

Section 9 Mitigation Measures

9.1 Introduction

Mitigation measures are measures envisaged to prevent, reduce and, as fully as possible, offset any significant adverse impacts on the environment of implementing the Arklow Town and Environs Development Plan.

Mitigation involves ameliorating significant negative effects. Where there are significant negative effects, consideration is given in the first instance to preventing such effects or, where this is not possible for stated reasons, to lessening or offsetting those effects.

Mitigation measures can be roughly divided into those that: avoid effects; reduce the magnitude or extent, probability and/or severity of effects; repair effects after they have occurred, and; compensate for effects, balancing out negative impacts with other positive ones.

The mitigation measures may be incorporated into the briefing of design teams as well as the subsequent design, specification and development management of the land uses to be accommodated within the Arklow Town and Environs area.

Additional detailed mitigation measures to those listed below and those integrated into the Development Plan would be likely to be required by the development management and EIA processes of individual projects.

9.2 SEA Recommendations

The mitigation measures detailed under section 9.3 were recommended by the SEA for inclusion in the Draft Development Plan for Arklow Town and its Environs.

Accordingly mitigation measures contained hereafter were recommended to be incorporated in their entirety - or omitted. The degree of undertaking should remain as that the measure 'shall' or 'will' be implemented. The substitution of these words with the words 'should', 'ought' or 'may' is not in accordance with best practice and should be avoided.

9.3 Mitigation Measures

9.3.1 Biodiversity Flora and Fauna

BD3 To protect features such as native hedgerows, trees and watercourses, and the locally important biodiversity areas as included on map 07.01 from inappropriate development, and to strengthen through development management, the role of these sites as green corridors to enhance overall biodiversity

BD7 Any programme, plan or project carried out on foot of this development plan, including any variation thereof, with the potential to impact upon a Natura 2000 site(s) shall be subject to Appropriate Assessment in accordance with Article 6 (3) and (4) of the EU Habitats Directive 1992 and 'Appropriate Assessment of plans and projects in Ireland – Guidance for Planning Authorities' DoEHLG 2009.

WS5 To minimise alterations or interference with river/stream beds, banks and channels, except for reasons of overriding public health and safety (e.g. to reduce risk of flooding); a buffer of 10m along watercourses **shall** be provided free of built development with riparian vegetation generally being retained in as natural a state as possible. In all cases where works are being carried out, to have regard to Regional Fisheries Board "Requirements for the protection of fisheries habitat during the construction and development works at river sites."

E5 To facilitate the development of expanded or new river / lake based hydroelectricity plants, subject to due consideration of ecological impacts, in particular, the free flow of fish and maintenance of biodiversity corridors and the development of off shore hydroelectricity projects insofar as onshore facilities may be required

FL7 For developments adjacent to all watercourses of a significant conveyance capacity or where it is necessary to maintain the ecological or environmental quality of the watercourse, any structures (including hard landscaping) must be set back from the edge of the watercourse to allow access for channel clearing/ maintenance/ vegetation. A minimum setback of up to 10-15m will be required either side depending on the width of the watercourse.

CP4 Subject to safety considerations, natural features (trees, streams etc) shall be retained in new developments.

AA1, 2 and 3 - Any development proposals shall have regard to the setting and curtilage of structures and sites of heritage value, and habitats of biodiversity value and appropriate buffer zones - mitigation measures shall be provided as required.

9.3.2 Water

Water Protection and Supply

WS2 To implement the EU Water Framework Directive and associated River Basin and Sub-Basin Management Plans and the EU Groundwater Directive to ensure the protection, improvement and sustainable use of all waters in the plan area, including rivers, lakes, ground water, coastal and estuarine waters, and to restrict development likely to lead to deterioration in water quality

WS3 To resist development that would interfere with the natural water cycle to a degree that would interfere with the survival and stability of natural habitats

W8 To protect existing and potential water resources of the plan area, in accordance with the EU Water Framework Directive, the River Basin Management Plans, the Groundwater Protection Scheme and source protection plans for public water supplies.

Waste Water Infrastructure

W1 To ensure that all waste water generated is collected and discharged after treatment in a safe and sustainable manner, strictly in accordance with the standards and requirements set out in EU and national legislation and guidance documents including the provisions of the Eastern River Basin Management Plan and the Habitats Directive.

W4 Private wastewater treatment plants to serve new development will only be considered where it can be shown that no net overall increase in potential pollution to receiving waters will result and the location and design of the plant meets all current EU and national environmental standards

Flooding

FL1 To require where appropriate that developments of a type that maybe considered sensitive to flooding are subject to a “justification test”. Where a justification test is required it shall demonstrate to the satisfaction of the Council that;

- a). Such proposals include a sequential assessment demonstrating that there are no alternative sites available at a more suitable location within the town that would meet the requirements of the development;
- b). The area comprises significant previously developed and/or underutilised lands within the town plan area;
- c). The development of the area is essential to facilitate the regeneration and rejuvenation or town centre expansion;
- d). Environmental/hydrological assessment has been undertaken to identify the impact of flood risk as a result of development and that the development would not result in increased or new flood risk elsewhere and if possible will reduce the overall flood risk;
- e). The proposal includes measures to minimise flood risk to people, property, the economy and the environment as far as is reasonable possible;
- f). Residual risk to the area and/or the development can be managed to an acceptable level by design, incorporated flood risk measures.

FL5 To require all new developments to include proposals to deal with rain and surface water collected on site and where deemed necessary, to integrate attenuation and SUDS measures

9.3.3 Soil

WZ1 To support in depth development of the waterfront zone, for a mix of residential, commercial, leisure and tourism uses; applications for the development of such lands shall include a detailed survey of the existing site conditions, proposals for demolition and remediation of previous site activities and a management plan for the disposal of such materials.

ED4 To facilitate and encourage the exploration and exploitation of minerals in the plan area in a manner, which is consistent with the principal of sustainability and protection of residential, environmental tourism amenities.

9.3.4 Landscape

VP1 Protect and preserve the prospect of special amenity from the R750 towards the sea from the coast road.

9.3.5 Air and Climatic Factors

WM6 To have regard to the "Major Accidents Directive" (European Council Directive 96/82/EC). This Directive relates to the control of major accidents involving dangerous substances with an objective to prevent major accidents and limit the consequences of such accidents. This policy will be implemented through Development management, through specific control on the siting of new establishments and whether such a siting is likely to increase the risk or consequence of a major accident.

AE2 To require proposals for new developments with the potential for the accidental release of chemicals or dust generation, to submit and have approved by the Local Authority construction and/or operation management plans to control such emissions.

NP3 To require proposals for new developments with the potential to create excessive noise to prepare a construction and/or operation management plans to control such emissions.

NP4 To require activities likely to give rise to excessive noise to install noise mitigation measures and monitors. The provision of a noise audit may also be required as appropriate.

9.3.6 Archaeological Heritage:

AR1 To safeguard archaeological heritage by ensuring that development in the vicinity of a recorded monument which are listed in table 7.1 below shall be permitted only where it can be demonstrated that there will be no damage to the monument itself, its setting or its cultural and educational value

AR2 Any development that may due to its size, location or nature have implications for archaeological heritage shall be subject to an archaeological assessment

9.3.7 Architectural Heritage:

AH1: To consolidate and safeguard the historical and architectural character of Arklow Town Centre through the protection of individual buildings, structures, shopfronts and elements of the public realm that contribute greatly to this character.

RPS 1 To safeguard the character of Protected Structures and encourage appropriate alterations to these buildings to render them viable for modern use, subject to best conservation practice (in accordance with Architectural Heritage Protection guidelines produced by the DOEHLG). (Arklow RPS set out in Appendix 1 of the Draft Plan)

9.3.8 Transport

PT2 To encourage and co-operate with the statutory bodies responsible for improving the public transport facilities within the town.

PT5 To promote the delivery of improved and new bus services in Arklow and Environs by:

- Facilitating the needs of existing or new bus providers with regard to bus stops
- Requiring developers of large-scale new employment and residential developments in Arklow that are distant (more than 2km) from the train station to fund/ provide feeder bus services for an initial period

9.3.9 Waste Management

WM3 To require all developments likely to give rise to significant quantities of waste, either by virtue of the scale of the development or the nature of the development (e.g. one that involves demolition) to submit a construction management plan, which will outline, amongst other things, the plan for the safe and efficient disposal of waste from the site.