

**Variation to the County Donegal
Development Plan, 2018-2024 (As
Varied) In Respect Of A Wind
Energy Policy Framework
(Variation No. 2)**

**Environmental Statement
Prepared In Accordance With
Article 13Q, Planning and
Development Regulations, 2001
(As Amended)**



**Comhairle Contae
Dhún na nGall**
Donegal County Council

Community Development & Planning Services
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1 Introduction

This Environmental Statement has been prepared in accordance with the requirements of Article 13Q of the Planning and Development Regulations 2001 (as amended) [‘the Regulations’] and, accordingly, summarises the following information:

- How environmental considerations have been integrated into the Variation (Section 2),
- How the following have been taken into account in the making of the Variation:
 - The Environmental Report prepared pursuant to Article 13L of the Regulations (Section 3);
 - Submissions and observations made to the planning authority in response to a notice under Section 13(2) of the Act (Section 4); and
 - Transboundary consultations under Article 13O of the Regulations (Section 4)
- The reasons for choosing the Variation, as adopted, in the light of the other reasonable alternatives dealt with (Section 5), and
- The measures decided upon to monitor, in accordance with Article 13R of the Regulations, the significant environmental effects of implementation of the Variation (Section 6).

2 How Environmental Considerations Have Been Integrated into the Variation

2.1 Introduction

This section presents a summary of how environmental considerations have been integrated into the Variation preparation process. Strategic Environmental Assessment (SEA) legislation and guidance recommends that plan preparation, SEA and Appropriate Assessment (AA) should be integrated and prepared in an iterative manner, in order to facilitate the ongoing assessment and evaluation of environmental considerations during preparation of the plan. Key tasks associated with the SEA process for the Variation are shown in Table 2.1.

Table 2.1 Steps in the SEA Process for the Proposed Variation

Screening of Proposed Variation: Determines whether SEA is required, in consultation with the designated statutory consultees.	Completed
Scoping of Proposed Variation: Consultation with statutory bodies and other interested parties on the scope and level of detail to be considered in the assessment of the Proposed Variation.	Completed
Preparation of Environmental Report: An assessment of the likely significant impacts on the environment as a result of the Proposed Variation.	Completed
Publication of, and consultation on, the Proposed Variation and associated Environmental Report and Appropriate Assessment.	Completed
Preparation of an SEA Statement identifying how environmental considerations and consultation have been integrated into the Variation.	Current Stage

2.2 SEA Screening and Scoping

The Proposed Variation was screened in respect of SEA in accordance with Article 13K of the Regulations 2001, inclusive of the preparation of a SEA Screening report and the making of a SEA determination by the Planning Authority. This SEA Screening process found that the strategic scope and geographical extent of the Proposed Variation would affect a significant area of land. The environmental considerations identified at this stage included:

The Variation will be of national environmental interest in that it will have to have regard to the capacity of Donegal to contribute to national renewable energy targets. The Variation will also be of major local environmental significance due to the coalescence of the following factors:

- a. Donegal's numerous environmentally-sensitive and ecologically-sensitive receptors;
- b. The County's dispersed settlement pattern that gives rise to potential conflicts between developments and residential properties and other centres of human habitation; and
- c. The significant amount of wind energy activity, including the development of major windfarms, experienced across many parts of the County; Donegal continues to be the subject of developer interest (on the basis of submissions made in respect of the County Development Plan 2018-2024);
- d. The potential contribution of Donegal to the achievement of national renewable energy targets/reduction of greenhouse gas emissions;
- e. The potential impact of wind energy developments on the areas of human habitation, ecology and landscape of the County;

- f. The nationally-accepted climate change issue, and the associated drive to develop more sustainable energy sources and thereby reduce greenhouse gas emissions; and the potential contribution that Donegal may be able to make to the reduction of greenhouse gas emissions;
- g. The Variation will be relevant for the implementation of the following European legislation on the environment:
 - EU Renewable Energy Directive 2018/2001/EU
 - European Climate Change Programme
- h. Potential impacts (both positive and negative) on biodiversity, terrestrial species and habitats, Marine and Aquarian habitats and species, population, water (including surface and drinking water), climate change, culture, archaeology and architectural heritage and landscape and visual impacts.

This SEA Screening Process determined that the Proposed Variation would be likely to have significant effects on the environment and that SEA (inclusive of the preparation of an Environmental Report) was required in respect of same.

The Proposed Variation was also screened in respect of Appropriate Assessment (AA), in accordance with S.177U of the Planning and Development Act 2000(as amended), inclusive of the preparation of an AA Screening Report and the making of an AA determination. This AA Screening process determined that that an AA was required as it could not be excluded, on the basis of objective information, that the Proposed Variation, individually or in combination with other plans or projects would have a significant effect on European/Natura 2000 sites.

Following this screening process, both SEA and AA Scoping were undertaken, inclusive of consultation with prescribed Environmental Authorities in December 2021, as follows:

- SEA Section, Environmental Protection Agency (EPA)
- Department of Housing, Local Government and Heritage (DHLGH)
- Department of the Environment, Climate and Communications (DECC)
- Department of Agriculture, Food & the Marine (DAFM)
- Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (DTCAGSM) which included the National Parks and Wildlife Service, Glenveagh National Park.
- Leitrim County Council
- Natural Environment Division, Northern Ireland Environment Agency (NIEA)
- Strategic Planning Directorate, Department of the Infrastructure, Northern Ireland
- Fermanagh & Omagh District Council
- Derry City & Strabane District Council

Submissions were received from four of the prescribed authorities. Those comments of direct relevance to the SEA process are summarised below, together with a summary of how the comments were factored into the process.

Agency/Comments	How Factored Into Process
Geological Survey of Ireland	
Re Geoheritage, advised that it was important to note that management issues for the majority of geological heritage sites may differ from ecological sites, and in some cases development may facilitate enhanced geological understanding of a site by exposing more rock sections - for example, in a quarry extension. County Geological Sites	Noted that such protection is already provided in the existing Natural Heritage policies of the Plan (Policies NH-P-1 and NH-P-19 refer), thus changes to the Proposed Variation

Agency/Comments	How Factored Into Process
<p>are the optimal way of addressing the responsibility of each authority under the Planning and Development Act 2000 and its amendments, to protect sites of geological interest. Necessary to include a policy objective to protect geological NHAs as they become designated and notified to the Local Authority, during the lifetime of the Plan.</p>	<p>were not required.</p>
<p>Re landslide susceptibility data, clarified that, in pre-consultations with the Planning Authority, it did not advise on what should or shouldn't be included in the designation of "not normally permissible" as they did not perform this analysis. GSI provided a baseline dataset for inclusion in that analysis only and also recommended that the regional scale of the map should also be considered.</p>	<p>This matter was considered by the Plenary Council at its meeting of 31st January, 2022 (adjourned to 21st February, 2022 and 28th March, 2022 (adjourned to 6th April, 2022). At these meetings, Members noted the observations made by GSI but retained their position in relation to the incorporation of 'Moderately High' and 'Moderately Low' landslide susceptibility areas in the 'Not Normally Permissible designation in Map 8.2.1, 'Wind Energy'.</p>
<p>EPA</p>	
<p>The need for all future renewable energy developments to be climate resilient and able to adapt to the effects of climate change (extreme weather events, increased runoff, erosion/landslides etc.) should be considered. Areas where windfarm developments occur (upload areas, raised and blanket bogs, cutaway bogs) can be particularly vulnerable. The relevant obligations of the National Adaptation Framework, the Climate Action Plan 2021 and forthcoming regional, local and sectoral adaption plans should be acknowledged in the Variation.</p>	<p>Addressed in proposed Policy E-P-26: 'It is the policy of the Council that all applications for wind farm development located on peatland and bog, including the re-powering and augmentation projects, shall be accompanied by a 'Peat Stability Risk Assessment Report'.</p>
<p>Should consider the obligations of the Water Framework Directive (WFD) and the National River Basin Management Plan and associated Programme of Measures. Should ensure that a commitment is included to protect water quality status and associated habitats and species in implementing the Variation. Water Framework Directive protected areas (including salmonid rivers, nutrient sensitive rivers, freshwater pearl mussel rivers etc.) and High-Status water bodies should be afforded particular protection in implementing the Variation.</p>	<p>The requested protection commitments are already provided in the existing CDP (e.g. refer Objectives WES-O-4, WES-O5, and WES-O-6).</p>
<p>The potential impact on designated national and international nature conservation sites (Natura 2000, NHA's, pNHAs, Nature Reserve) both within and adjacent to the Variation area should be assessed.</p>	<p>The potential impact on Natura sites, both within and adjacent to the Variation, as well as potential impacts on NHA's, pNHA's and Nature Reserves were assessed both in the preparation of Proposed Map 8.2.1 and the Natura Impact Report and the Environmental Report. The assessment led to these designated areas being given protection in Map</p>

Agency/Comments	How Factored Into Process
	8.2.1. Also noted that significant policy protection was already provided in the existing CDP.
<p>Should take account of the National Biodiversity Action Plan (NBAP), as well as any existing Heritage/Biodiversity Action plans and available habitat mapping and these should be integrated as appropriate in the Variation. The potential impact on protected species including birds, bats, flight paths etc. should also be assessed. The National Peatland Strategy, National Raised Bog SAC Management Plan and National Raised Bog NHA Review should be considered, as appropriate. A National Blanket Bog SAC Management Plan and associated NHA review is under consideration. If prepared within the lifetime of the Variation, the Variation should include a commitment to incorporate the relevant aspects of these plans.</p>	<p>The Environmental Report identifies the referenced documents in Chapter 6: 'Environmental Protection Objectives Established at An International, European Union or National Level...' environmental protection objectives.' It is noted in the Chapter that the CDP already contains in Section 7.1: 'Natural Heritage' of Chapter 7: 'The Natural and Built Heritage' strong objectives and policies aimed at protecting biodiversity, flora and fauna. Raised bogs have been carefully considered in the preparation of the Variation (refer to the 'Not Normally Permissible' Area including all Natura 2000 sites and NHA's, and the lesser-quality remaining bogs in the County also being identified as requiring careful consideration by their inclusion in the 'Open to Consideration' designation. Flightpaths of protected birds species has been considered in the Natura Report.</p>
<p>The National Landscape Strategy should be referred to and considered as appropriate. The National Planning Framework and the Northern and Western Regional Spatial and Economic Strategy both include provisions for protecting and managing our landscape resources, and should also be acknowledged.</p>	<p>The landscape of the County was already considered through the statutory process of preparing the CDP, leading to the designation of 'Especially High' (EHSA), 'High' (HSA) and 'Moderate' scenic amenity areas. The entire EHSA area is contained within the 'Not Normally Permissible' area, while the entire HSA area is contained within the 'Open to Consideration' designation thereby identifying a potential landscape impact for prospective developments.</p>
<p>The Variation should address the need for the preparation and effective implementation of Environmental Management Plans (EMPs) to manage the construction, operation, maintenance and decommissioning phases of wind and solar energy developments.</p>	
Fermanagh and Omagh District Council	
<p>Highlights the importance of the impacts on public & animal health, in particular from low frequency noise and infrasound, and suggests these matters should be an</p>	<p>Human health was addressed in the Proposed Variation (refer Amendment Items 13 and 15). Animal health is not</p>

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Agency/Comments	How Factored Into Process
important consideration by DCC.	referenced in national guidelines but can be considered at the project level, if deemed necessary.
FODC previously raised concerns about the potential visual impact of new wind farm developments in the vicinity of proposed Areas of High Scenic Value, particularly Lower Lough Erne. Also raised concerns that the approach to wind energy along the Council boundary could additionally affect the village of Belleek, which is an important tourist destination in the district. Encourages DCC to have regard to the studies, which support the FODC LDP, the Landscape Wind Energy Capacity Study, Landscape Character review and Landscape Designation review as part the Variation and the implementation of policies within.	Noted. The Proposed Wind Energy Map 8.2.1 contains a combination of 'Not Normally Permissible' and 'Open to Consideration' designations along the interface with the FODC area. These should ensure sufficient consideration is given to the protections as requested through the development management process.

3 How the Environmental Report Has Been Taken Into Account during the Making of the Variation

3.1 Introduction

The baseline data prepared for, and contained in, the ER had a fundamental influence on the construction of Map 8.2.1.: 'Wind Energy'. Thus the following environmental designations/considerations cumulatively formed the 'Not Normally Permissible' layer of the Map: areas of European and national protected habitats and species; defined settlements frameworks in the CDP and a 500m buffer around them; Natural Heritage Areas; areas of Especially High Scenic Amenity as designated in the CDP; Glenveagh National Park; Areas of High Landslide Susceptibility; a key landslide event at Meenbog; Ancient Woodlands; and Nature Reserves. Similarly, the following considerations cumulatively formed the 'Open to Consideration' area: proposed Natural Heritage Areas; Donegal, City of Derry Airport and Finner Camp's flying constraints; Geological Heritage Sites; Peat Bogs (outside of Natura sites); Natura 2000 site buffers; and High Scenic Amenity areas.

In addressing the 'Relationship between the Proposed Variation and other relevant plans, programmes and policies and their Environmental Protection Objectives' in Chapter 2, and the 'Environmental Problems of Relevance to the Proposed Variation' in Chapter 5, the ER noted the significance attached to climate change and requirements in terms of renewable energy in the NPF and RSES. This context was acknowledged in the amendments to narrative as set out in Amendment Items 1 and 4, and new/amended objectives. New Objective E-O-7: 'To secure the maximum potential from the wind energy resources of the planning authority's area commensurate with supporting development that is consistent with proper planning and sustainable development.'; and amended objective, Objective E-O-1: 'To develop sustainably a diverse and secure renewable energy supply portfolio to meet demands and capitalize on the County's competitive locational advantage.'

The aforementioned Chapter 2 and 5 and Chapter 6: 'Environmental characteristics of the areas likely to be significantly affected by the Proposed Variation' all emphasised the importance of peatlands/bog in the County. This was reflected in all bogs contained within SACs being included in the 'Not Normally Permissible' designation in Map 8.2.1. Furthermore, all other areas of bog were included in the 'Open to Consideration' designation thereby alerting all stakeholders to the potential for issues to arise. Finally of note, a new policy was included in the Variation to address concerns around peat stability: Policy E-P-26: 'It is the policy of the Council that all applications for wind farm development located on peatland and bog, including the re-powering and augmentation projects, shall be accompanied by a 'Peat Stability Risk Assessment Report'.

Chapter 2 identified the range of 'landslide susceptibility' categories (as identified by the Geological Survey of Ireland) present in the County. All 'High Susceptibility', 'Moderately High' and 'Moderately Low' susceptibility areas were included in the 'Not Normally Permissible' designation in Map 8.2.1. Concerns around landslide susceptibility were also given by Members as part of the reason for inclusion of the "Lifford -Stranorlar Municipal District Areas at Risk of Landslides and Associated Environmental and Ecological Concerns" within the 'Not Normally Permissible' designation. (nb. the 'Moderately High' and 'Moderately Low' landslide susceptibility areas and the 'Lifford -Stranorlar Municipal District Areas at Risk of Landslides and Associated Environmental and Ecological Concerns' were subsequently placed into the 'Open to Consideration' designation by the aforementioned Ministerial Direction.

The aforementioned Chapter 6 referred to over 88,000 residents of the County living in the rural area and therefore that these people were most likely to be impacted by windfarm development. The Chapter went on to discuss potential impacts on these residents including noise and shadow flicker.

Significant policies were included in the Variation with the aim of providing protection for residential receptors. Policies E-P-23 and E-P-24 both required a minimum setback distance of windfarm turbines from residential receptors of 10 times the tip height (nb. these policies were subsequently omitted on foot of the Ministerial Direction, December, 2022).

The ER assessed the amendments contained within the Proposed Variation against a range of Strategic Environmental Objectives (SEOs). The assessment concluded the following:

- The amendments would have either a positive effect or no relationship/insignificant effect in (Table 7.3 of ER refers)
- The assessment did not identify any amendment to the Plan which resulted in a conflict with an SEO that could not be mitigated to an acceptable level (Table 7.3 of the ER refers). Furthermore, the ER Report did not contain any specific recommendations for amendments to the Proposed Variation.

Procedural Steps

At the November, 2021 Plenary Council meeting, the Members of the Council agreed the contents of a Proposed Variation to go forward for assessment under SEA and AA processes. Following screening and scoping, an Environmental Report for SEA and a Natura Impact Report for AA were submitted to, and considered by Members at the Plenary Council meeting of January, 2022. At this meeting, Members agreed further material changes to the previously agreed Proposed Variation. On foot of these decisions, the ER and NIR were reviewed and amended to reflect the changes. The revised ER and NIR were submitted to the Plenary Council meeting of March, 2022. On both occasions, it was recommended that Members note the contents of the ER and NIR.

4 How Submissions and Observations Made During the Public Consultation Process Have Been Taken Into Account during The Making Of The Variation

4.1 Public Consultation on the Proposed Variation and associated Environmental Reports

In accordance with S.13(2) of the Act 2000, the Council engaged in public consultation on the Proposed Variation, the Environmental Report and the Natura Impact Report, between 29th April to the 3rd June 2022. A total of 333 submissions were received comprised of: 302 from members of the public, 20 from wind energy industries and 11 from statutory bodies. The majority of public submissions were in support of the Proposed Variation for reasons including: protection of the landscape; impact on tourism; existing contribution of the county to renewable wind energy in the country; divisive effects on communities; inherent value of bogs and peatlands in terms of biodiversity and as carbon sinks; and risks to the preservation of traditional farm practices. Six public submissions did not support the Proposed Variation, including expressions of concern in relation to the need for greater energy security. The 20 submissions from the wind energy sector collectively expressed concern that the proposed Variation is not aligned with national policy for reasons including, the need for greater energy security and the lack of current wind energy Guidelines, referencing key national policy documents and numerous national guidelines. Generally, submissions from statutory authorities emphasized the national policy agenda in terms of climate change and non-compliance with national guidelines

As per the requirements of S.13(4)) of the Act, a Chief Executive's Report was prepared (October 2022), and submitted to the Elected Members for their consideration. Reference to this Report, and to the outcomes of the Chief Executive's recommendations contained therein, provides a thorough overview of how the submissions made during the public consultation process were taken into account during the making of the Variation. These are addressed in the Table below.

Issue	How Addressed In Chief Executive's Report	Outcome
Setback of windfarm turbines from residential receptors.	The Report summarised the key submissions as follows: Members of the Public: Some 117 members of the public specifically referred to the issue with 111 supporting the ten times tip height set-back policy contained in the Proposed Variation, whilst 6 were broadly opposed. Wind Energy Industry (or Representatives Of): All 20 express strong opposition to the proposed set-back policy. The main reasons given are that such a policy is contrary to national guidelines, particularly the 2006 Guidelines and the 2017 Interim Guidelines; and that such a policy when combined with the Proposed Map 8.2.1 will, in reality, effectively close down new wind energy development in the County. Office of the Planning Regulator and the Dept. of the Environment, Climate Action and Communications: The OPR firstly notes that: the Proposed Variation 'places significant emphasis on the Section 28 'Draft Revised Wind Energy Development Guidelines for Planning Authorities (2019)'; that (they) 'hold no statutory status'; and that compliance with the Special Planning Policy Requirements (contained therein) have	The Chief Executive's recommendation was not accepted by Members, and the setback distance policies were retained in the resolution of the Members. (nb. the Minister's Direction omitted said policies).

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Issue	How Addressed In Chief Executive's Report	Outcome
	<p>been incorrectly applied. The OPR goes on to state that the relevant Guidelines to be considered are the 'Wind Energy Development Guidelines for Planning Authorities (2006)'; and the 'Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (2017)' In this context, the OPR advises that the setback distances as contained in the Proposed Variation has 'no basis in any statutory guidelines and 'is inconsistent with the Wind Energy Development Guidelines (2006)' and at Recommendation 1 (ii.) 'recommends' that 'the Planning Authority is required to': 'demonstrate that the Plan is consistent with the delivery of part (i), including through the omission of the setback standard for wind energy development under Policy E-P-23 and Policy E-P-24 of the proposed Variation and ensure that any provision for mandatory setback are consistent with the Wind Energy Development Guidelines for Planning Authorities (2006)'.</p> <p>Recommendation contained in CE Report: Omit policies in line with OPR comments.</p>	
Map 8.2.1	<p>Members of the Public: Some 142 members of the public expressed broad support for the proposed Map. 223 submissions supported the mapping (and policy approach) as contained in proposed Amendment Item No. 14 (Policy E-P-23) to generally exclude the principle of windfarm development in the EHSA areas; Freshwater Pearl Mussel Catchments; St. John's Point; and the Gweebarra River Basin. 92 of the submissions supported how landslide susceptibility was incorporated into the mapping.</p> <p>Wind Energy Industry (or Representatives Of): The industry expresses strong concerns regarding Map 8.2.1. It places these concerns in the context of national climate change policy and the drive towards greater amounts of renewable energy and that, combined with the proposed setback policy, the County will be unable to make any meaningful contribution to national renewable energy targets going forward. freshwater pearl mussel catchments; landslide susceptibility; the fact that much of the 'Open to Consideration' areas are 'disbursed around the county and are of a size that renders them unusable for windfarm purposes; and the proposed 500m buffer around settlements.</p> <p>Office of the Planning Regulator: The substantive comments refer to the sieve mapping analysis, particularly the additional considerations of the Members at the November 2021 Plenary Council meeting. The OPR specifically cites the following additional considerations in this regard: i) the "Lifford -Stranorlar Municipal District Areas at Risk of Landslides and Associated Environmental and Ecological Concerns"; and ii.) "Moderately Low" and "Moderately High" landslide susceptibility areas.</p> <p>Having regard to NPF National Planning Policy 55, which promotes the generation of renewable energy, National Strategic Outcome 8 'Transition to Sustainable Energy', and the Wind Energy Development Guidelines for Planning Authorities' (2006) which requires the implementation of a plan-led approach to identify suitable or unsuitable area for wind energy development through a systematic, evidence-based approach referred to as 'sieve mapping analysis', the OPR at Recommendation 2</p>	<p>Map 8.2.1 Recommendations i.), (ii.), b.) and c.) were not accepted by Members, whilst Recommendation d.) was accepted.</p> <p>Policy E-P-23(1) (ii.) recommendations (b) and (d) were not accepted by Members.</p> <p>(nb. The Minister's Direction overturned the Members' decisions re Map 8.2.1 i.) and ii.).</p>

Issue	How Addressed In Chief Executive's Report	Outcome
	<p>'recommends' that 'the Planning Authority is required to': i. remove the "Lifford -Stranorlar Municipal District Areas at Risk of Landslides and Associated Environmental and Ecological Concerns"; and ii. remove all "Moderately Low" and "Moderately High" landslide susceptibility areas.</p> <p>Recommendations contained in CE Report included:</p> <ul style="list-style-type: none"> - Amend Map 8.2.1 as follows: a. Remove the i) "Lifford - Stranorlar Municipal District Areas at Risk of Landslides and Associated Environmental and Ecological Concerns"; and ii) all "Moderately Low" and "Moderately High" landslide susceptibility areas from the Not Normally Permissible designation in Map 8.2.1, as required by the Office of the Planning Regulator, and revert the said Map of these areas to that submitted by the Executive to the November, 2021 Plenary Council meeting; b. Move 'Freshwater Pearl Mussel Catchment Areas' from the 'Not Normally Permissible' designation to the 'Open to Consideration' designation; c. Move the 'Gweebarra River Valley designation' from the 'Not Normally Permissible' designation to the 'Open to Consideration' designation; d. Retention of the St. John's Point headland in the 'Not Normally Permissible' designation; - Amend proposed Policy E-P-23(1)(ii) as follows (text to be deleted shown in strikethrough): Each individual item referenced above is considered to constitute a material alteration. Policy E-P-23: It is a policy of the Council that wind farm developments: (1) (i.) Must not be located within: (a.) the zone of visual influence of Glenveagh National Park; (ii.) Must not be located within the following areas, subject to the possible exceptions set out in Policy E-P-12(1)(c)(ii): (b) the Gweebarra River Basin; (c) areas contained within 'Especially High Scenic Amenity' on Map 7.1.2 'Scenic Amenity'; (d) Freshwater Pearl Mussel Catchments; and (e) St. John's Point. 	

5 How Consultations Regarding Transboundary Environmental Effects Has Been Taken into Account during The Making Of The Variation

The following Northern Ireland (NI) Authorities were consulted at both screening stage and following publication of the Proposed Variation:

- Fermanagh & Omagh District Council
- Causeway Coast and Glens Borough Council
- Derry City & Strabane District Council
- The Department of Agriculture, Environment and Rural Affairs.

For responses at screening stage, please refer to Section 2.2 above.

Two submissions were received from N. Ireland agencies at public consultation stage. These are addressed in the Table below with the main explanation of how the comments were taken into account referring to the Chief Executive's Report.

Agency/Comments	How Taken Into Account In Chief Executive's Report
Derry City & Strabane District Council	
<p>Details previous consultation and liaison between DCC and DCSDC and acknowledges information sharing meetings that took place in September 2021 and formal environmental screening in December 2021. States their broad agreement with the consultation documents and acceptance of findings.</p> <p>Note the new policy map but state it is difficult to predict potential impacts on their district, either strategically or site specifically, and that any potential impacts continue to be considered and appropriate consultations carried out (including their council) at individual planning application stage.</p>	<p>Agreed that both future proposed policies and individual applications with a potential transboundary impact should involve consultation and liaison.</p>
The Department of Agriculture, Environment and Rural Affairs.	
<p>Natural Environment Division:</p> <p>a) State there are significant areas of 'Open to Consideration' lands along the NI border and any proposals shall require cross border engagement on transboundary impacts including possible environmental assessment.</p> <p>b) Welcome proposed monitoring and mitigation of environmental effects and are supportive of this provided it is applied transboundary and engagement with NI.</p> <p>c) Welcome that NIS has considered NI sites stating that further AA may be required at project level.</p>	<p>Noted and agreed.</p>

Agency/Comments	How Taken Into Account In Chief Executive's Report
<p>Marine and Fisheries Division:</p> <p>a) Notes that variation refers to terrestrial wind energy only. Suggests that land-based windfarms in proximity to the Lough Foyle coast have potential to adversely impact on the marine environment through impacts such as pollution from sedimentation and hydrocarbon spillages (S 7.3.4 of NIR) and noise disturbance.</p> <p>b) Suggest that WE developments have the potential risk of flooding including increased surface water runoff from access roads and hardstands, which in close proximity to the marine could lead to marine pollution.</p> <p>c) Suggest that Derry City airport buffer extension if extended into the marine area they would have no further comment.</p> <p>d) Welcome that Natura site buffers, cumulative effects and consideration of coastal sites are being used.</p> <p>e) Welcomes consideration of protected marine areas (Table 3 of NIR) and their buffers and suggests the inclusion of the following also: North Antrim Coast SAC; 9 ASSIs; Lough Foyle Ramsar site; all SACs within 100km for grey seals; all SACs within 50km for Common Seals; all SACs within 100km for Harbour porpoise.</p> <p>f) State that figures 3.1 and 3.2 of ER do not show NI's Natura 2000 sites as suggested in the text.</p> <p>g) Section 3.9 of the ER should also consider potential impacts on the Lough Foyle Regional SCA, and the North coast Strands and Dunes Regional SCA.</p>	<p>a) Noted that the issue/concern was already addressed in the Proposed Variation. (Amendment No. 10) as a new Policy E-P-12(2).</p> <p>b) Any application submitted for windfarm development must be assessed in accordance with both the Ministerial Flood Risk Guidelines, and the Wind Energy Development Guidelines and will be subject to environmental assessment at a macro scale.</p> <p>c) Such a buffer was included in the map construction exercise following agreement with the City of Derry Airport officials.</p> <p>d) Noted. The extent of Natura 2000 sites and buffers within NI are mapped in Section 9 of the NIR.</p> <p>e, f, g Noted. Whilst the retained Natura consultant did not identify such need, these suggestions can be considered should the project proceed to Material Alterations stage.</p>

6 Reason for Choosing the Variation in Light Of Other Alternatives

Alternative No.1 Re Minimum Turbine Setback Distances

The Proposed Variation as recommended by the Executive included policy requiring a set-back of four times the tip height of turbines from the nearest part of the curtilage of residential receptors. This alternative was recommended having regard to relevant national policy guidelines, particularly the 'Draft Wind Energy Guidelines (Dec., 2019)' and the 'Interim Guidelines for Planning Authorities on Statutory Plans, Renewable Energy and Climate Change (July 2017)'. Members did not accept this recommendation and, instead decided to proceed with policies requiring a minimum setback of 10 times tip height. The Members' rationale for doing so included the following (as set out in the amended Section 28 Statement contained in the Variation). *'These policies are consistent with policy decisions previously agreed by Donegal County Council both in: {a} June, 2014 (Variation No. 2 [Wind Energy] to the County Donegal Development Plan, 2012-2018); and {b} May, 2018 (County Donegal Development Plan, 2018-2024) following extensive consultation and engagement between Members, the public, the Department and the Council Executive. These decisions were made having due regard to national guidelines as they were at the time, and taking into account the views of the people of Donegal that Councillors represent and to protect the environmental and ecological integrity of the County. The present decision also has regard to the then Minister's challenge to the aforementioned 2014 Variation and to the findings of an independent inspector appointed to review that Variation, namely that • Donegal County Council did not ignore or take insufficient account of the submissions made by the Minister in May 2014; • Variation No.2 did not significantly impact on the internal coherence of the County Development Plan; and • Did not make the development plan inconsistent with national policy. Donegal County Council believes that ten times tip height is a fair set back distance for modern day turbines which are of a size and scale not envisaged when the original Wind Energy Guidelines were published in 2006. Turbines now are approximately 160 metres with the potential for even greater heights. The Carrickaduff plans in the Finn Valley proposed turbines of 156.5 metres. Extensive public consultation has shown that the ten times tip height setback policy is favoured by the vast majority of the people of Donegal who would be affected by these turbines.'*

Alternative No.2 Re Amendments to Map 8.2.1

The Proposed Variation as recommended by the Executive included the following areas in the 'Open to Consideration' designation:

- "Lifford -Stranorlar Municipal District Areas at Risk of Landslides and Associated Environmental and Ecological Concerns"; and
- "Moderately Low" and "Moderately High" landslide susceptibility areas identified as 'Not Normally Permissible' to 'Open to Consideration'.

Members did not accept this recommendation and, instead decided at the Plenary Council meeting of November, 2021 to include these areas in the 'Not Normally Permissible' designation. The Members' rationale for doing so included the following (as set out in the amended Section 28 Statement contained in the Variation).

'The 'Lifford-Stranorlar Municipal District Areas at Risk of Landslides and Associated Environmental and Ecological Concerns': 'This amendment was made due to the landslide event at the adjacent Meenbog windfarm site (an eventuality noted by the Members as being forewarned by an eminent Variation to the County Donegal Development Plan 2018-2024 (As Varied) in respect of a Wind Energy Policy Framework (Variation No.2). 8 Ref Location in Plan Type of Change Variation Civil and Structural Engineer in a submission to the relevant planning application) and having regard to: o the presence of

identified 'Moderately High' and 'Moderately Low' landslide susceptibility areas; and o the ecological and environmental sensitivities of the area, including the strategic Lough Mourne public water supply reservoir and associated known tributaries and unknown underground feeder supplies, and to the consequent imperative need to protect the catchment area by adopting a precautionary approach to this specific area.'

All 'Moderately High' and 'Moderately Low' Landslide Susceptibility areas. This amendment was made due to the same concerns as set out above.

The Proposed Variation as recommended by the Executive also included the following areas in the 'Open to Consideration' designation:

- the Gweebarra River Basin;
- areas contained within 'Especially High Scenic Amenity' on Map 7.1.2 'Scenic Amenity';
- Freshwater Pearl Mussel Catchments; and
- St. John's Point.

Members did not accept this recommendation and, instead decided at the Plenary Council meeting of November, 2021 to include these areas in the 'Not Normally Permissible' designation. The Members' rationale for doing so included the following (as set out in the amended Section 28 Statement contained in the Variation).

The Gweebarra River Valley: Whilst much of the river valley was already included in the 'Not Normally Permissible' areas, this proposal consolidated the 'Not Normally Permissible' designation having regard to the fact that the area joins two specific EHSA's The Gweebarra River and Lough Finne, within the mapped area there are spectacular views of both EHSA's Gweebarra River and Lough Finne, considering the vast environmental assets in the area – Meenmore West Bog; Coolvoy Bog; vast mature forestry; Lettermacaward Water Treatment Plant; there is potential for this area of the County to potentially play a leading role offsetting carbon omissions as well as its proximity to one of Irelands leading Salmon Fisheries.

St. John's Point: Same reasons as per Gweebarra River Valley.

Freshwater Pearl Mussel Catchment: The EPA in its submission to the SEA Environmental Report–Scoping exercise observed that the 'Water Framework Directive protected areas (Salmon rivers, nutrient sensitive rivers, freshwater pearl mussel rivers etc.) and high status water bodies should be afforded particular protection in implementing the Variation. Considering this submission, the five river valleys of the Freshwater Pearl Mussel Catchments are included in the 'Not Normally Permissible' area so that the highest level of protection can be afforded to the designation which strengthens and responds to the submission made by the EPA.

(nb. re Entire Especially High Scenic Amenity Area (per Map 6.1.1): Of note here is that the entire designated EHSA was already contained within the designated 'Not Normally Permissible' areas.)

7 Measures to Monitor Significant Environmental Effects of Implementing The Variation

7.1 Introduction

Monitoring is required in order to properly consider the effects of implementation of the Variation, and to highlight areas that need to be re-assessed and /or considered for review. It also establishes a 'Baseline' from which to carry out the statutory 2 year and 4 year reviews. Part of this monitoring shall be based on the Environmental Objectives, Indicators and Targets as required by the SEA process and as set out in Table 7.1 below. It is envisaged that monitoring and reporting of any environmental impacts, both positive and negative, resulting from the implementation of the Variation will continue over the course of the lifetime of the Variation.

Table 7.1 Environmental Protection Objectives, Indicators and Targets

Environmental Protection Components	Indicators	Targets
<p>Biodiversity, Flora and Fauna: BFF To conserve, protect, maintain, and where appropriate restore biodiversity, flora and fauna, natural habitats and ecosystems particularly species and habitats subject to statutory protection.</p>	<p>Number and nature of developments permitted in or within the zone of influence of the Natura 2000 site.</p> <p>Conservation status of habitats and species as reported by NPWS.</p> <p>Quality of shellfish Growing Areas as reported by DEHLG.</p> <p>Hedgerow and riverside length.</p>	<p>Maintenance of favourable conservation status of the Qualifying Interests of all Natura 2000 sites.</p> <p>Maintenance of favourable conservation status of all Natura 2000 habitats of species and sites.</p> <p>Compliance with Catchment Plans for Freshwater Pearl Mussel.</p> <p>Compliance with NW RBD.</p> <p>Control of inappropriate development in and within the zone of influence of Natura 2000 sites or likely to impact upon the Qualifying Interests of Natura 2000 sites.</p> <p>Maintenance of contiguous hedgerows planted areas and waterways and their associated habitats.</p>
<p>Population and Human Health: PHH To protect populations and human health by: promoting healthy lifestyles and quality of</p>	<p>Provision of employment.</p> <p>Provision of services.</p> <p>Provision of amenities.</p> <p>Occurrence of a spatially concentrated incidences of</p>	<p>Increase in employment opportunities.</p> <p>Increase and improvement of services.</p> <p>Increase and improvement of</p>

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Environmental Protection Components	Indicators	Targets
<p>life, tackling socio-economic disadvantage, ensuring the sustainable use of resources, providing clean drinking water and safeguarding humans from environmental threats including air, water and noise pollution, climate change and flooding.</p>	<p>deterioration in human health (EPA, Local Reports).</p> <p>Availability and quality of community related infrastructure, services and facilities and status of environmental resources.</p> <p>Number of Blue flag beaches</p>	<p>amenities.</p> <p>No spatially occurring incidences deterioration in human health.</p> <p>Conserve and enhance the coastal source as an environment, amenity and resource.</p>
<p>Soil including minerals: S To protect soils and geology</p>	<p>Number and area of geological heritage sites as mapped by GSI</p> <p>Location and area of brownfield sites developed and permitted for development over the plan period.</p> <p>Amount and nature of waste to landfill and location of landfill.</p>	<p>Conservation of soil.</p> <p>Retain the number of geological heritage sites in the County.</p> <p>Develop as many brownfield sites as appropriate and possible.</p> <p>Reduce amount of waste to landfill.</p>
<p>Water: W Protect, avoid deterioration of and, as appropriate, restore/enhance the quality of surface, ground, and marine waters and their associated ecosystems including limiting the input of pollutants. Ensure the sustainable use and protection of water resources. Protect the coastal environment based on an ecosystem approach and taking ecological responsible coastal protection measures.</p>	<p>Water quality monitoring results by the EPA and County Lab, for:</p> <ul style="list-style-type: none"> • Surface water ecological and chemical status • Status of Estuarine and Coastal Waters • Bathing Water Quality • Groundwater Quality <p>Drinking Water quality.</p> <p>Water meter readings.</p> <p>Number of housing developments permitted on flood plains or lands likely to flood</p>	<p>Incorporate the Pollution Reduction Programmes for Shellfish Waters.</p> <p>Protect and restore areas identified in the NW RBD and achieve 'good' status in accordance with the NW RBD objectives.</p> <p>Protect and restore areas identified in the NW RBD and achieve 'good' status in accordance with the NW RBD objectives.</p> <p>Improved flood risk management in areas prone to flooding.</p> <p>Reduction in incidences of flood damage to properties.</p>
<p>Air: A Avoid, prevent and reduce air pollution and environmental noise in order to maintain and improve air quality and reduce harmful effects on human health and the environment.</p>	<p>Local air quality monitoring results.</p>	<p>Maintain a high level of air quality</p>
<p>Climatic factors: CF Reduce Greenhouse Gas emissions in order to help mitigate climate change and meet our relevant International, European and National climate change obligations and targets including achieving the National</p>	<p>National level of carbon emissions.</p> <p>Provision of sustainable travel modes.</p> <p>I-Plan results of numbers of developments permitted with renewable energies.</p>	<p>Contribute to net zero carbon emissions target at EU level by 2050.</p> <p>Increase and improvement of sustainable travel in the County.</p> <p>Reduce road traffic in line with Smarter Travel, A Sustainable Transport Future.</p>

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Environmental Protection Components	Indicators	Targets
<p>Climate Objective. Pursue development strategies which increase our ability to adapt to climate change and improve climate resilience.</p>	<p>Average daily motor vehicle flows. Proportion of travel by mode. Investment in public transport.</p>	<p>Increased investment in cycle paths and footpaths. Consider recommendations of OREDP in off shore wind energy developments.</p>
<p>Material Assets: MA</p> <p>To sustainably develop existing and new material assets (e.g. the built environment, land and infrastructure) by promoting compact consolidated growth and efficient land use planning. Avoid inappropriate development in areas at risk of flooding, preventing new developments increasing flood risk elsewhere.</p>	<p>Number of community related developments on vulnerable coastal sites / sites prone to flooding.</p>	<p>Improved flood risk management in areas prone to flooding. Reduction in incidences of flood damage to premises.</p>
<p>Cultural Heritage: CH</p> <p>To protect and preserve cultural heritage including architectural and archaeological heritage</p>	<p>Number of structures on RPS in relation to Ministerial Recommendations arising from NIAH County inventory. Number of ACAs. Number of Monuments on the RMP and areas of archaeological potential which have been recorded or subject to exploration as a result of development. Number of protected structures or archaeological monuments damaged due to development</p>	<p>To maintain the number of archaeological features recorded and protected. No damage occurring to structures or monuments due to development.</p>
<p>Landscape: L</p> <p>To protect and manage the landscape in a sustainable manner</p>	<p>Areas of landscape designated as within Especially High Scenic Amenity. Preparation of a Landscape Character Assessment.</p>	<p>Conserve and enhance the County's most valued scenic landscapes.</p>

8 CONCLUSION

The SEA and AA processes carried out during the preparation of the Variation have ensured that the potential significant environmental impacts associated with the implementation of the variation have been identified and these impacts have been given appropriate consideration. Consultation on the Proposed Variation, Environmental Report and NIR have further contributed to the development and finalisation of the Variation.