means of individual septic tanks and proprietary wastewater treatment systems.

**Table 11.2 Public Wastewater Treatment Plants in County Offaly**

Ballinagar, Banagher, Birr, Bracknagh, Clara, Cloghan, Clonbullogue, Cloneygowan, Coolderry, Edenderry, Ferbane, Geashill, Daingean, Kilcormac, Killeigh, Kinnitty, Leamanaghan, Moneygall, Mountbolus, Mucklagh, Shannon Harbour, Rahan, Rhode, Shannonbridge, Shinrone, Walsh Island, Tullamore

### **11.2.3 Sludge Management**

Irish Water is responsible for the treatment and disposal of the sludge that is generated from both its water and wastewater treatment plants. Irish Water has prepared a National Wastewater Sludge Management Plan (NWSMP) which outlines Irish Water’s strategy to ensure a nationwide standardised approach for managing wastewater sludge over a 25-year period. It is proposed that the NWSMP will have ongoing five yearly reviews. The current plan covers 2016-2021 and will be revised and updated in 2021 for the period 2022-2027. A separate plan will be prepared in relation to sludge produced at drinking water plants.

The NWSMP proposes to develop a Sludge Hub Centre and Satellite Dewatering Site network for wastewater sludge treatment, optimised on a regional rather than county basis. Tullamore wastewater treatment plant is currently under consideration by Irish Water as a potential site for a Sludge Hub Centre on a regional basis.

### **11.2.4 Surface Water Drainage**

The Council is responsible for surface water drainage in the county. Sustainable Urban Drainage Systems (SuDS) is a method to minimise the quantity and increase the quality of surface water runoff and to mitigate adverse impacts of climate change. SuDS can also provide amenity and biodiversity benefits. The Council seeks to ensure the sustainable management of surface water discharges through the use of SuDS. Chapter 3 Climate Action and Energy includes specific policies and objectives on SuDS and flood risk management.



Figure 11.1 Sustainable Drainage Systems

## 11.3 Water Services Policies

### General

**WSP-01** It is Council policy to ensure the efficient and sustainable use and development of water resources and water services infrastructure in order to manage and conserve water resources in a manner that supports a healthy society, economic development requirements, a cleaner environment and climate change mitigation.

**WSP-02** It is Council policy to liaise and co-operate with Irish Water in the implementation and delivery of the 'Water Services Strategic Plan' (2015, under review in 2020), the 'Irish Water Business Plan 2015-2021', the 'Irish Water National Water Resources Plan' (expected in 2021) and the 'Irish Water Investment Plan 2020-2024' (or any amendment thereof) and other relevant investment works programmes of Irish Water, to provide infrastructure to service settlements in accordance with the Council's Core Strategy and Settlement Strategy.

**WSP-03** It is Council policy to work in conjunction with Irish Water to protect existing water supply and wastewater infrastructure, to maximise the potential of existing capacity and to facilitate the timely delivery of new water supply and wastewater infrastructure to facilitate future growth in accordance with the Council's Core Strategy and Settlement Strategy.

**WSP-04** It is Council policy to require developments to connect to public wastewater infrastructure and public water supplies, where available, including group water schemes, unless otherwise approved by the Planning Authority.

**WSP-05** It is Council policy as the Regulatory Authority to promote the protection of private water sources, the development of community connections (water and wastewater), and improvement works to septic tanks in accordance with national policy and regulations, and to administer the multi-annual Rural Water Programme (2019-2021).

**WSP-06** It is Council policy to ensure that development is permitted in tandem with available water supply and wastewater treatment and to manage development, so that new schemes are permitted only where adequate capacity or resources exists or will become available within the life of a planning permission. Prior to applying for planning permission, applicants shall consult with Irish Water regarding feasibility and capacity for water services connection. Applicants shall submit proof of documentation that connection to a group water scheme has been granted, where applicable.

**WSP-07** It is Council policy to ensure the delivery and phasing of services in the county is subject to the required appraisal, planning and environmental assessment processes and shall avoid adverse impacts on the integrity of the Natura 2000 network.

**WSP-08** It is Council policy to ensure any proposal for geothermal or other energy subsurface exploration is accompanied by an assessment that addresses the potential impacts on groundwater quality.

### Water Supply

**WSP-09** It is Council policy to collaborate with and support, as relevant and appropriate, Irish Water in its role as the lead authority for water services to provide an adequate and appropriate drinking water supply that complies with the EU (Drinking Water) Regulations and the Drinking Water Regulations 2014 (as amended), and any future amendments. In this respect, Offaly County Council will have regard to the Environmental Protection Agency 2019 publication 'Drinking Water Report for Public Water Supplies 2018' (and any subsequent update) in the establishment and maintenance of water sources in the county, and in conjunction with Irish Water, undertake recommendations made by the EPA arising from any failure to meet drinking water standards and any enlistment on the EPA's remedial Action List.

**WSP-10** It is Council policy to engage with Irish Water to endeavour to facilitate developments which have requirements for water by allowing potential surface and ground water resources of County Offaly and the potential water resources of the River Shannon to be utilised, where practicable and possible, subject to appropriate safeguards.

**WSP-11** It is Council policy to promote the conservation and sustainable use of water in existing and new development within the county and to encourage demand management measures among all water users including rain water harvesting and grey water recycling.

**WSP-12** It is Council policy to monitor and regulate Group Water Schemes in accordance with national policy and regulations.

**WSP-13** It is Council policy to protect the Irish Water Eastern and Midlands Water Supply Project pipeline corridor from inappropriate development that would prejudice the delivery of the project and to refer any planning applications within the development corridor to Irish Water for comment.

### Waste Water

**WSP-14** It is Council policy to co-operate and support Irish Water to eliminate untreated discharges from settlements in the short-term, while planning strategically for long-term growth in tandem with Project Ireland 2040 and in increasing compliance with the requirements of the Urban Waste Water Treatment Directive to 90% by the end of 2021, to 99% by 2027 and to 100% by 2040.

**WSP-15** It is Council policy to support strategic wastewater treatment infrastructure investment by Irish Water and to support Irish Water in providing and maintaining adequate and appropriate wastewater treatment infrastructure to service zoned lands and developments over the lifetime of the Plan in accordance with the Council's Core Strategy and Settlement Strategy.

**WSP-16** It is Council policy to liaise with Irish Water to ensure the compliance of wastewater treatment systems with existing licences, EU Water Framework Directive, River Basin Management Plan, the Urban Waste Water Treatment Directive and the EU Habitats Directive.

**WSP-17** It is Council policy to encourage and support a changeover from septic tanks/private wastewater treatment plants to public collection networks wherever feasible, subject to connection agreements with Irish Water and to ensure that any future development connects to the public wastewater infrastructure where it is available.

**WSP-18** It is Council policy to ensure that the proposed wastewater treatment system for development in unserved areas complies with the relevant EPA Codes of Practice.

**WSP-19** It is Council policy to require / implement appropriate buffer zones surrounding all effluent treatment plants suitable to the size and operation of each plant.

**WSP-20** It is Council policy to have regard to the policies and objectives contained in Irish Water's National Wastewater Sludge Management Plan.

**WSP-21** Private wastewater treatment plants for multi-house developments will not normally be permitted.

### **Surface Water**

**WSP-22** It is Council policy to ensure adequate surface water drainage systems are in place which meet the requirements of the Water Framework Directive and the River Basin Management Plan and to promote the use of Sustainable Drainage Systems.

**WSP-23** It is Council policy to limit and manage the permitted stormwater run-off from all new developments. The maximum permitted surface outflow from any new development shall be restricted to that of a greenfield site before any development takes place unless otherwise agreed with Offaly County Council.

**WSP-24** It is Council policy to require new development to provide a separate foul and surface water drainage system and to incorporate Sustainable urban Drainage Systems (SuDS).

**WSP-25** It is Council policy to promote the use of green infrastructure, for example green roofs, green walls, planting and green spaces for surface water run-off retention purposes, in the interests of flood mitigation and climate change adaptation.

## 11.4 Water Services Objectives

### General

**WSO-01** It is an objective of the Council to work closely with Irish Water to service development with significant economic development potential and to align the supply of water services to the envisaged settlement size as per the Council's Core Strategy and Settlement Strategy. The availability of water services must not be a pre-cursor to large-scale growth in inappropriate locations.

### Water Supply

**WSO-02** It is an objective of the Council to support Irish Water's National Programme of Investment to reduce leakage minimising the demand for capital investment.

**WSO-03** It is an objective of the Council to co-operate with Irish Water in the delivery of the Eastern and Midlands Water Supply Project and to ensure the maximum benefit from this project to County Offaly, in particular with respect to economic development potential and security of supply.

**WSO-04** It is an objective of the Council to engage with Irish Water to examine significant raw water sources which may be made redundant by the Water Supply Project for the Eastern and Midlands Region with a view to reserving and protecting them for future back up or 'windfall' type economic development opportunities where high water use is required.

**WSO-05** It is an objective of the Council to provide guidance and advice regarding the protection of water supply to private wells with the overall responsibility for protection remaining with the householder.

### Waste Water

**WSO-06** It is an objective of the Council to support appropriate options for the extraction of energy and other resources from sewage sludge subject to appropriate environmental assessment and the planning process.

**WSO-07** It is an objective of the Council to support the servicing of small towns and villages through the serviced sites initiative to provide an alternative to one-off housing in the countryside, in accordance with National Policy Outcome 18b of the National Planning Framework and Regional Policy Objective 4.78 of the Eastern and Midland Regional Spatial and Economic Strategy.

### Surface Water

**WSO-08** It is an objective of the Council to improve surface water infrastructure and sustainable drainage and to reduce the risk of flooding, to facilitate the growth of settlements as per the county's settlement hierarchy.

**WSO-09** It is an objective of the Council to utilise, where appropriate, the provisions of Section 48 and 49 of the Planning and Development Act, 2000 (as amended) to generate financial contributions towards the capital costs of providing surface water infrastructure in the county.



## 11.5 Environment

Offaly County Council's environmental policies and objectives aim to minimise waste using the Circular Economy concept; mitigate where possible and adapt to the impacts of climate change; protect and improve ground and surface waters; and provide a clean natural environment.

### 11.5.1 Water Quality

#### Water Framework Directive and River Basin Management Plan

The EU Water Framework Directive (WFD) applies to rivers, lakes, groundwater, estuaries and coastal waters and aims to improve our water quality. In broad terms, the objectives of the Water Framework Directive are:

1. To prevent the deterioration of water bodies and to protect, enhance and restore them with the aim of achieving at least good status; and
2. To achieve compliance with the requirements for designated protected areas.

Ireland is required to produce a River Basin Management Plan (RBMP) under the Water Framework Directive (WFD). The Government has published the RBMP for Ireland 2018-2021, working on the basis that Ireland is defined as a single River Basin District (see Figure 11.2 below).

The RBMP proposes a programme of measures which aims to meet the environmental objectives and specific requirements of the WFD. The RBMP sets out the measures aimed at protecting our water bodies and at addressing the pressures on those water bodies 'At Risk' of not meeting the objectives of the WFD. The RBMP sets out the actions that Ireland will take to improve water quality and achieve 'good' ecological status in water bodies (rivers, lakes, estuaries and coastal waters) by 2027.

The Council is committed to the protection and improvement of all drinking water, surface water and groundwaters in the county in accordance with the WFD and the RBMP.

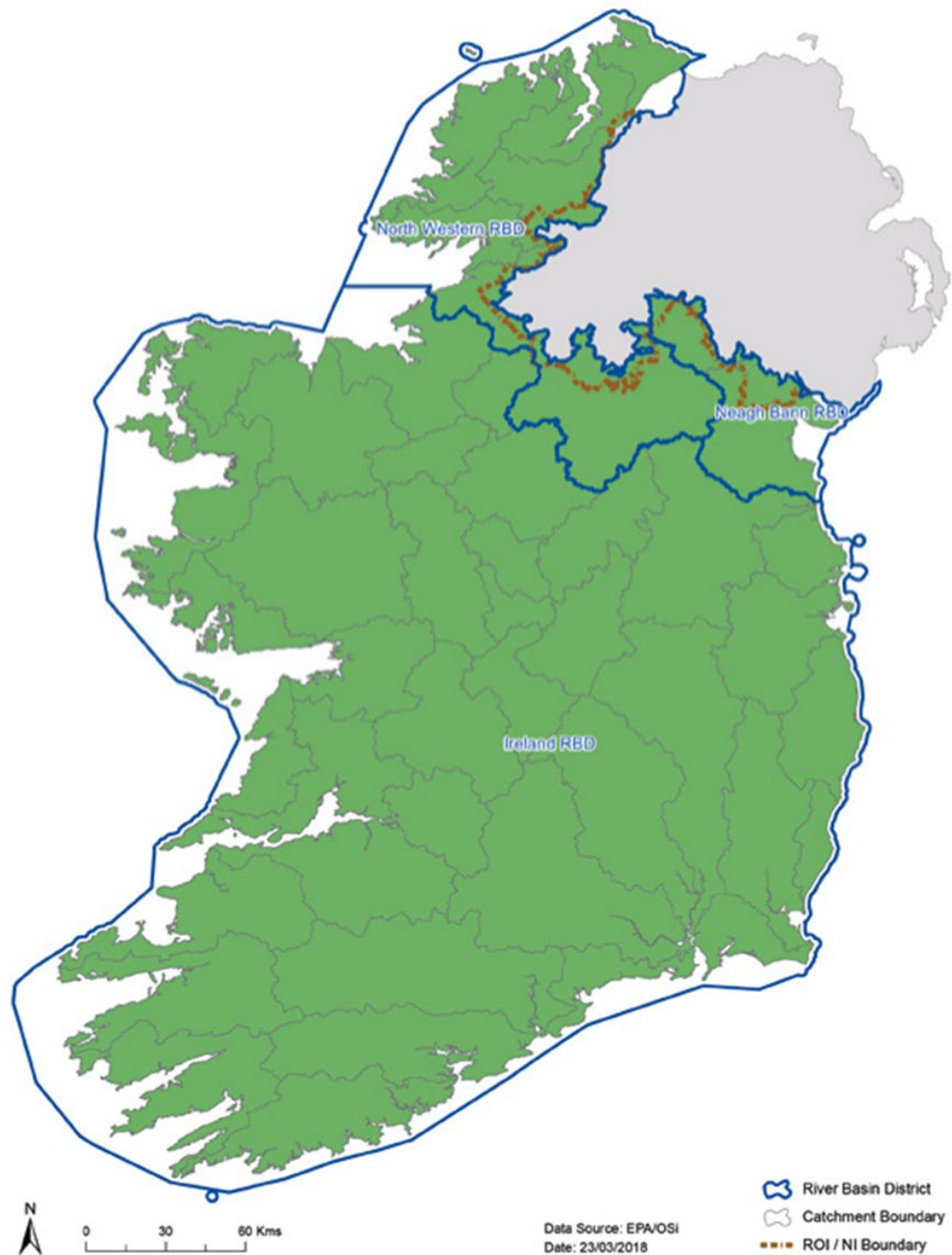


Figure 11.2 River Basin Districts for the 2nd Cycle of the WFD (2015-2021)

### Local Authority Waters Programme

The Local Authority Waters Programme (LAWPRO) has been established as a shared service working with Local Authorities and state agencies to develop and implement the River Basin Management Plans in Ireland, as required under the EU Water Framework Directive (WFD). Under the River Basin Management Plan for Ireland 2018-2021, LAWPRO is charged with the assessment of 190 Priority

Areas for Action (PAA's) across the country, with the remaining areas the responsibility of the relevant Local Authority.

Figure 11.3 below illustrates the PAA's in County Offaly as set out in the River Basin Management Plan for Ireland 2018-2021. New PAA's will be defined in subsequent River Basin Management Plans and will be considered under this County Development Plan.

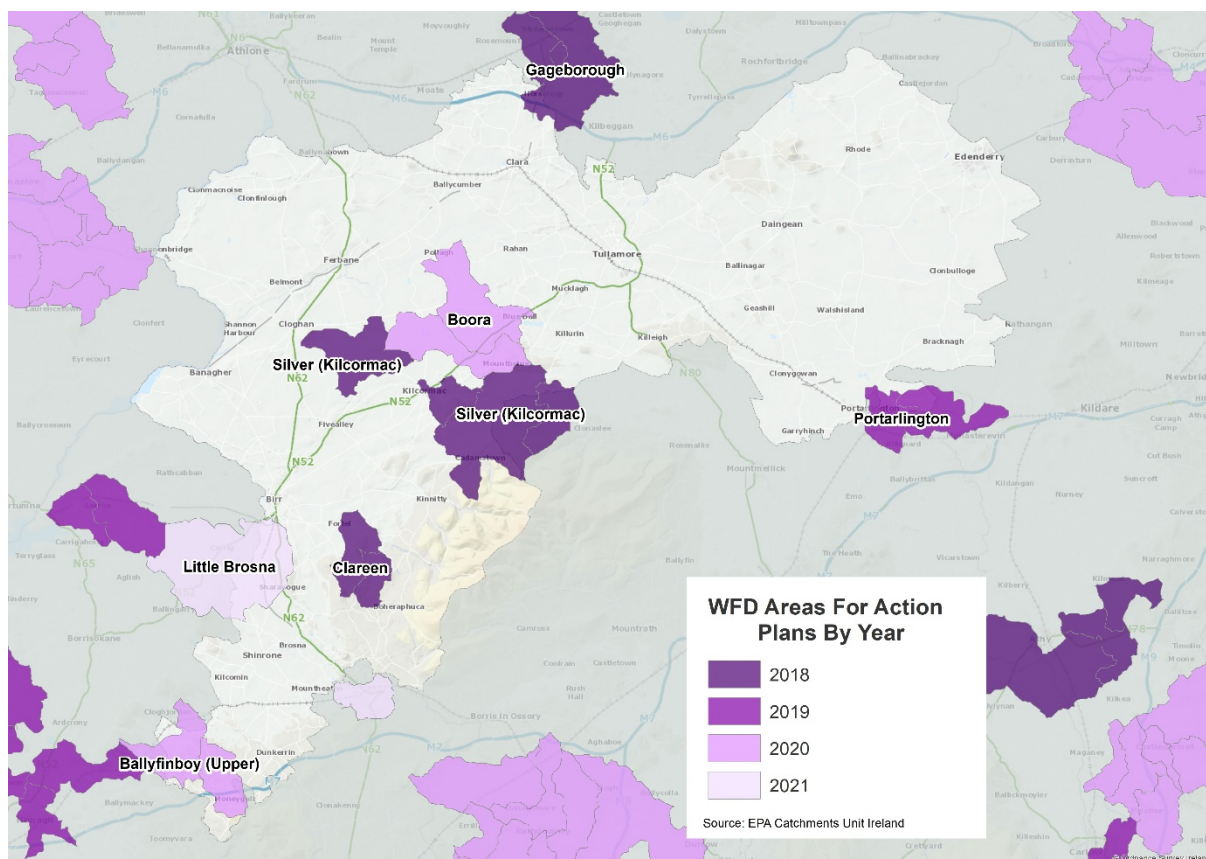


Figure 11.3 Priority Areas for Action (PAA's) in County Offaly

### Blue Dot Catchments Programme

The 'Blue Dot Catchments Programme' is a key action under the River Basin Management Plan for Ireland 2018 -2021. The aim of the 'Blue Dot' programme is to protect and restore high ecological status to a network of river and lake catchments. Figure 11.4 below illustrates the high status waters in County Offaly. The Council will take a precautionary approach to development which impacts on water quality, and particularly High Status waters, in keeping with the protection objective of the Water Framework Directive.

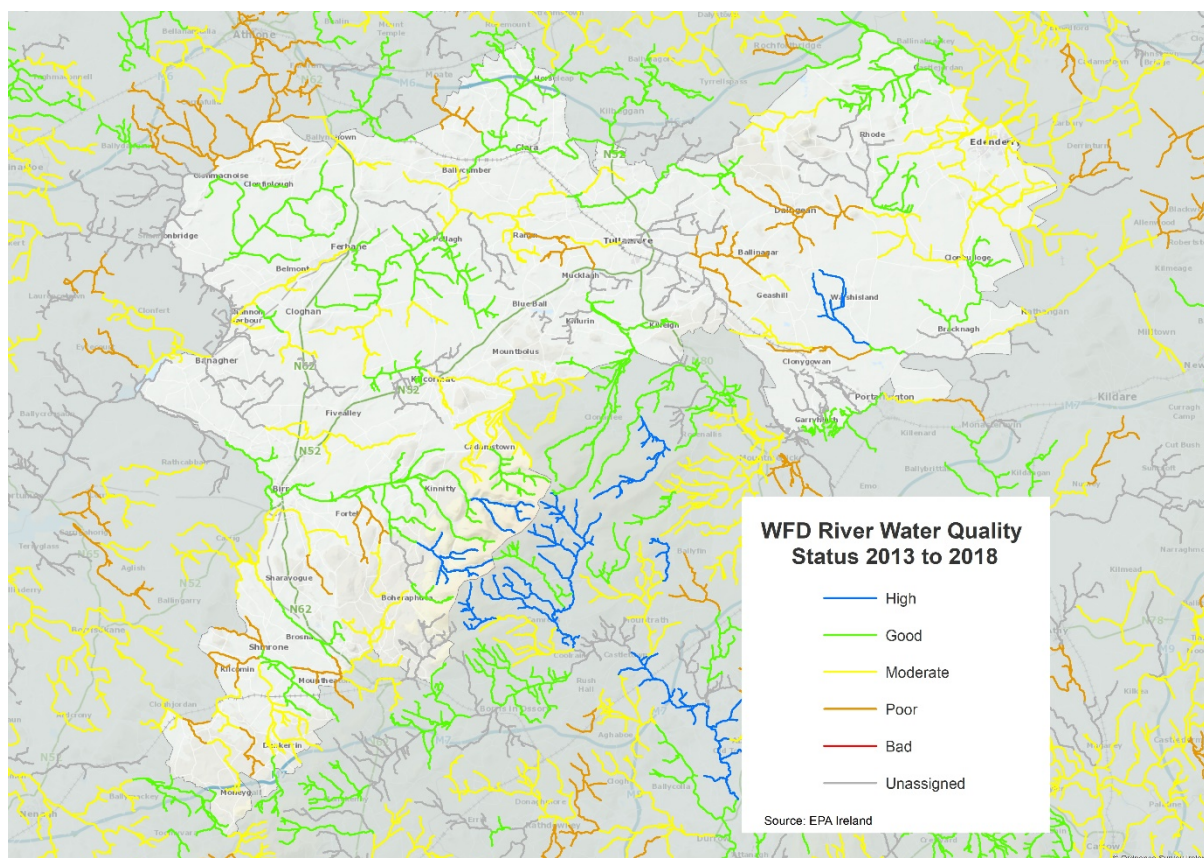


Figure 11.4 Riverbody Status 2013-2018

### Drinking Water Protected Areas

The Water Framework Directive requires the identification of Drinking Water Protected Areas (DWPAs). These are reservoirs, lakes, rivers and the groundwater bodies from which water is abstracted to provide water for people to drink. The Council will seek to protect both ground and surface water resources and will work with Irish Water to develop and implement Drinking Water Safety Plans to protect sources of public water supply and their contributing catchment and will work with the National Federation of Group Water Schemes in respect of Source Protection Plans for Group Water Schemes to protect these sources.

### Groundwater Protection Scheme and Source Protection Zones

The Geological Survey of Ireland has completed a Groundwater Protection Scheme for County Offaly. The overall aim of this scheme is to preserve the quality of groundwater, particularly for drinking purposes, for the benefit of present and future generations.

A key component of the Groundwater Protection Scheme is Source Protection Zones, which are delineated around groundwater sources to provide protection by placing tighter controls on activities within those areas (refer to Figure 11.5). Source Protection Zones are derived by integrating source protection areas (areas surrounding individual groundwater sources) and vulnerability categories (refer to Figure 11.6).

The Council will take a precautionary approach to development in Source Protection Zones. Development proposals which pose a potential risk to groundwater within these zones will be required to demonstrate that no reasonable alternative site is available and that groundwater quality will be protected to the satisfaction of the Council. Policy SSP-27 in Chapter 2 Core Strategy, Settlement Strategy and Housing Strategy addresses residential development within Source Protection Zones in the open countryside.

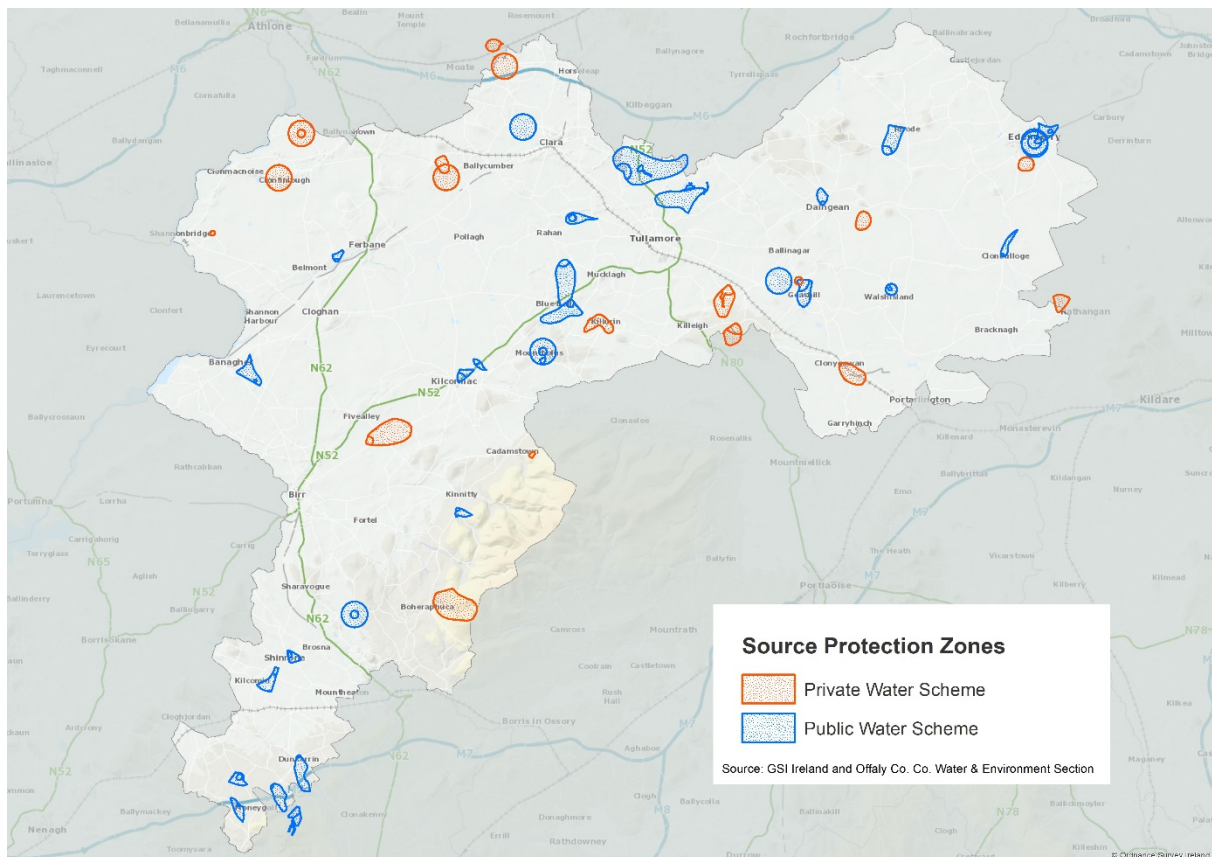


Figure 11.5 Source Protection Zones in County Offaly

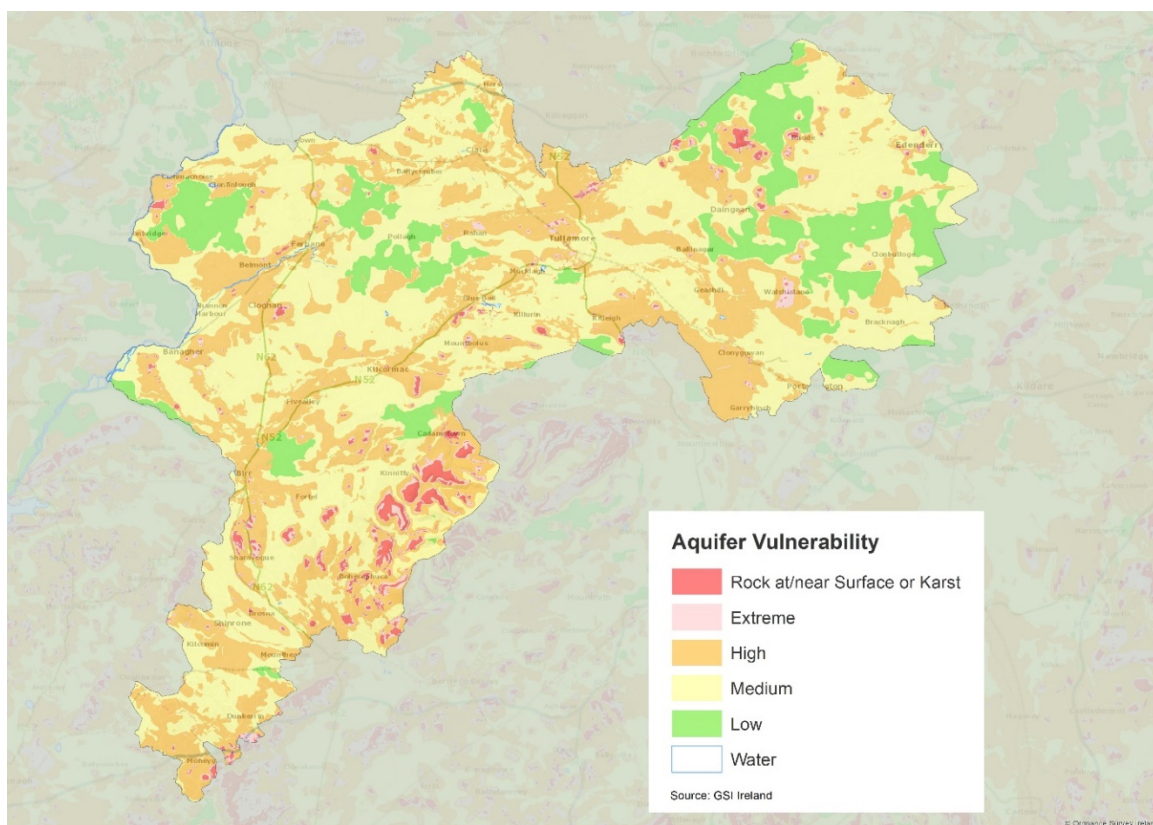


Figure 11.6 Groundwater/Aquifer Vulnerability

### 11.5.2 Waste Management

#### Eastern-Midlands Regional Waste Management Plan 2015 – 2021

The Eastern-Midlands Regional Waste Management Plan 2015 – 2021 is the framework for the prevention and management of wastes in a safe and sustainable manner. The strategic vision of the regional waste management plan is to rethink our approach to managing wastes, by viewing our waste streams as valuable material resources which can lead to a healthier environment and sustainable commercial opportunities for our economy. In order to achieve this vision, the WMP sets out three specific performance targets which are:

- Aim to achieve a 1% reduction per annum in the quantity of household waste generated per capita over the Plan period;
- Reduce to 0% the direct disposal of unprocessed residual municipal waste to landfill (from 2016 onwards) in favour of higher value pre-treatment processes and indigenous recovery practices; and
- Aim to achieve a recycling rate of 50% of managed municipal waste by 2020.

Relevant policies and objectives in the Development Plan can assist in underpinning the objectives of the Regional Waste Management Plan.

### The Circular Economy and Recycling

The concept of the Circular Economy is to minimise waste going to landfill and maximise waste as a resource. This means that prevention, preparation for reuse, recycling and recovery are prioritised in that order, over the disposal of waste. A recycling rate of 65% has been proposed by the European Commission for 2030 for the Circular Economy Package. The Council will support circular economy principles, prioritising prevention, reuse, recycling and recovery over the disposal of waste.

There are currently 41 Bring Centres in the county which accept bottles, cans and in some cases textiles. There are three civic amenity sites in Offaly in Tullamore, Birr and Edenderry which accept a wide range of domestic materials from the general public. The Council will continue to encourage the provision of recycling infrastructure where it is considered necessary and will assess requirements for recycling facilities on a case by case basis as part of the development management process.

The National Waste Collection Permitting Office (NWCPO) is located within Offaly County Council and it processes all waste collection permits for the country.

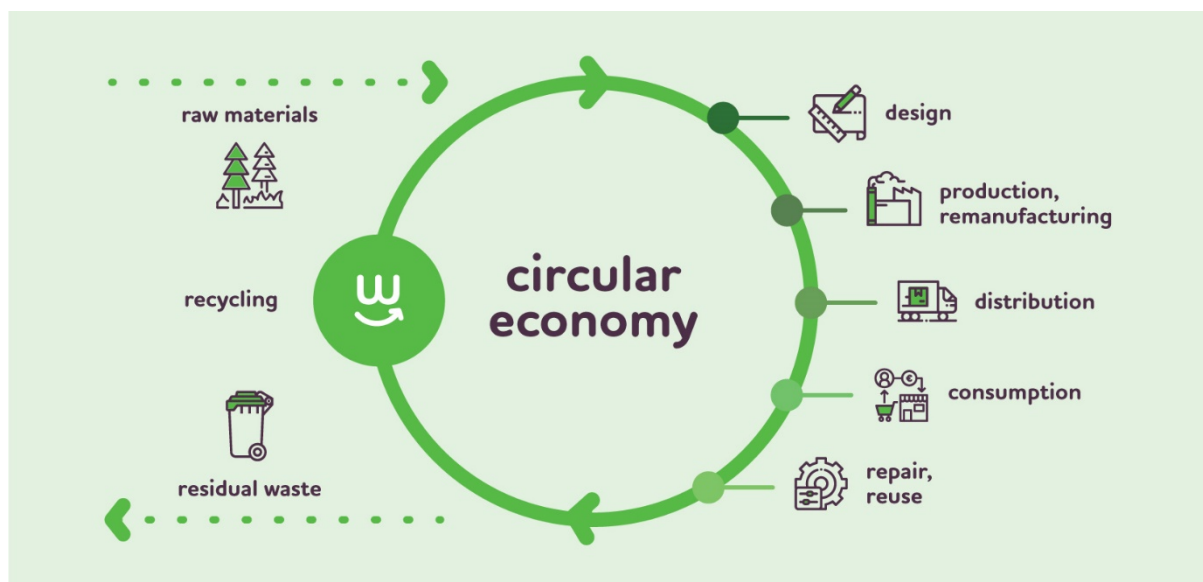


Figure 11.7 The Circular Economy

### Litter Management

The legislation which governs the management of litter is the Litter Pollution Act, 1997 (as amended). As a requirement of the Act, Offaly County Council has produced a Litter Management Plan 2016-2018 which has been extended to 2021 and is responsible for keeping public places in the county clear of litter. The Council has the authority to issue penalties for breaches of the Act and has a duty to raise awareness and educate the public about litter management. The Council has a dedicated Environmental Awareness Officer. Litter management initiatives supported by Offaly County Council include the Green Schools Programme, Tidy Towns Seminars, National Spring Clean, Gum Litter Task Force Campaign, Irish Business Against Litter, Anti-Litter League and local media campaigns. The Council will have regard to and support the implementation of the Litter Management Plan.

### **Landfill**

Clonbullogue Ash Repository is an active inert landfill located in the county. Offaly County Council operated a municipal waste landfill site at Derryclure, Tullamore until October 2012. The landfill ceased the acceptance of waste directly, however the Council still provides a waste and recycling service at this location.

In accordance with Section 22(7)(h) of the Waste Management Act 1996 (as amended), historic landfill sites have been identified for the purpose of identifying what, if any, remedial measures are required to be carried out at the sites. The Eastern-Midlands Regional Waste Management Plan 2015-2021 lists the following sites in County Offaly:

- Clonbrone, Birr
- Surragh, Birr
- Ballydaly, Tullamore
- Ballydrohid, Tullamore
- Ballyvora, Ferbane
- Ballybracken Little, Ferbane
- Cloncannon, Edenderry
- Site adjacent to Cloncannon, Edenderry
- Kilbride, Kilcoursey, Clara

The Council will comply with legislation pertaining to the risk assessments for these sites and will undertake any subsequent remedial action, which is required to be taken.

### **Construction and Demolition Waste**

The Council will have regard to and require compliance with the 'Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects', (July 2006) in the management of waste from construction and demolition projects. A Construction and Demolition Waste Management Plan shall be required as part of a planning application in excess of the thresholds set out in Chapter 13 Development Management Standards.

### **Hazardous Waste**

Hazardous waste is generated by every sector of society and is for the most part managed by authorised operators. The Council will have regard to the Environmental Protection Agency's National Hazardous Waste Management Plan 2014-2020, and subsequent plans, which takes into account progress that has been made since the previous plan and the waste policy and legislative changes that have also occurred and includes an objective regarding self-sufficiency in managing hazardous waste.



### Construction and Environmental Management Plan

Construction Environment Management Plans (CEMPs) shall be prepared for larger scale projects and this requirement shall be assessed on a case by case basis as part of the development management process. Such plans shall incorporate relevant mitigation measures contained in any accompanying Environmental Impact Assessment Report or Appropriate Assessment and in this Development Plan. CEMPs shall typically provide details of intended construction practice for the proposed development, including where applicable:

- Location and details of site compounds, refuse storage areas, construction site offices and staff facilities, site security fencing and hoardings, on-site staff car parking;
- Details of construction traffic - timing and routing, directional signage, measures to obviate queuing, alternative arrangements for pedestrians and vehicles, and measures to prevent the spillage or deposit of clay, rubble or other debris;
- Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- Containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained; such bunds shall be roofed to exclude rainwater;
- Disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, including compliance with 2006 Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects, Department of the Environment;
- A water and sediment management plan, providing for means to ensure that surface water runoff is controlled such that no silt or other pollutants enter local water courses or drains;
- Details of a water quality monitoring and sampling plan;
- If peat is encountered - a peat storage, handling and reinstatement management plan;
- Measures adopted during construction to prevent the spread of invasive species (such as Japanese Knotweed);
- Appointment of an ecological clerk of works at site investigation, preparation and construction phases; and
- Details of appropriate mitigation measures for lighting specifically designed to minimise impacts to biodiversity, including bats.

#### 11.5.3 Soil Protection, Contamination and Remediation

Offaly County Council require that all undeveloped, contaminated sites be remediated to internationally accepted standards prior to redevelopment (i.e. brownfield development). Treatment/management of any contaminated material shall comply as appropriate with the Waste Management Act 1996 (as amended) (waste licence, waste facility permit), and the Environmental

Protection Act 1992 (as amended) (Industrial Emissions licensing, in particular the First Schedule, Class 11 Waste). These measures will ensure that contaminated material will be managed in a manner that removes any risk to human health and ensures that the end use will be compatible with any risk.

#### 11.5.4 Radon

Offaly County Council will seek to ensure the implementation of the specific guidance on radon prevention measures for new homes as contained within the existing Building Regulations (including any updated/superseding regulations that may be published within the lifetime of this Plan).

#### 11.5.5 Major Accident Directive – Seveso III Directive

The Major Accidents Directive (2012/18/EU), also known as the Seveso III Directive, was transposed into Irish legislation through the Chemicals Act (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015 (S.I. No. 209 of 2015) (the “COMAH Regulations”). The Directive and Regulations aims to prevent major accident hazards involving dangerous substances and chemicals and the limitation of their consequences for people and the environment. Table 11.3 lists the Seveso III establishments in County Offaly.

Table 11.3 Seveso III Establishments in County Offaly (Source: Health and Safety Authority, August 2019)

Establishment Name	Establishment Address
Synergy Health Ireland Ltd.	IDA Business and Technology Park, Tullamore, County Offaly
William Grant and Sons Irish Manufacturing	Ballard and Clonminch, Tullamore, County Offaly

The Directive provides that appropriate consultation distances must be put in place so as to ensure that before decisions are taken, technical advice is available to Planning Authorities in respect of relevant establishments. One of the requirements of S.I. No. 209 of 2015 is that the Health and Safety Authority shall advise the Planning Authority of a consultation distance for a SEVESO III establishment, following the receipt of a notification from the operator, and shall periodically review and update the consultation distance as necessary. The Health and Safety Authority provides advice, where appropriate, in respect of planning applications within the consultation distance of these sites. The document, entitled ‘Policy and Approach of the Health and Safety Authority to COMAH Risk-based Land-use Planning’, sets out the policy approach of the Health and Safety Authority to land use planning and these sites.

#### 11.5.6 Air Quality

Air pollution can negatively affect human health and eco-systems. EU Directives set out air quality standards in Ireland and other member states for a wide variety of pollutants. The Environmental Protection Agency (EPA) is responsible for monitoring air quality in Ireland. The EPA’s Air Quality Index for Health describes air quality in the Offaly region as ‘Good’.

The policy approach of the Council is to integrate land use planning and transport and promote measures which seek a reduction in fossil fuel based energy sources to reduce air pollution, particularly targeting emissions from vehicles and home heating. Local authorities, through the planning system, can also help minimise the adverse effects of air pollution associated with the construction and operational phases of projects through conditions attached to planning permissions.

#### **11.5.7 Noise**

Offaly County Council has prepared a Noise Action Plan 2018-2023 in accordance with the requirements of the Environmental Noise Regulations 2006. The purpose of the Noise Action Plan is to avoid, prevent and reduce, on a prioritised basis the harmful effects, including annoyance due to the long-term exposure to environmental noise. The Council seeks to promote the pro-active management of noise where it is likely to have significant adverse impacts on health and quality of life.

#### **11.5.8 Light Pollution**

While adequate lighting is essential to a safe and secure environment, inappropriate or excessive use of artificial light can be harmful to wildlife and human health and impact on residential amenity. Light pollution can refer to skyglow (the brightening of the night sky over urban areas), light trespass (where light falls where it is not intended) or light glare (where light is excessively bright). Urban and rural locations can suffer equally from this problem. Lighting columns and other fixtures can also have a significant effect on the appearance of buildings and the environment. Where lighting proposals require planning permission, the Planning Authority will ensure that they are carefully and sensitively designed. Lighting fixtures should provide only the amount of light necessary for the task in hand and control the emission of light so as to avoid light trespass and glare.

## 11.6 Environment Policies

### Water Quality

**ENVP-01** It is Council policy to ensure that the Water Framework Directive, the River Basin Management Plan and any subsequent Water Management Plans are fully considered throughout the planning process.

**ENVP-02** It is Council policy to manage, protect and enhance surface water and ground water quality to meet the requirements of the Water Framework Directive.

**ENVP-03** It is Council policy to support the implementation of the Water Framework Directive, the River Basin Management Plan and the Local Authority Waters Programme in achieving and maintaining at least good environmental status for all water bodies in the county. Development proposals shall not have an unacceptable impact on the water environment, including surface waters, groundwater quality and quantity, river corridors and associated woodlands.

**ENVP-04** It is Council policy that in assessing applications for developments, that consideration is had to the impact on the quality of surface waters having regard to targets and measures set out in the River Basin Management Plan, and any subsequent local or regional plans.

**ENVP-05** It is Council policy that all proposed development which may have an impact on a high status water quality site will require site specific assessment to determine localised pressures and demonstrate suitable mitigation measures in order to protect these sites.

**ENVP-06** It is Council policy to promote and comply with the environmental standards and objectives established for:

- (i) Bodies of surface water, by the European Communities (Surface Waters) Regulations 2009, made to give effect to the measures needed to achieve the environmental objectives established for bodies of surface water by the European Water Framework Directive; and
- (ii) Groundwater, by the European Communities (Groundwater) Regulations 2010, made to give effect to the measures needed to achieve the environmental objectives established for groundwater by the European Water Framework and Groundwater Directives,

for which standards and objectives are included in the River Basin Management Plan.

**ENVP-07** It is Council policy to protect groundwater sources through the implementation of the Groundwater Protection Scheme and Source Protection Zones. Development proposals within these zones which have the potential to pose a risk to groundwater will be required to demonstrate that no reasonable alternative site is available and that groundwater quality will be protected to the satisfaction of the Council.

**ENVP-08** It is Council policy to encourage the use of catchment-sensitive farming practices, in order to meet Water Framework Directive targets and comply with the River Basin Management Plan.

**ENVP-09** It is Council policy to facilitate the provision of adequate waste recovery and disposal facilities for the county.

**ENVP-10** It is Council policy to promote circular economy principles, prioritising prevention, reuse, recycling and recovery, and to sustainably manage residual waste. New developments will be expected to take account of the provisions of the Waste Management Plan for the Region and observe those elements of it that relate to waste prevention and minimisation, waste recycling facilities, and the capacity for source segregation.

**ENVP-11** It is Council policy to ensure that all waste disposal shall be undertaken in compliance with the requirements of the Environmental Protection Agency and relevant Waste Management Legislation.

**ENVP-12** It is Council policy to continue to fulfil its duties under the Waste Management (certification of historic unlicensed waste disposal and recovery activity) Regulations 2008, including those in relation to the identification and registration of closed landfills.

**ENVP-13** It is Council policy to require the provision of recycling infrastructure where it is considered necessary and will assess requirements for recycling facilities on a case by case basis as part of the development management process.

**ENVP-14** It is Council policy to require Construction and Environmental Management Plans (CEMPs) to be prepared for larger scale projects and this requirement shall be assessed on a case by case basis as part of the development management process. Where a CEMP is required, it shall be prepared in accordance with the criteria set out in Section 11.5.2 of this Plan.

### **Radon**

**ENVP-15** It is Council policy to ensure the implementation of the specific guidance on radon prevention measures for new homes as contained within the existing Building Regulations (including any updated/superseding regulations that may be published within the lifetime of this Plan).

### **Major Accidents Directive – Seveso III**

**ENVP-16** It is Council policy, for the purposes of preventing / reducing the risk or limiting the consequences of a major accident involving dangerous substances, to have regard to the provisions of the Major Accidents Directive, and any regulations under any enactment giving effect to that Directive, and the recommendations of the Health and Safety Authority, in the control of:

- The siting of new establishments;
- The modification of existing establishments; and
- Development within the consultation distance of such establishments.

### **Air Quality**

**ENVP-17** It is Council policy to manage air quality in accordance with relevant legislation and policy.

**ENVP-18** It is Council policy to promote the preservation of best ambient air quality compatible with sustainable development in accordance with the EU ambient Air Quality and Cleaner Air for Europe

(CAFE) Directive (2008/50/EC) and ensure that all air emissions associated with new developments are within Environmental Quality Standards as set out in the Air Quality Standards Regulations 2011, or any updated/superseding documents.

**ENVP-19** It is Council policy to require activities likely to give rise to air emissions to implement measures to control such emissions and to undertake air quality monitoring. Application of this policy will take into account instances whereby activities are licensed by other bodies through other processes (such as Integrated Pollution Control Licensing or Industrial Emissions Licensing).

### **Noise**

**ENVP-20** It is Council policy to promote the implementation of the Environmental Noise Directive and associated regulations through the Offaly County Council Noise Action Plan 2018-2023 and any subsequent Plan.

**ENVP-21** It is Council policy to promote the pro-active management of noise where it is likely to have significant adverse impacts on health and quality of life. Planning permission will not normally be granted for new uses / development or extensions of existing uses that produce significant and unacceptable levels of noise and/or vibration at site boundaries or within adjacent noise sensitive areas, especially residential areas.

**ENVP-22** It is Council policy that noise sensitive development proposals located within proximity to a noise source, such as an existing or proposed national road, should include noise attenuation measures.

### **Light Pollution**

**ENVP-23** It is Council policy to require that the design of lighting schemes minimises the incidence of light pollution into the surrounding environment. New schemes shall ensure that there is no unacceptable adverse impact on residential or visual amenity and biodiversity in the surrounding area.

### **Human Health**

**ENVP-24** It is Council policy to assess, as relevant, proposals for development in terms of, inter alia, potential impact on existing adjacent developments, existing land uses and/or the surrounding landscape. Where proposed developments would be likely to have a significant adverse effect on the amenities of the area through pollution by noise, fumes, odours, dust, grit or vibration, or cause pollution of air, water and/or soil, mitigation measures shall be introduced in order to eliminate adverse environmental impacts or reduce them to an acceptable operating level. Application of this policy will take into account instances whereby activities are licensed by other bodies through other processes (such as Integrated Pollution Control Licensing or Industrial Emissions Licensing).

### **Hazardous Waste**

**ENVP-25** It is Council policy to ensure that hazardous waste is addressed through an integrated approach of prevention, collection, and recycling and encourage the development of industry-led producer responsibility schemes for key waste streams.

## 11.7 Environment Objectives

### Water Quality

**ENVO-01** It is an objective of the Council to ensure, through the implementation of the River Basin Management Plan, and any other associated legislation, the protection and improvement of all drinking water, surface water and ground waters throughout the county.

**ENVO-02** It is an objective of the Council to protect through its regulatory controls and in conjunction with the Local Authority Waters Programme, water bodies with 'high ecological status'; to restore water bodies that have fallen below 'high ecological status'; to maintain water bodies at 'Good Status'; and to mitigate threats to water bodies identified as 'At Risk' i.e. 'Moderate and Poor Status'.

**ENVO-03** It is an objective of the Council to protect both ground and surface water resources; to work with Irish Water to develop and implement Drinking Water Safety Plans to protect sources of public water supply and their contributing catchment; and to work with the National Federation of Group Water Schemes in respect of Source Protection Plans for Group Water Schemes to protect these sources.

**ENVO-04** It is an objective of the Council to comply with the Blue Dot Catchments Programme.

### Waste Management

**ENVO-05** It is an objective of the Council to implement the Eastern-Midlands Regional Waste Management Plan 2015-2021; the Council's Litter Management Plan and Waste Bye-Laws.

**ENVO-06** It is an objective of the Council to use statutory powers to prohibit the illegal deposit and disposal and collection of waste materials, refuse and litter, and to authorise and regulate, waste disposal within the county in an environmentally sustainable manner.

**ENVO-07** It is an objective of the Council to implement the legislative provisions in relation to historic landfill sites in the county and to undertake risk assessments where required and any subsequent remedial measures where necessary.

**ENVO-08** It is an objective of the Council to promote the inclusion of adequate and easily accessible storage space that supports the separate collection of dry recyclables and food, as appropriate, within developments.

### Air Quality

**ENVO-09** It is an objective of the Council to reduce harmful emissions and achieve and maintain good air quality for the county.

**ENVO-10** It is an objective of the Council to actively promote measures to reduce air pollution and combat climate change including promotion of energy efficient buildings, cleaner home heating, green infrastructure, active and public transport modes, electric vehicles and innovative design solutions.

**ENVO-11** It is an objective of the Council to promote sustainable design and construction to help reduce emissions from the demolition and construction of buildings.

**ENVO-12** It is an objective of the Council to work with relevant agencies to support local data collection in the development of air quality monitoring.

#### **Light Pollution**

**ENVO-13** It is an objective of the Council to seek to minimise the harmful effects of light pollution in the future provision of outdoor lighting, including investigating measures to improve the approach to street lighting and ensuring that new developments are lit appropriately and that environmentally sensitive areas are protected.