

Peat Stability Seminar

A Planner's Perspective



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2-3 Roger's Lane, Lower Baggot Street, Dublin 2

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The Presenter: Gavin Lawlor

- BA in Social Science (1993), Masters in Regional and Urban Planning (1995).
- Member of the Irish Planning Institute.
- Active in the field of planning consultancy for 15 years.
- Director with Tom Phillips + Associates.
- Particular experience in dealing with large industrial sector schemes, conventional and renewable energy projects, extractive industry projects and waste management projects.



Key Strands to this Presentation

1. Overview of the Planning System
2. History of Landslides in a Planning Context
 - a) Corrib Gas Terminal (April 2003)
 - b) Pollatomish Landslide (September 2003)
 - c) Derrybrien Landslide (October 2003)
 - d) Corkermore Windfarm (June 2009)
3. Planning Issues Arising
4. A Suggested Way Forward
5. Conclusion



Overview of the Planning System

- **Planning and Development Acts, 2000 – 2010**
- **Forward Planning – Hierarchy of Plans**
 - **National Spatial Strategy**
 - **Regional Planning Guidelines (RPGs)**
 - Guide and inform development plans and local area plans
 - Land instability not currently addressed in any detail in RPGs
 - Updated RPGs will be subject to Strategic Environmental Assessment (SEA)
- **Strategic Environmental Assessment (SEA)**
 - Process by which environmental considerations are required to be fully integrated into the preparation and adoption of plans and programmes.

Overview of the Planning System (continued)

- **Forward Planning (continued)**
 - **Development Plans**
 - May include objectives for *“regulating, restricting or controlling development in areas at risk of...erosion & other natural hazards”*
 - Landslide hazard objectives are rarely included, but this should change due to increasing development pressures (e.g. wind farms), the requirement for SEA and need for potential impacts from climate change to be taken into account

Overview of the Planning System (continued)

- **Development Management**
 - **Planning Applications**
 - Environmental Impact Assessment
 - Peat Stability
 - **Appeals to An Bord Pleanála**
 - Importance of demonstrating peat stability borne out in ABP decisions, e.g. Corrib Gas Terminal , various wind farms

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History of Landslides in a Planning Context – Corrib Gas Terminal

- Original application (2001) proposed excavation of c. 650,000m³ of peat and other material and overlaying it on existing blanket bog of variable thickness on a sloping site.
- Refused by ABP (April 2003) by reason of potential long term peat instability.



History of Landslides in a Planning Context – Pollatomish, Co Mayo

- Landslide in September 2003
- Areas of 'High', 'Medium' and 'Low' risk of future damage from landslides identified
- Risk mapping has subsequently informed decisions of Mayo County Council in respect of applications for planning permission



History of Landslides in a Planning Context – Pollatomish, Co Mayo

- Area is close to proposed works associated with the Corrib Onshore Pipeline (current proposal involves a 4.9 km tunnel)
- Potential impact of vibration on slope stability arising from tunnelling and traffic was an area of interest to the ABP Inspector



History of Landslides in a Planning Context – Derrybrien, Co Galway

- Landslide in October 2003
- Construction of a wind farm (permitted by ABP) was a contributory factor
- EIA was carried out but was inadequate in its assessment of geophysical risks associated with the project
- Case referred to the European Court of Justice (ECJ)



History of Landslides in a Planning Context – Derrybrien, Co Galway

- ECJ case (C-215/06) had two elements:
 - the compatibility of retention planning permission with the provisions of the EIA Directive, and
 - the EIA in respect of the wind-farm at Derrybrien



- Decision of ECJ found Ireland failed to fulfill its obligations with regard to the EIA Directive
- Changes introduced in respect of retention permission as part of the Planning and Development (Amendment) Act, 2010

History of Landslides in a Planning Context – Corkermore Windfarm, Co Donegal

- Planning permission granted by Donegal County Council (DCC) for 14 no. turbines in February 2002 (permission subsequently extended until July 2011).
- Application for 9 no. larger turbines to supersede the 14 no. previously permitted was lodged in May 2007.
- Decision to grant permission for 5 no. turbines appealed by a third party.



History of Landslides in a Planning Context – Corkermore Windfarm, Co Donegal

- Notwithstanding the extant permission on the site, ABP refused the application in June 2009 by reason of “...*an unacceptable risk of peat failure and landslide in the area of the site, with consequential risk of water pollution in the area...*”
- ABP made specific reference to a Peat Slide Risk Assessment that was submitted at the Board’s request, which showed extremely weak peat of significant depth on the site.

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Planning Issues Arising

- Need for greater awareness of peat stability issues during the preparation of Strategic / Spatial Plans e.g. RPGs, County Development Plans
 - Potential for Landslide Susceptibility Mapping Project to contribute to this process
- Peat stability assessment is a specialised area
- Decision-makers may lack the necessary in-house expertise
 - Expertise and reputation of Applicant's consultant important
- Competing pressures – e.g. Increasing wind generation capacity vs. potential for more extreme rainfall events resulting from climate change



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A Suggested Way Forward

- Extension of the Landslide Susceptibility Mapping Project and integration into the preparation of Development Plans
- Simple guidance for planning authorities on key peat stability parameters
 - Assist planners in knowing when further expertise is required
- Section on planning application form for sites where peat is present
- List of GSI approved peat stability experts
- Training for planning personnel
 - e.g. Irish Wind Energy Association seminar on 6th October 2010 entitled '*A Guide to Peat Stability Assessment*'

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Conclusions

- Increasing importance in addressing landslide risk in planning policy documents
 - Need data on which to base decision-making
- Evident from ABP decisions that the onus is on the Applicant to provide clear and unequivocal information to demonstrate peat stability is not an issue of concern
- Reputable specialist advice / assessment in support of a proposal will benefit the Applicant
- Need for further education of Planners – particularly on ‘key parameters’ to be aware of

