

**Strategic Environmental Assessment  
(SEA) Screening Report**

of the

**Proposed Variation**

to the

**County Donegal Development Plan  
2018-2024 (As Varied)**

in respect of

**the Deletion of Letterkenny-Specific  
Policy Content  
(Variation No. 3)**

**In accordance with the requirements of the Planning and  
Development Act 2000 (As Amended) and the Planning and  
Development Regulations 2001 (As Amended)**



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

**Community Development & Planning Services**

**14<sup>th</sup> September, 2023**

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# 1 Introduction

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## 1.1 Background

Detailed planning policy coverage for Letterkenny is currently contained in the County Development Plan, 2018-2024 (As Varied) ('the CDP'). Donegal County Council is in the process of preparing a new Local Area Plan for Letterkenny. It is envisaged that the latter Plan will be adopted as policy in November, 2023 and come into effect in early 2024. At that stage, it will be necessary to remove the Letterkenny-specific content from the CDP in order to avoid any overlap etc. This removal must be undertaken by means of a formal Variation to the CDP.

Article 13(K)(1) of the Planning and Development Regulations 2001 (As Amended) ('the Regulations'), requires the Planning Authority to consider '*whether or not the Proposed Variation would be likely to have significant effects on the environment, taking into account of relevant criteria set out in Schedule 2A*'. This Screening Report has been prepared to inform the Planning Authority's consideration and Determination in this regard. For clarification purposes, this screening exercise has been carried out in respect of the Proposed Variation dated 14<sup>th</sup> September, 2023.

## 2 Strategic Environmental Assessment Screening

### 2.1 ARTICLE 13K(1) PLANNING AUTHORITY CONSIDERATIONS

Pursuant to Article 13(K)(1) of the Regulations, the Planning Authority considered whether or not the Proposed Variation would be likely to have significant effects on the environment, taking into account the relevant criteria set out in Schedule 2A. On the basis of said consideration, such a determination was not made by the Planning Authority. In this scenario, the Authority is required to notify the statutory environmental authorities in accordance with Article 13K(3).

### 2.2 ARTICLE 13K(3) NOTICE TO ENVIRONMENTAL AUTHORITIES

The seven relevant environmental authorities [namely the Environmental Protection Agency; the Northern Ireland Environment Agency; Derry City and Strabane District Council; the Department of Housing, Local Government and Heritage; the Department of Agriculture, Food and the Marine, Department of the Environment, Climate and Communications and the Department of Culture Heritage and the Gaeltacht] were duly notified on 15<sup>th</sup> August, 2023 (refer to Section 2.3.2 below).

### 2.3 ARTICLE 13K(4) ASSESSMENT OF WHETHER THE PROPOSED VARIATION IS LIKELY TO HAVE SIGNIFICANT EFFECTS ON THE ENVIRONMENT

Article 13K(4) provides that following the period for consultations under Article 13K(3) [refer to Section 2.2 above),: *'the planning authority shall determine whether or not the proposed variation of the development plan would be likely to have significant effects on the environment, taking account of relevant criteria set out in Schedule 2A and any submission or observation received in response to a notice under sub-article (3).'*

#### **2.3.1: Schedule 2A Assessment**

Schedule 2A of the Regulations sets out two main types of criteria for determining whether a plan would be likely to have significant environmental effects:

1. Characteristics of the Plan: relates to the nature and scale of development likely to take place over the lifetime of the plan; and
2. Characteristics of the effects and of the Area likely to be affected: relates to the cumulative impacts and vulnerabilities of the geographical area likely to be affected by the implementation of the plan.

**Table 2.1: Assessment of Characteristics of the Proposed Variation to Determine the Likely Significance of Environmental Effects**

1. The Characteristics of the Proposed Variation Having Regard in particular to:	
Schedule 2A Criteria	Assessment
<b>The degree to which the plan or programme sets a framework for projects and other activities, either with</b>	The Proposed Variation will not set any such framework as it is merely a procedural mechanism to remove redundant planning policy from the CDP 2018-2024 on foot of the forthcoming adoption of the Letterkenny Plan 2023-2029.

<b>regard to the location, nature, size and operating conditions or by allocating resources.</b>	
<b>The degree to which the plan or programme influences other plans, including those in a hierarchy.</b>	The Proposed Variation will have no such influence.
<b>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development</b>	The Proposed Variation will have no such relevance.
<b>Environmental problems relevant to the plan or programme.</b>	No such environmental problems given that the Proposed Variation will have no such consequences as it will not facilitate any development.
<b>The relevance of the plan or programme for the implementation of European Union legislation on the environment (e.g. plans linked to waste-management or water protection).</b>	No relevance given that the Proposed Variation will not facilitate any development.
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b>	
<b>The probability, duration, frequency and reversibility of the effects.</b>	No such effects given that the Proposed Variation will not facilitate any development.
<b>The cumulative nature of the effects.</b>	No such effects given that the Proposed Variation will not facilitate any development.
<b>The transboundary nature of the effects.</b>	No such effects given that the Proposed Variation will not facilitate any development.
<b>The risks to human health or the environment (e.g. due to accidents).</b>	No such risks given that the Proposed Variation will not facilitate any development.
<b>The value and vulnerability of the area likely to be affected due to:</b> <b>a) Special natural characteristics or cultural heritage.</b> <b>b) exceeded environmental quality standards or limit values</b> <b>c) intensive land-use</b>	Does not arise given that the Proposed Variation will not facilitate any development.
<b>The effects on areas or landscapes which have a recognised national, European Union or international protection status.</b>	No such effects given that the Proposed Variation will not facilitate any development.

**2.3.2: Submissions or Observation Received From Environmental Authorities**

The Authorities identified in Table 2.1 below were notified in accordance with the requirements of Article 13K(3)(b). Three of the five consulted environmental authorities responded as detailed in Table 2.1. In summary, none of the environmental authorities advised that the Proposed Variation would be likely to have significant effects on the environment, or otherwise raised any concerns.

**Table 2.2: Submissions From Environmental Authorities Pursuant to Article 13K(3) of The Regulations.**

Environmental Authority	Summary
Environmental Protection Agency (EPA)	Generic response. No specific comments made re the Proposed Variation.
Northern Ireland Environment Agency	<i>'Content that this is unlikely to have significant effects on the environment and are content with the conclusions of the SEA screening.'</i>
Derry City and Strabane District Council	<i>'The Council also agrees with your Screening Determination.'</i>
Department of Housing, Local Government and Heritage	No response.
Department of Agriculture, Food and the Marine	No response.
Department of the Environment, Climate and Communications	No response
Department of Culture, Heritage and the Gaeltacht	No response

### 3 Recommendation

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On the basis of the absence of any issues or concerns raised or identified in:

- a. the submissions from the environmental authorities; and
- b. the assessment of criteria contained in Schedule 2A of the Regulations

**It is recommended that:**

1. The Authority determines that the Proposed Variation 'would **not be likely** to have significant effects on the environment' and that an Environmental Report **is not required**; and
2. Arising from the Determination detailed at 1. above, and in accordance with Article 13K(5) of the Regulations, the Planning Authority:
  - a) Makes a copy of its decision available for public consultation at the offices of the planning authority during office hours and on the website of the authority; and
  - b) Notifies its decision to environmental authorities consulted previously (as listed in Table 2.1 above).



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18/9/23