

Natura Impact Report

The Letterkenny Plan
2023-2029





DOCUMENT DETAILS

Client: **Donegal County Council**

Project Title: **The Letterkenny Plan 2022-2028**

Project Number: **180810**

Document Title: **Natura Impact Report**

Document File Name: **NIR F - 180810 - 2022.09.26**

Prepared By: **MKO
Tuam Road
Galway
Ireland
H91 VW84**



Rev	Status	Date	Author(s)	Approved By
02	Draft	11.07.2022	IR	PR
03	Draft	08.09.2022	IR/CM	PR
03	Final	24.11.2022	IR/CM	PR

Table of Contents

1.	INTRODUCTION.....	5
1.1	Background.....	5
1.2	Appropriate Assessment.....	5
1.2.1	Screening for Appropriate Assessment.....	5
1.2.2	Natura Impact Report.....	6
1.3	Statement of Authority.....	6
1.4	Structure and Format of this NIR.....	6
2.	DESCRIPTION OF THE PLAN.....	7
2.1	Planning Context.....	7
2.2	General Description.....	7
3.	IDENTIFICATION OF RELEVANT EUROPEAN SITES AND SCOPE OF ASSESSMENT..	9
3.1	Summary of AASR and SIP.....	9
3.2	Identification of European Sites within the Likely Zone of Impact.....	9
3.3	Lough Swilly SAC.....	20
3.3.1	Direct effects.....	20
3.3.2	Indirect effects.....	20
3.3.2.1	Water pollution.....	20
3.3.2.2	Airborne pollution.....	20
3.3.2.3	Disturbance and displacement.....	21
3.3.3	Conservation Objectives.....	21
3.4	Lough Swilly SPA.....	21
3.4.1	Direct effects.....	21
3.4.2	Indirect effects.....	21
3.4.2.1	Water pollution.....	21
3.4.2.2	Airborne pollution.....	22
3.4.2.3	Disturbance and displacement.....	22
3.4.3	Conservation Objectives.....	22
3.5	Leannan River SAC.....	24
3.5.1	Indirect effects.....	24
3.5.1.1	Water pollution.....	24
3.5.1.2	Disturbance and displacement.....	24
3.5.1.3	Conservation Objectives.....	24
4.	ASSESSMENT OF POTENTIAL EFFECTS.....	26
4.1	Direct Effects.....	26
4.1.1	Land take and habitat degradation.....	26
4.1.1.1	Key Elements of the Proposed Plan with the Potential for Adverse Effect.....	26
4.1.1.2	QIs/SCIs with the potential to be adversely affected.....	28
4.2	Indirect Effects.....	29
4.2.1	Water quality deterioration and changes to the river regime.....	29
4.2.1.1	Key Elements of the Proposed Plan with the Potential for Adverse Effect.....	29
4.2.1.2	QIs/SCIs with the potential to be adversely affected.....	37
4.2.2	Habitat degradation via airborne pollutants.....	37
4.2.2.1	QIs/SCIs with the potential to be adversely affected.....	38
4.2.3	Disturbance and Displacement.....	38
4.2.3.1	Key Elements of the Proposed Plan with the Potential for Adverse Effect.....	38
4.2.3.2	QIs/SCIs with the potential to be adversely affected.....	38
5.	MITIGATION MEASURES.....	40
6.	RESIDUAL IMPACT ASSESSMENT.....	58
6.1	Lough Swilly SAC.....	58
6.2	Lough Swilly SPA.....	63
6.4	Leannan River SAC.....	65

6.6	Conclusion of Residual Impact Assessment.....	67
7.	CUMULATIVE EFFECTS.....	68
7.1	Plans and Programmes.....	68
7.2	Projects.....	72
7.2.1	TEN-T Priority Route Improvement Project.....	72
7.2.2	Other Projects.....	72
7.3	Conclusion of Cumulative Assessment.....	74
8.	CONCLUDING STATEMENT	75
	BIBLIOGRAPHY	76

TABLE OF TABLES

<i>Table 3-1 Identification of European Sites within Likely Zone of Impact.....</i>	<i>12</i>
<i>Table 3-2 Qualifying Interests and Conservation Objectives of Lough Swilly SAC with the potential to be adversely affected.....</i>	<i>21</i>
<i>Table 3-3 Special Conservation Interests and Conservation Objectives of Lough Swilly SPA with the potential to be adversely affected.....</i>	<i>22</i>
<i>Table 3-4 Qualifying Interests and Conservation Objectives of Leannan River SAC with the potential to be adversely affected.....</i>	<i>24</i>
<i>Table 5-1 Mitigatory policies and objectives in the County Donegal Development Plan 2018-2024 and Letterkenny Plan 2022-2028.....</i>	<i>41</i>
<i>Table 6-1 Assessment of the potential of residual effects in relation to the Conservation Objectives of the relevant QIs of Lough Swilly SAC.....</i>	<i>58</i>
<i>Table 6-2 Assessment of the potential of residual effects in relation to the Conservation Objectives of the relevant SCIs of Lough Swilly SPA.....</i>	<i>63</i>
<i>Table 6-3 Assessment of the potential of residual effects in relation to the Conservation Objectives of the relevant QIs of Leannan River SAC.....</i>	<i>65</i>
<i>Table 7-1 Review of plans and programmes.....</i>	<i>68</i>
<i>Table 7-2 Other Projects considered for cumulative effects.....</i>	<i>72</i>

APPENDICES

Appendix 1	Appropriate Assessment Screening Report
Appendix 2	Appropriate Assessment Scoping Issues Paper

1. INTRODUCTION

1.1 Background

McCarthy Keville O’Sullivan Ltd. (MKO) has been appointed to provide the information necessary to allow the competent authority to conduct an Article 6(3) Appropriate Assessment of the proposed Letterkenny Plan 2023-2029 (hereafter also referred to as ‘the Proposed Plan’).

An Appropriate Assessment Screening Report (AASR) has been prepared by Donegal County Council and is provided in Appendix 1. This Article 6(3) Appropriate Assessment Screening Report has identified the European Sites upon which the proposed plan has the potential to result in significant effects and the pathways by which those effects may occur. It has also identified those Qualifying Interests (QIs) /Special Conservation Interests (SCIs) that have the potential to be affected by the Proposed Plan.

This Natura Impact Report has been prepared in accordance with the following documents:

- European Commission (2021) *Assessment of Plans and Projects Significantly affecting Natura 2000 Sites: Methodological Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC*. Office for Official Publications of the European Communities, Luxembourg.
- European Commissions (2018) *Managing Natura 2000 Sites: the provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC*. Office for Official Publications of the European Communities, Luxembourg.
- Department of Environment, Heritage and Local Government (2010 revision) *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*.
- Office of the Planning Regulator (2021) *Appropriate Assessment Screening for Development Management*.

In addition to the guidelines referenced above, the following relevant guidance was considered in preparation of this report:

- European Commission (2000) *Managing Natura 2000 Sites: the provisions of Article 6 of the ‘Habitats’ Directive 92/43/EEC*. Office for Official Publications of the European Communities, Luxembourg.
- European Commission *Habitats Directive 92/43/EEC*. Office for Official Publications of the European Communities, Luxembourg.
- European Commission (2007) *Guidance document on Article 6(4) of the ‘Habitats Directive’ 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the Commission*.

1.2 Appropriate Assessment

1.2.1 Screening for Appropriate Assessment

Screening is the process of determining whether an Appropriate Assessment is required for a plan or project. Under part XAB of the Planning and Development Act 2000 (as amended), screening must be carried out by the Competent Authority. As per Section 177U of the Planning and Development Act 2000 (as amended) ‘A screening for Appropriate Assessment shall be carried out by the Competent Authority to assess, in view of best scientific knowledge, if that land use plan or proposed works, individually or in combination with another plan or project is likely to have a significant effect on the European Site’. The Competent Authority’s determination as to whether an Appropriate Assessment is

required must be made on the basis of objective information and should be recorded. The Competent Authority may request information to be supplied to enable it to carry out screening.

Consultants or project proponents may provide for the Competent Authority the information necessary for them to determine whether an Appropriate Assessment is required and provide advice to assist them in the Article 6(3) Appropriate Assessment Screening decision.

Where it cannot be excluded beyond reasonable scientific doubt at the Screening stage, that a proposed plan or project, individually or in combination with other plans and projects, would have a significant effect on the Conservation Objectives of a European Site, an Appropriate Assessment is required.

1.2.2 **Natura Impact Report**

If the likelihood of significant effects arising from a plan cannot be excluded beyond reasonable scientific doubt at the Screening stage, an Appropriate Assessment in the form of a Natura Impact Report (NIR) has to be prepared. This will present the data, information and analysis necessary to reach a definite determination as to whether the plan, alone or in combination with other plans and projects, will have 1) implications for a European Site in view of its Conservation Objectives, and 2) will have adverse effects on the integrity of a European Site. The NIR should be underpinned by best scientific knowledge, objective information and by the precautionary principle.

1.3 **Statement of Authority**

This report has been prepared by Inga Reich (Diplom, Ph.D.) and Colin Murphy (B.Sc, M.Sc). Inga has over 5 years post-doctoral experience in ecology. Colin is an experienced ecologist with over two years' experience. e. This report has been reviewed by Pat Roberts (B.Sc. (Env.)) who has over 16 years' experience in ecological consultancy.

1.4 **Structure and Format of this NIR**

Section 2 provides an overview of the Proposed Plan. Following this, the findings of the Article 6(3) Appropriate Assessment Screening Report (AASR; Appendix 1) and Appropriate Assessment Scoping Issues Paper (SIP; Appendix 2) are summarized in Section 3. This section clearly identifies the European Sites that have the potential to be significantly affected by the Proposed Plan and the pathways by which they might be affected and sets out the scope of the NIR.

Section 4 provides an assessment of the potential for adverse effects on the identified European Sites while section 5 prescribes mitigation to robustly block any identified pathways for impact. Section 6 provides an assessment of residual effects taking into consideration the proposed mitigation.

In Section 7, the potential in combination effects of the Proposed Plan on European Sites, when considered in combination with other plans and projects was considered. A concluding statement is provided in Section 8.

2. DESCRIPTION OF THE PLAN

2.1 Planning Context

The Letterkenny Plan 2022 – 2028 (referred to as the ‘Proposed Plan’) has been prepared in accordance with the requirements of Sections 18-20 of the Planning and Development Act, 2000 (as amended) (the Act). It sets out an overall strategy for the proper planning and sustainable development of Letterkenny in the context of the National Planning Framework, the Regional Spatial and Economic Strategy for the Northern and Western Regional Assembly area and the Donegal County Development Plan 2018-2024 (As Varied) (the CDP). The Proposed Plan has been drafted having regard to Ministerial Guidelines issued pursuant to Section 28 of the Act, and in accordance with EU requirements regarding Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA). Arising from these obligations, the Plan is accompanied by supporting documents including a Natura Impact Report (in respect of AA); an Environmental Report (in respect of SEA); a Strategic Flood Risk Assessment; and an Infrastructural Assessment.

The Proposed Plan replaces Chapter 12, Part C of the CDP, which contained the detailed planning policy framework for the town of Letterkenny. It is intended that the said section of the CDP will be deleted by way of a Variation to the CDP, which Variation shall be made by Donegal County Council at the same time as the adoption of the new Letterkenny Plan.

The Proposed Plan must be read in tandem with the CDP, as general policies and standards contained with the CDP are also applicable within the Letterkenny Plan area. All proposals for development that are put forward in accordance with the provisions of the Proposed Plan must also comply with relevant objectives and policies of the CDP.

2.2 General Description

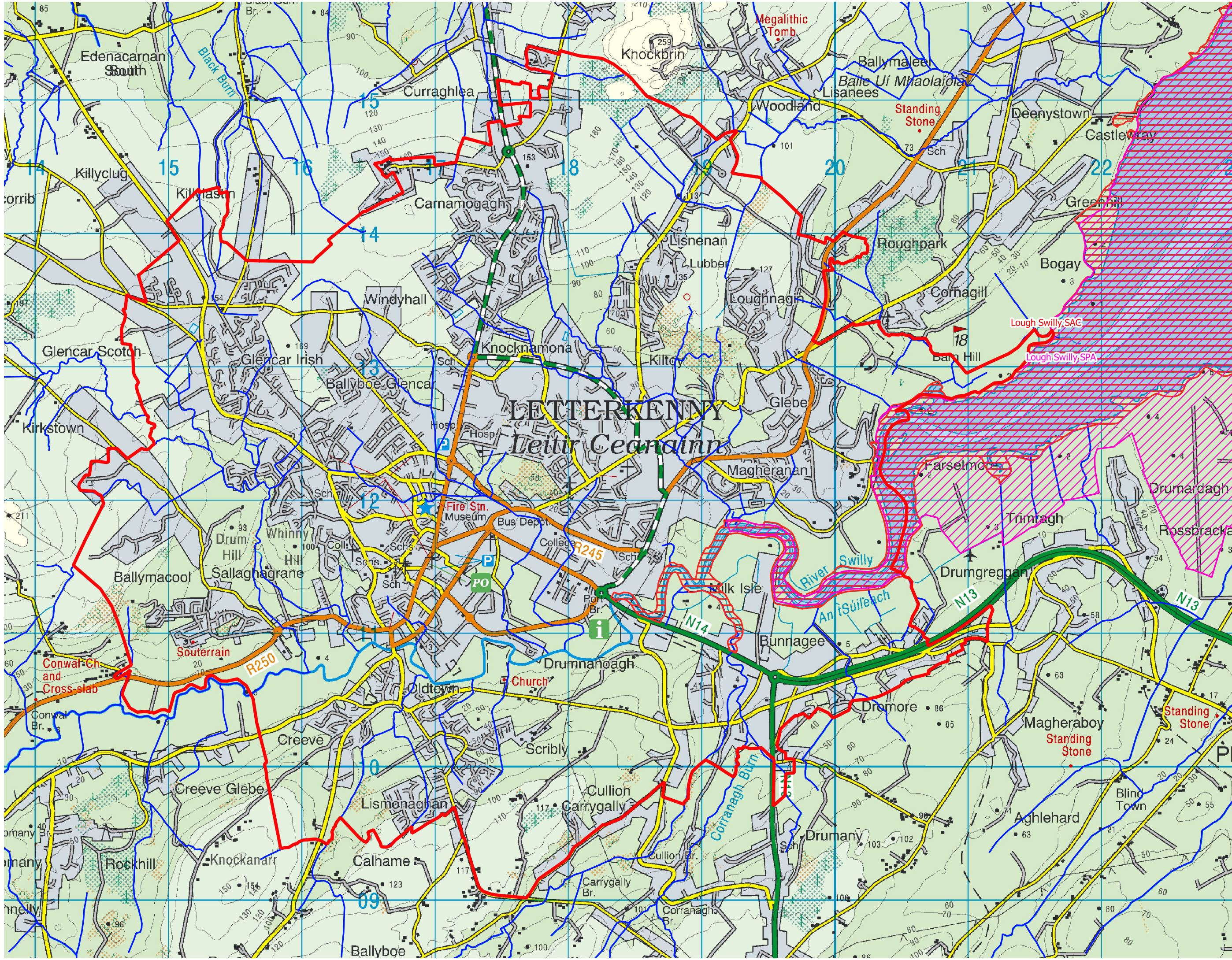
The Proposed Plan is comprised of two parts. Part A contains the plans and policies of a ‘conventional’ land use plan, whilst a Local Transport Plan is contained in Part B. Together, these two sections constitute the Written Statement of the Proposed Plan. The Proposed Plan also contains a Zoning Map and other maps. The Written Statement shall take precedence over the Zoning Map and other maps should any discrepancy arise between them. The Proposed Plan area is shown in Figure 2-1.

Part A (Planning and Land Use Policies) is comprised of three sections:

- Section A - Context
- Section B - Strategy Development
- Section C - Detailed Policy Chapters
 - General Development Management Approach
 - Economic Development and Employment
 - Town Centre Strategy
 - Housing
 - Opportunity Sites
 - Climate Adaptation and Mitigation
 - Natural and Built Heritage
 - Social, Community and Culture

Part B (Local Transport Plan) is set out under four broad topics:

- Active Travel
- Town Centre
- Public Transport
- Strategic Roads



Map Legend

- Plan Boundary
- Special Area of Conservation
- Special Protection Area
- Waterbodies

Microsoft product screen shots reprinted with permission from Microsoft Corporation
 Ordnance Survey Ireland Licence No. AR 0021821 © Ordnance Survey Ireland/Government of Ireland



Boundary of Proposed Plan	
Project Title	
Letterkenny Local Area Plan	
Drawn By	Checked By
IR	PR
Project No.	Drawing No.
180810	2-1
Scale	Date
1:25000	2022-06-08



MKO
 Planning and
 Environmental
 Consultants
 Tuam Road, Galway
 Ireland, H91 VW84
 +353 (0) 91 735611
 email: info@mkofireland.ie
 Website: www.mkofireland.ie

3. IDENTIFICATION OF RELEVANT EUROPEAN SITES AND SCOPE OF ASSESSMENT

3.1 Summary of AASR and SIP

An Article 6(3) Appropriate Assessment Screening Report (AASR) has been prepared by Donegal County Council (Appendix 1). It states that the potential for the Proposed Plan to result in significant effects on European Sites is uncertain and that it *'cannot be excluded that the draft Local Area Plan, individually or in combination with other plans and projects, will have a significant effect on a European site.'*

An Appropriate Assessment Scoping Issues Paper (SIP) was also prepared as part of this application, which addresses the proposed scope of the Stage 2 Appropriate Assessment and gives an outline of the geographic area involved and the potential for significant effects on European Sites as a result of implementing the Proposed Plan (Appendix 2).

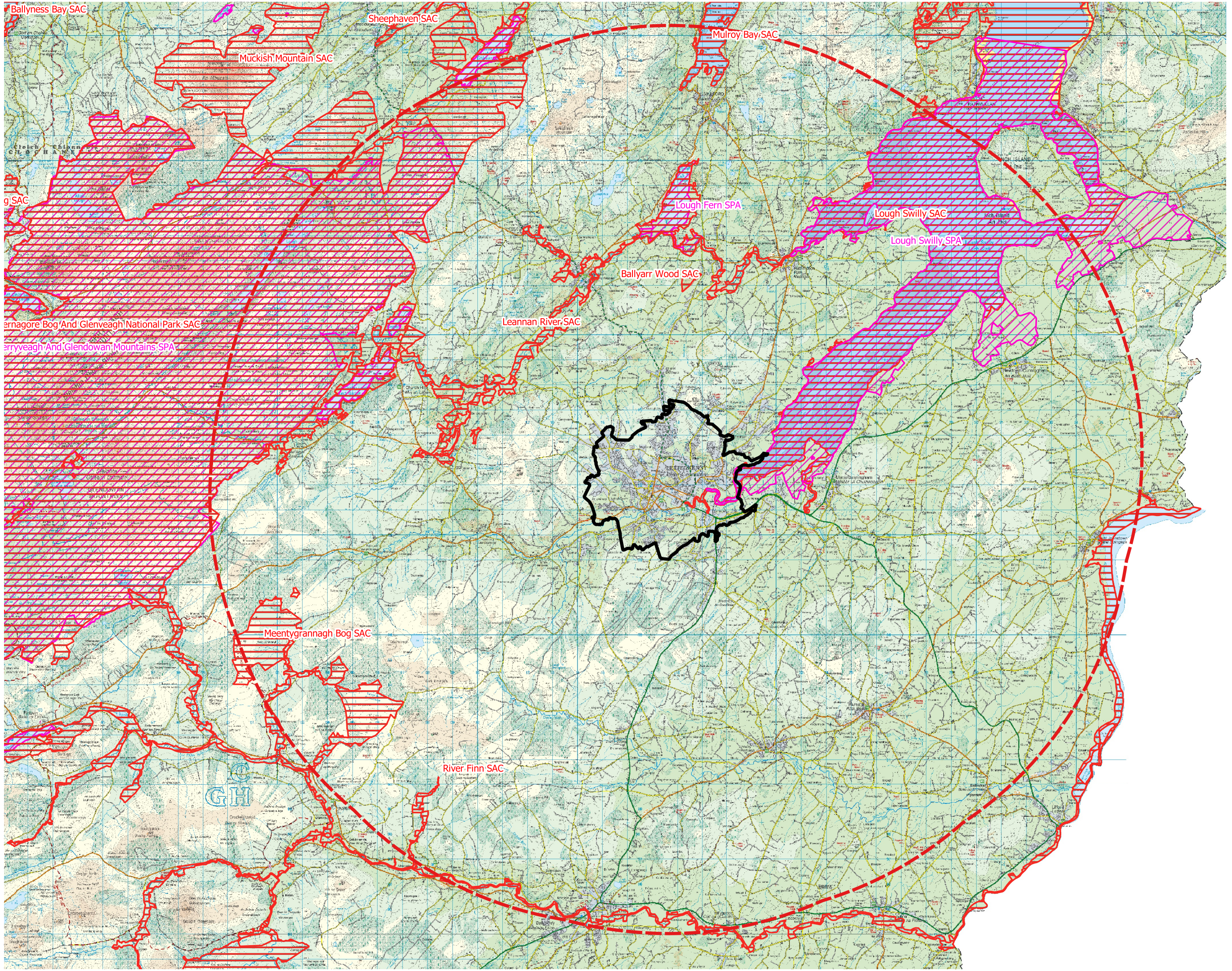
3.2 Identification of European Sites within the Likely Zone of Impact





The following methodology was used to establish which European Sites are within the Likely Zone of Impact of the Proposed Plan:

- Initially the most up to date GIS spatial datasets for European Sites and water catchments were downloaded from the NPWS website (www.npws.ie) and the EPA website (www.epa.ie) on the 01/06/2022. The datasets were utilized to identify European Sites which could feasibly be affected by the Proposed Plan.
- All European Sites that could potentially be affected were identified using a source-pathway - receptor model. To provide context for the assessment, European Sites within a distance of 15km surrounding the Proposed Plan boundary are shown on Figure 3.1. Information on these sites according to the site-specific conservation objectives is provided in Table 3-1. The potential for connectivity with European Sites at distances of greater than 15km was also considered in this NIR. In this case, no potential for impact on sites located at a distance of over 15km from the Proposed Plan boundary was identified due to the absence of direct hydrological connections (e.g. without the Atlantic Ocean as a buffer).
- Catchment mapping was used to establish or discount potential hydrological connectivity between the Proposed Plan area and any European Site. The hydrological catchments are also shown in Figure 3.1.
- In relation to Special Protection Areas, in the absence of any specific European or Irish guidance in relation to such sites, the Scottish Natural Heritage (SNH) Guidance, *'Assessing Connectivity with Special Protection Areas (SPA)'* (2016) was consulted. This document provides guidance in relation to the identification of connectivity between proposed plans or developments and Special Protection Areas. The guidance takes into consideration the distances species may travel beyond the boundary of their SPAs and provides information on dispersal and foraging ranges of bird species which are frequently encountered when considering plans and projects.
- Table 3-1 provides details of all relevant European Sites as identified in the preceding steps and assesses which are within the likely Zone of Impact. The assessment considers any likely direct or indirect impacts of the Proposed Plan, both alone and in combination with other plans and projects, on European Sites by virtue of the following criteria: size and scale, land-

take, distance from the European Site or key features of the site, resource requirements, emissions, excavation requirements, transportation requirements and duration of construction, operation and decommissioning were considered in this assessment.

- The site synopses and conservation objectives of these sites, as per the NPWS website (www.npws.ie), were consulted and reviewed at the time of preparing this report
- Where potential pathways for Significant Effect are identified, the site is included within the Likely Zone of Impact and further assessment is required.



- ### Map Legend
-  Plan Boundary
 -  15km Buffer
 -  Special Area of Conservation
 -  Special Protection Area

Microsoft product screen shots reprinted with permission from Microsoft Corporation
 Ordnance Survey Ireland Licence No. AR 0021821 © Ordnance Survey Ireland/Government of Ireland



Drawing Title	
EU Designated Sites within 15km	
Project Title	
Letterkenny Local Area Plan	
Drawn By	Checked By
IR	PR
Project No.	Drawing No.
180810	3-1
Scale	Date
1:1	2022-06-08



MKO
 Planning and Environmental Consultants
 Tuam Road, Galway
 Ireland, H91 VW84
 +353 (0) 91 735611
 email: info@mkofireland.ie
 Website: www.mkofireland.ie

Table 3-1 Identification of European Sites within Likely Zone of Impact

European Sites and distance from Proposed Plan boundary	Qualify Interests/Special Conservation Interests for which the European Site has been designated (Sourced from NPWS online Conservation Objectives, www.npws.ie on the 01/06/2022	Conservation Objectives	Identification of Source-Pathway-Receptor chain
Special Areas of Conservation (SAC)			
Lough Swilly SAC Distance: 0m	<ul style="list-style-type: none"> ➤ [1130] Estuaries ➤ [1150] Coastal lagoons ➤ [1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) ➤ [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles ➤ [1355] <i>Lutra lutra</i> (Otter) 	Detailed conservation objectives for this site, (Version 1, July 2011), were reviewed as part of the assessment and are available at www.npws.ie	<p>Part of the Lough Swilly SAC lies within the Proposed Plan boundary and there is potential for direct impact in the form of land take and habitat degradation</p> <p>There is downstream hydrological connectivity to this SAC as the majority of watercourses within the Proposed Plan boundary drain into the River Swilly and a potential pathway for indirect effect was identified in the form of deterioration of water quality in the absence of mitigation. On a precautionary basis, there is also potential for indirect impact in the form of habitat degradation via airborne pollutants due to the proximity of the site in relation to the Proposed Plan area.</p> <p>Due to the presence of suitable habitat within and immediately surrounding the Proposed Plan boundary, there is also potential for increased activity and light to cause <i>in</i> and <i>ex situ</i> disturbance and displacement of otter.</p> <p>Complete source pathway receptor chains were identified and in the absence of mitigation, there is potential for the Proposed Plan to result in adverse effects on this European Site in the absence of mitigation. Therefore, the European Site is located within the Likely Zone of Impact and is considered further in this assessment.</p>

<p>Leannan River SAC</p> <p>Distance: 3.8km</p>	<ul style="list-style-type: none"> ➤ [3110] Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) ➤ [3130] Oligotrophic to mesotrophic standing waters with vegetation of the <i>Littorelletea uniflorae</i> and/or <i>Isoeto-Nanojuncetea</i> ➤ [1029] <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) ➤ [1106] <i>Salmo salar</i> (Salmon) ➤ [1355] <i>Lutra lutra</i> (Otter) ➤ [1833] <i>Najas flexilis</i> (Slender Naiad) 	<p>Detailed conservation objectives for this site, (Version 1, August 2019), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There will be no direct effects as the Proposed Plan area is located entirely outside the designated site.</p> <p>There is downstream hydrological connectivity to this SAC as some of the of watercourses in the north of the Proposed Plan boundary drain into the River Leannan and a potential pathway for indirect effect was identified in the form of deterioration of water quality in the absence of mitigation.</p> <p>Due to the presence of suitable habitat within and immediately surrounding the Proposed Plan boundary, there is also potential for increased activity and light to cause <i>in</i> and <i>ex situ</i> disturbance and displacement of otter.</p> <p>A complete source pathway receptor chain was identified and in the absence of mitigation, there is potential for the proposed development to result in adverse effects on this European Site in the absence of mitigation. Therefore, the European Site is located within the Likely Zone of Impact and is considered further in this assessment.</p>
<p>Ballyarr Wood SAC</p> <p>Distance: 4.4km</p>	<ul style="list-style-type: none"> ➤ [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles 	<p>Detailed conservation objectives for this site, (Version 1, January 2021), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There will be no direct effects as the Proposed Plan area is located entirely outside the designated site.</p> <p>Due to the terrestrial nature of the QI habitat and the distance from the site, no complete source-impact-pathway was identified. As such, there is no potential for indirect effects to occur.</p> <p>No pathway for adverse effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects and the site is not within the Likely Zone of Impact and is not considered further in this assessment.</p>

<p>Cloghernagore Bog and Glenveagh National Park SAC</p> <p>Distance: 9.8km</p>	<ul style="list-style-type: none"> ➤ [3110] Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) ➤ [3260] Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation ➤ [4010] Northern Atlantic wet heaths with <i>Erica tetralix</i> ➤ [4030] European dry heaths ➤ [4060] Alpine and Boreal heaths ➤ [6410] <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) ➤ [7130] Blanket bogs (* if active bog) ➤ [7150] Depressions on peat substrates of the Rhynchosporion ➤ [91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles ➤ [1029] <i>Margaritifera margaritifera</i> (Freshwater Pearl Mussel) ➤ [1106] <i>Salmo salar</i> (Salmon) ➤ [1355] <i>Lutra lutra</i> (Otter) 	<p>Detailed conservation objectives for this site, (Version 1, July 2017), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There will be no direct effects as the Proposed Plan area is located entirely outside the designated site.</p> <p>There is no surface water connection between the Proposed Plan area and this SAC and there is no pathway for indirect effect in the form of deterioration of water quality.</p> <p>The potential for disturbance to otter, where it occurs outside the SAC, was also assessed. Given the distance from the Proposed Plan area and the lack of a connecting watercourse, there is no potential for significant <i>ex situ</i> disturbance or displacement.</p> <p>No pathway for adverse effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects and the site is not within the Likely Zone of Impact and is not considered further in this assessment.</p>
--	---	--	---

	> [1421] <i>Trichomanes speciosum</i> (Killarney Fern)		
<p>River Finn SAC</p> <p>Distance: 10.5km</p>	<ul style="list-style-type: none"> > [3110] Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>) > [4010] Northern Atlantic wet heaths with <i>Erica tetralix</i> > [7130] Blanket bogs (* if active bog) > [7140] Transition mires and quaking bogs > [1106] <i>Salmo salar</i> (Salmon) > [1355] <i>Lutra lutra</i> (Otter) 	<p>Detailed conservation objectives for this site, (Version 1, May 2017), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There will be no direct effects as the Proposed Plan area is located entirely outside the designated site.</p> <p>There is no surface water connection between the Proposed Plan area and this SAC and there is no pathway for indirect effect in the form of deterioration of water quality.</p> <p>The potential for disturbance to otter, where it occurs outside the SAC, was also assessed. Given the distance from the Proposed Plan area and the lack of a connecting watercourse, there is no potential for significant <i>ex situ</i> disturbance or displacement.</p> <p>No pathway for adverse effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects and the site is not within the Likely Zone of Impact and is not considered further in this assessment.</p>
<p>Meentygrannagh Bog SAC</p> <p>Distance: 12km</p>	<ul style="list-style-type: none"> > [7130] Blanket bogs (* if active bog) > [7140] Transition mires and quaking bogs > [7230] Alkaline fens > [62126] <i>Drepanocladus vernicosus</i> (Slender Green Feather-moss) 	<p>Detailed conservation objectives for this site, (Version 1, May 2017), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There will be no direct effects as the project footprint is located entirely outside the designated site.</p> <p>Due to the terrestrial nature of the QI habitats and species and the distance from the site, no complete source-impact-pathway was identified. As such, there is no potential for indirect effects to occur.</p> <p>No pathway for adverse effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects and the site is not within the Likely Zone of Impact and is not considered further in this assessment.</p>

<p>Mulroy Bay SAC</p> <p>Distance: 12.4km</p>	<ul style="list-style-type: none"> ➤ [1140] Mudflats and sandflats not covered by seawater at low tide ➤ [1160] Large shallow inlets and bays ➤ [1170] Reefs ➤ [1355] <i>Lutra lutra</i> (Otter) 	<p>Detailed conservation objectives for this site, (Version 1, October 2012), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>There will be no direct effects as the project footprint is located entirely outside the designated site.</p> <p>No pathway for indirect effects exist on any of the QI habitats or species due to the distance from the Proposed Plan area and the lack of a direct surface water connection.</p> <p>No pathway for adverse effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects and the site is not within the Likely Zone of Impact and is not considered further in this assessment.</p>
<p>Special Protection Area (SPA)</p>			
<p>Lough Swilly SPA</p> <p>Distance: 0m</p>	<ul style="list-style-type: none"> ➤ [A005] Great Crested Grebe (<i>Podiceps cristatus</i>) ➤ [A028] Grey Heron (<i>Ardea cinerea</i>) ➤ [A038] Whooper Swan (<i>Cygnus cygnus</i>) ➤ [A043] Greylag Goose (<i>Anser anser</i>) ➤ [A048] Shelduck (<i>Tadorna tadorna</i>) ➤ [A050] Wigeon (<i>Anas penelope</i>) ➤ [A052] Teal (<i>Anas crecca</i>) 	<p>Detailed conservation objectives for this site, (Version 1, July 2011), were reviewed as part of the assessment and are available at www.npws.ie</p>	<p>Part of the Lough Swilly SPA lies within the Proposed Plan boundary and there is potential for direct impact in the form of land take and habitat degradation</p> <p>There is downstream hydrological connectivity to this SPA as the majority of watercourses within the Proposed Plan boundary drain into the River Swilly and a potential pathway for indirect effect was identified in the form of deterioration of water quality in the absence of mitigation. On a precautionary basis, there is also potential for indirect impact in the form of habitat degradation via airborne pollutants due to the proximity of the site in relation to the Proposed Plan area.</p> <p>Due to the presence of suitable habitat within and immediately surrounding the Proposed Plan boundary, there is also potential for</p>

	<ul style="list-style-type: none"> > [A053] Mallard (<i>Anas platyrhynchos</i>) > [A056] Shoveler (<i>Anas clypeata</i>) > [A062] Scaup (<i>Aythya marila</i>) > [A067] Goldeneye (<i>Bucephala clangula</i>) > [A069] Red-breasted Merganser (<i>Mergus serrator</i>) > [A125] Coot (<i>Fulica atra</i>) > [A130] Oystercatcher (<i>Haematopus ostralegus</i>) > [A143] Knot (<i>Calidris canutus</i>) > [A149] Dunlin (<i>Calidris alpina</i>) > [A160] Curlew (<i>Numenius arquata</i>) > [A162] Redshank (<i>Tringa totanus</i>) > [A164] Greenshank (<i>Tringa nebularia</i>) > [A179] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) > [A182] Common Gull (<i>Larus canus</i>) > [A191] Sandwich Tern (<i>Sterna sandvicensis</i>) > [A193] Common Tern (<i>Sterna hirundo</i>) > [A395] Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>) 		<p>increased activity and light to cause <i>in</i> and <i>ex situ</i> disturbance and displacement of SCI species.</p> <p>A complete source pathway receptor chain was identified and in the absence of mitigation, there is potential for the Proposed Plan to result in adverse effects on this European Site in the absence of mitigation. Therefore, the European Site is located within the Likely Zone of Impact and is considered further in this assessment.</p>
--	---	--	---

	<ul style="list-style-type: none"> > [A999] Wetland and waterbirds 		
<p>Lough Fern SPA</p> <p>Distance: 5.8km</p>	<ul style="list-style-type: none"> > [A059] Pochard (<i>Aythya ferina</i>) > [A999] Wetland and waterbirds 	<p>This site has the generic conservation objective:</p> <p><i>‘To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA’</i></p> <p>To acknowledge the importance of Ireland's wetlands to wintering waterbirds, this site has a second conservation objective:</p> <p><i>‘To maintain or restore the favourable conservation condition of the wetland habitat at Lough Fern SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.’</i></p> <p>(NPWS (2022) Conservation objectives for Lough Fern SPA</p>	<p>There will be no direct effects as the Proposed Plan area is located entirely outside the designated site.</p> <p>There is no surface water connection between the Proposed Plan area and this SPA and there is no pathway for indirect effect in the form of deterioration of water quality.</p> <p>The potential for disturbance to the SCI species, where they occur outside the SPA was also assessed. Given the distance from the Proposed Plan area and the lack of suitable habitat for the SCI species, there is no potential for significant <i>ex situ</i> disturbance or displacement.</p> <p>No pathway for adverse effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects and the site is not within the Likely Zone of Impact and is not considered further in this assessment.</p>

		[004060] Generic Version 9.0. Department of Housing, Local Government and Heritage.)	
Derryveagh and Glendowan Mountains SPA Distance: 8.6km	<ul style="list-style-type: none"> > [A001] Red-throated Diver (<i>Gavia stellata</i>) > [A098] Merlin (<i>Falco columbarius</i>) > [A103] Peregrine (<i>Falco peregrinus</i>) > [A140] Golden Plover (<i>Pluvialis apricaria</i>) > [A466] Dunlin (<i>Calidris alpina schinzii</i>) 	<p>This site has the generic conservation objective:</p> <p><i>'To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA'</i></p> <p>(NPWS (2022) Conservation objectives for Derryveagh and Glendowan Mountains SPA [004039] Generic Version 9.0. Department of Housing, Local Government and Heritage.)</p>	<p>There will be no direct effects as the Proposed Plan area is located entirely outside the designated site.</p> <p>Due to the terrestrial nature of the European Site and the distance from the Proposed Plan Area, no complete source-impact-pathway was identified.</p> <p>The potential for disturbance to the SCI species, where they occur outside the SPA was also assessed. The Proposed Plan Area is well outside the core foraging range of Red-throated diver, Merlin, Peregrine, Golden Plover and Dunlin (<8km/5km/2km/3km/0.5km; SNH, 2016). Given the distance from the Proposed Plan area there is no potential for significant <i>ex situ</i> disturbance or displacement.</p> <p>No pathway for adverse effect on this European Site was identified, when considered in the absence of any mitigation, individually or cumulatively with other plans or projects and the site is not within the Likely Zone of Impact and is not considered further in this assessment.</p>

Table 3-1 identified the potential for the Proposed Plan to result in adverse effects on the following European Sites:

- Lough Swilly SAC
- Lough Swilly SPA
- Leannan River SAC

Each of these sites is discussed in the following sections below in terms of the QIs/SCIs with the potential to be affected and the pathways by which any such effects may occur.

3.3 Lough Swilly SAC

3.3.1 Direct effects

Part of the Lough Swilly SAC lies within the Proposed Plan boundary; commencing just north of the Port Bridge on the eastern side of the town and thereafter following the river estuary out into Lough Swilly. The following QI habitats are mapped in the SSCOs for the site (NPWS 2011), or might occur within the overlapping area and there is potential for direct impact in the form of land take and habitat degradation in the absence of mitigation:

- Atlantic salt meadows (*Glauco-Puccinellietalia maritima*) [1330] (Map 5 of the SSCOs)
- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0] (not fully mapped but could potentially occur)

While the QI habitat Estuaries [1130] is mapped to occur within the Proposed Plan boundary (Map 2 of the SSCOs), any impact on this aquatic habitat will be considered under indirect effects.

3.3.2 Indirect effects

3.3.2.1 Water pollution

There is downstream hydrological connectivity to this SAC as the majority of watercourses within the Proposed Plan boundary drain into the River Swilly and areas zoned for development as part of the Proposed Plan are located within flood zones of the River Swilly and/or its tributaries. Hence, there is potential for indirect impact in the form of deterioration of surface water quality and changes to the river regime in the absence of mitigation on the following QIs:

- Estuaries [1130]
- Coastal lagoons [1150]
- *Lutra lutra* (Otter) [1355]

3.3.2.2 Airborne pollution

On a precautionary basis, there is potential for indirect impact in the form of habitat degradation via airborne pollutants on the following QIs in the absence of mitigation:

- Estuaries [1130]
- Coastal lagoons [1150]
- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]

3.3.2.3 Disturbance and displacement

Due to the presence of suitable habitat within and immediately surrounding the Proposed Plan boundary, there is potential for increased activity and light to cause *in* and *ex situ* disturbance and displacement of this QI species in the absence of mitigation:

- *Lutra lutra* (Otter) [1355]

3.3.3 Conservation Objectives

The relevant QIs and their associated Conservation Objectives of Lough Swilly SAC are presented in Table 3-2 below.

Table 3-2 Qualifying Interests and Conservation Objectives of Lough Swilly SAC with the potential to be adversely affected

Qualifying Interest	Conservation Objective
[1130] Estuaries	To maintain the favourable conservation condition of Estuaries in Lough Swilly SAC
[1150] Coastal lagoons	To restore the favourable conservation condition of Coastal lagoons in Lough Swilly SAC
[1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)	To restore the favourable conservation condition of Atlantic salt meadows in Lough Swilly SAC
[91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles	To restore the favourable conservation condition of Old oak woodland with <i>Ilex</i> and <i>Blechnum</i> in Lough Swilly SAC
[1355] Otter <i>Lutra lutra</i>	To restore the favourable conservation condition of Otter (<i>Lutra lutra</i>) in Lough Swilly SAC

3.4 Lough Swilly SPA

3.4.1 Direct effects

Part of the Lough Swilly SPA lies within the Proposed Plan boundary; commencing in the townland of Bunnagee along the river channel and heading eastwards to encompass approximately half of Lough Swilly in addition to significant parcels of land to the east of the Lough. Hence, there is potential for direct impact in the form of land take and habitat degradation in the absence of mitigation on the following SCI:

- Wetland and Waterbirds [A999] (Map 7 of the SSCOs)

3.4.2 Indirect effects

3.4.2.1 Water pollution

There is downstream hydrological connectivity to this SPA as the majority of watercourses within the Proposed Plan boundary drain into the River Swilly and areas zoned for development as part of the Proposed Plan are located within flood zones of the River Swilly and/or its tributaries.

Hence, there is potential for indirect impact in the form of deterioration of surface water quality and changes to the river regime in the absence of mitigation on the following SCI:

- Wetland and Waterbirds [A999]

3.4.2.2 Airborne pollution

On a precautionary basis, there is potential for indirect impact in the form of habitat degradation via airborne pollutants on the following SCIs in the absence of mitigation:

- Wetland and Waterbirds [A999]

3.4.2.3 Disturbance and displacement

Due to the presence of suitable habitat within and surrounding the Proposed Plan boundary, there is potential for increased activity and light to cause *in* and *ex situ* disturbance and displacement of these SCI species in the absence of mitigation:

- Great Crested Grebe (*Podiceps cristatus*) [A005]
- Grey Heron (*Ardea cinerea*) [A028]
- Whooper Swan (*Cygnus cygnus*) [A038]
- Greylag Goose (*Anser anser*) [A043]
- Shelduck (*Tadorna tadorna*) [A048]
- Wigeon (*Anas penelope*) [A050]
- Teal (*Anas crecca*) [A052]
- Mallard (*Anas platyrhynchos*) [A053]
- Shoveler (*Anas clypeata*) [A056]
- Scaup (*Aythya marila*) [A062]
- Goldeneye (*Bucephala clangula*) [A067]
- Red-breasted Merganser (*Mergus serrator*) [A069]
- Coot (*Fulica atra*) [A125]
- Oystercatcher (*Haematopus ostralegus*) [A130]
- Knot (*Calidris canutus*) [A143]
- Dunlin (*Calidris alpina*) [A149]
- Curlew (*Numenius arquata*) [A160]
- Redshank (*Tringa totanus*) [A162]
- Greenshank (*Tringa nebularia*) [A164]
- Black-headed Gull (*Chroicocephalus ridibundus*) [A179]
- Common Gull (*Larus canus*) [A182]
- Sandwich Tern (*Sterna sandvicensis*) [A191]
- Common Tern (*Sterna hirundo*) [A193]
- Greenland White-fronted Goose (*Anser albifrons flavirostris*) [A395]

3.4.3 Conservation Objectives

The relevant SCIs and their associated Conservation Objectives of Lough Swilly SPA are presented in Table 3-3 below.

Table 3-3 Special Conservation Interests and Conservation Objectives of Lough Swilly SPA with the potential to be adversely affected

Special Conservation Interest	Conservation Objective
[A005] Great Crested Grebe (<i>Podiceps cristatus</i>)	To maintain the favourable conservation condition of Great Crested Grebe in Lough Swilly SPA

[A028] Grey Heron (<i>Ardea cinerea</i>)	To maintain the favourable conservation condition of Grey Heron in Lough Swilly SPA
[A038] Whooper Swan (<i>Cygnus cygnus</i>)	To maintain the favourable conservation condition of Whooper Swan in Lough Swilly SPA
[A043] Greylag Goose (<i>Anser anser</i>)	To maintain the favourable conservation condition of Greylag Goose in Lough Swilly SPA
[A048] Shelduck (<i>Tadorna tadorna</i>)	To maintain the favourable conservation condition of Shelduck in Lough Swilly SPA
[A050] Wigeon (<i>Anas penelope</i>)	To maintain the favourable conservation condition of Wigeon in Lough Swilly SPA
[A052] Teal (<i>Anas crecca</i>)	To maintain the favourable conservation condition of Teal in Lough Swilly SPA
[A053] Mallard (<i>Anas platyrhynchos</i>)	To maintain the favourable conservation condition of Mallard in Lough Swilly SPA
[A056] Shoveler (<i>Anas clypeata</i>)	To maintain the favourable conservation condition of Shoveler in Lough Swilly SPA
[A062] Scaup (<i>Aythya marila</i>)	To maintain the favourable conservation condition of Scaup in Lough Swilly SPA
[A067] Goldeneye (<i>Bucephala clangula</i>)	To maintain the favourable conservation condition of Goldeneye in Lough Swilly SPA
[A069] Red-breasted Merganser (<i>Mergus serrator</i>)	To maintain the favourable conservation condition of Red-breasted Merganser in Lough Swilly SPA
[A125] Coot (<i>Fulica atra</i>)	To maintain the favourable conservation condition of Coot in Lough Swilly SPA
[A130] Oystercatcher (<i>Haematopus ostralegus</i>)	To maintain the favourable conservation condition of Oystercatcher in Lough Swilly SPA
[A143] Knot (<i>Calidris canutus</i>)	To maintain the favourable conservation condition of Knot in Lough Swilly SPA
[A149] Dunlin (<i>Calidris alpina</i>)	To maintain the favourable conservation condition of Dunlin in Lough Swilly SPA
[A160] Curlew (<i>Numenius arquata</i>)	To maintain the favourable conservation condition of Curlew in Lough Swilly SPA
[A162] Redshank (<i>Tringa totanus</i>)	To maintain the favourable conservation condition of Redshank in Lough Swilly SPA
[A164] Greenshank (<i>Tringa nebularia</i>)	To maintain the favourable conservation condition of Greenshank in Lough Swilly SPA

[A179] Black-headed Gull (<i>Chroicocephalus ridibundus</i>)	To maintain the favourable conservation condition of Black-headed Gull in Lough Swilly SPA
[A182] Common Gull (<i>Larus canus</i>)	To maintain the favourable conservation condition of Common Gull in Lough Swilly SPA
[A191] Sandwich Tern (<i>Sterna sandvicensis</i>)	To maintain the favourable conservation condition of Sandwich Tern in Lough Swilly SPA
[A193] Common Tern (<i>Sterna hirundo</i>)	To maintain the favourable conservation condition of Common Tern in Lough Swilly SPA
[A395] Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>)	To maintain the favourable conservation condition of Greenland White-fronted Goose in Lough Swilly SPA
[A999] Wetland and Waterbirds	To maintain the favourable conservation condition of the wetland habitat in Lough Swilly SPA as a resource for the regularly-occurring migratory waterbirds that utilise it.

3.5 Leannan River SAC

3.5.1 Indirect effects

3.5.1.1 Water pollution

There is downstream hydrological connectivity to this SAC as some of the of watercourses in the north of the Proposed Plan boundary drain into the River Leannan. Freshwater Pearl, Mussel, Slender Naiad, Salmon and the QI habitats of this SAC occur only upstream of the confluence with the watercourses draining from the Proposed Plan boundary as per SSCOs for the site (NPWS 2019), and there is no potential for indirect impact. There is, however, potential for indirect impact in the form of deterioration of surface water quality and changes to the river regime in the absence of mitigation on the following QI:

- *Lutra lutra* (Otter) [1355]

3.5.1.2 Disturbance and displacement

Due to the presence of suitable habitat within and immediately surrounding the Proposed Plan boundary, there is potential for increased activity and light to cause *ex situ* disturbance and displacement of this QI species in in the absence of mitigation:

- *Lutra lutra* (Otter) [1355]

3.5.1.3 Conservation Objectives

The relevant QI and its associated Conservation Objectives of Leannan River SAC is presented in Table 3-4 below.

Table 3-4 Qualifying Interests and Conservation Objectives of Leannan River SAC with the potential to be adversely affected

Qualifying Interest	Conservation Objective
---------------------	------------------------

[1355] Otter <i>Lutra lutra</i>	To maintain the favourable conservation condition of Otter (<i>Lutra lutra</i>) in Leannan River SAC
---------------------------------	--

4. ASSESSMENT OF POTENTIAL EFFECTS

The objectives and policies of the Proposed Plan were reviewed and assessed for their potential to impact on the Conservation Objectives of Lough Swilly SAC, Lough Swilly SPA and Leannan River SAC which are laid out in the Site SSCOs for the sites (NPWS 2011 & 2019).

This section identifies the sections of the Proposed Plan which have the potential for adverse effect and provides a breakdown of direct and indirect effects of the plan on the individual QIs/SCIs of Lough Swilly SAC, Lough Swilly SPA and Leannan River SAC.

4.1 Direct Effects

4.1.1 Land take and habitat degradation

Parts of Lough Swilly SAC and SPA lie within the Proposed Plan boundary and development in these areas has the potential to result in direct impact on the European Sites in the form of land take and habitat degradation.

4.1.1.1 Key Elements of the Proposed Plan with the Potential for Adverse Effect

Zoning

Land overlapping with Lough Swilly SAC and SPA has been generally zoned as ‘Open Space’ with a small area zoned as ‘Local Environment’ and an area zoned as ‘Open Space/TEN-T’. The variation to the CDP 2018-2024 to incorporate the preferred route corridor for the TEN-T project has been subject to Appropriate Assessment. It is not an immediate deliverable and will not be operational within the life of this plan.

The objectives and acceptable land uses for these zones are:

Open Space - Objective: *To conserve and enhance land for formal and informal open space and amenity purposes, and to make provision for new recreation, leisure and community facilities.*

Acceptable land use: Community/Recreational /Sports; Park/Playground; Playing Fields

Local Environment - Objective: *To provide for limited development only ensuring no significant negative impact on the landscape setting or the biodiversity quality of the area.*

Acceptable land use: Agricultural Buildings; Community/Recreational /Sports; Park/ Playground; Playing Fields; Residential (subject to conditions); Retail (subject to conditions); Solar Energy Generation other than exempted development or microgeneration (subject to conditions)

Open Space/TEN-T - Objective: *To conserve and enhance lands for formal and informal open space and amenity purposes, to make provision for new recreation, leisure and community facilities and to provide for the development of the TEN-T Priority Route Improvement Project, Donegal.*

Acceptable land use: same as Open Space.

Albeit development is limited within areas zoned as Open Space and Local Environment, there is nevertheless potential for direct impact on Lough Swilly SAC and SPA if there is overlap with European Sites.

Objectives, Actions and Policies

The following policy of the Proposed Plan is relating to development along the river corridor where it may overlap with the SAC/SPA boundaries:

Chapter 8: Economic Development and Employment

Objective LTP-T-O-X: It is an objective of the Council to safeguard the carrying capacity, functioning and safety of urban sections of the N56 National Secondary Route in Letterkenny as a key strategic transport corridor, lifeline route and multimodal urban connector. Donegal County Council will ensure that any development seeking direct access or that would result in the intensification of use of existing access points or junctions is designed and assessed to ensure that the capacity, operation and safe function of the N56 are preserved and/or improved. Where applicable, any development will tie in with any established or developed Junction Strategy/Policy for this key route as and where such are set out.

Policy LK-EDE-P-2: It is a policy of the Council to continue to avoid an ad-hoc proliferation of new or intensified existing access points along the N56 Four Lane Road. The Council will consider limited and coordinated new junctions, or the intensification of use of existing junctions, where such proposals are presented and considered as part of an overall plan maximizing serviced areas and minimizing junctions, and where it can be clearly demonstrated that such development:

- a. would not affect the capacity, operation or safe functioning of the road; and
- b. would not prejudice the servicing of adjacent areas.

Chapter 13: Natural and Built Heritage

Policy LK-NBH-P-1

It is a policy of the Council to:

- a. Support the principle of the creation of new amenity spaces, amenity corridors and natural biodiversity and wetlands systems adjacent to the River Swilly corridor subject to detailed considerations;
- b. Generally require developments adjacent to the River Swilly to ‘address’ the river by means of incorporating new amenity spaces, amenity corridors, natural biodiversity and wetlands systems and publicly accessible active frontages, save in exceptional circumstances.

Chapter 19: Active Travel Strategy

Greenway (LTP-AT-P-3): It is a policy of the council to support the development of the Letterkenny to Burtonport Greenway route as it affects the lands within the Letterkenny Plan boundary and to ensure that it integrates effectively with active travel initiatives within the town.

Chapter 20: Strategic Roads Strategy

LTP-T-P-1: It is a policy of the Council to support and facilitate the appropriate development, extension and improvement of the TEN-T network within Letterkenny, subject to environmental, safety and other planning considerations. In this regard it is a specific policy of the Council to:

- a) Progress and ultimately carry out/implement the TEN-T Priority Route Improvement Project, Donegal within Letterkenny as one of critical strategic importance to Donegal subject to the granting of the required statutory approvals for same and the terms and conditions of any such approvals (if granted).
- b) Reserve the preferred route corridor for Section 2 of the TEN-T Priority Route Improvement Project, Donegal within Letterkenny as shown on the Zoning Map for the purposes of the project and the ancillary facilities to service the same and not to permit other development within those corridors where such development may prejudice the carrying out/implementation of the said project.
- c) Facilitate any development related to the TEN-T Priority Route Improvement Project, Donegal within Letterkenny within lands zoned:
 - TEN-T PRIPD/Established Development.
 - TEN-T PRIPD/General Employment and Commercial.
 - TEN-T PRIPD/Open Space.
 - TEN-T PRIPD/Local Environment.
 - TEN-T PRIPD /Opportunity site.

LTP-T- O-2: To develop the Strategic Roads programme for Letterkenny.

LTP-T -P-2: It is a policy of the council to:

- a. Support and facilitate the appropriate development, extension and improvement of Letterkenny's transport network, including the strategic roads projects identified in Table 21.2 below;
- b. Not to permit development that would prejudice the implementation of a strategic roads project.
- c. Protect the corridors and routes and acquire the lands necessary for new roads and road improvement projects.

LTP-T-P-3: It is a policy of the council to:

- a. Address the inadequate strategic road network serving the town of Letterkenny so as to alleviate current congestion to and from and within the town.
- b. Provide for and support the removal of non-strategic traffic from the town through support for the provision of strategic roads infrastructure projects.
- c. Manage future traffic interventions to ensure reprioritizing from the private car to sustainable modes so as to create a safer and more comfortable environment for pedestrians cyclists and public transport.
- d. Protect the corridors and routes and acquire the lands necessary for new roads and road improvement projects.

4.1.1.2 QIs/SCIs with the potential to be adversely affected

Lough Swilly SAC

- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*) [1330] (see map 5 of the SSCOs)
- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0] (not fully mapped but could potentially occur)

Lough Swilly SPA

- Wetland and Waterbirds [A999] (map 7 of the SSCOs)

4.2 Indirect Effects

4.2.1 Water quality deterioration and changes to the river regime

Several elements of the Proposed Plan have the potential to give rise to adverse indirect effects on Lough Swilly SAC and SPA via a surface or groundwater pathway. In addition, several sites zoned for development are located within areas prone to flooding (fluvial, pluvial and coastal) which may also result in the deterioration of surface waters via run-off.

Potential causes and effects via these pathways include:

- Deterioration of water quality via pollutants such as hydrocarbons and silt during the construction phases of developments within the Proposed Plan boundary
- Deterioration of water quality due to discharges from commercial and industrial developments within the Proposed Plan boundary
- Deterioration of water quality due to insufficient wastewater treatment capacity and deficient sewer networks during the operational phases of developments within the Proposed Plan boundary
- Changes to the river regime due to increased erosion and deposition rates caused by uncontrolled surface water discharges during the construction and operational phases of developments within the Proposed Plan boundary

4.2.1.1 Key Elements of the Proposed Plan with the Potential for Adverse Effect

Zoning

All zones may be subject to developments with the potential to result in adverse effects on water quality or the river regime. Developments in proximity to watercourses will have the largest potential for adverse effect and, in addition, the risk for flooding as well as the sewage network coverage have been identified in the Proposed Plan for several sites.

Primary residential or opportunity sites within 50m of an EPA watercourse include:

- Primarily Residential Sites 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 18 and 20
- Opportunity Sites 1, 3, 7, 9, 11 and 12

Primarily residential or opportunity sites at risk from pluvial flooding include:

- Primarily Residential Sites 5 and 11
- Opportunity Sites 3, 7 and 11

Primary residential or opportunity sites which currently lack a connection to the sewage network include:

- Primarily Residential Sites 1, 5, 9 and 13
- Opportunity Site 3 and 9

Objectives, Actions and Policies

The following are the key objectives, actions and policies of the Proposed Plan which relate to developments with the potential to impact on surface water quality and changes to the river regime:

Chapter 8: Economic Development and Employment

Policy LK-EDEP-1: It is a policy of the Council to support in principle the appropriate expansion and development of the Atlantic Technological University (Letterkenny Campus).

Chapter 9: Town Centre Strategy

Policy LK-TC-05

It is a policy of the Council to support in principle the following strategic urban design/public realm interventions in Letterkenny town centre:

- The delivery of walking, cycling and parkland infrastructure (inclusive of the LK Green Connect project)
- The delivery of a creative hub and urban parkland adjacent to Church Lane, as part of the continued development of the Letterkenny Cathedral Quarter
- The re-use of the former courthouse for appropriate town centre uses
- The regeneration of the Main Street area (with particular reference to Lower Main St.) and tackling vacancy and dereliction generally
- The development of a regional transport hub
- The development of new public realm to complement the existing Market Square
- Proposals that rebalance pedestrian and vehicular space to give greater priority to active travel
- Strengthening the linkages between Main Street and Pearse Road, from both an accessibility and urban design perspective

- Public realm improvements along Port and Pearse Roads, with a view to transforming these key routes into town centre ‘boulevards’
- Improvements to public realm and accessibility at Oldtown, the Station roundabout area and the Polestar roundabout area
- The provision of green and blue infrastructure, with particular reference to the River Swilly Corridor.

Chapter 10: Housing

Objective LK-H-O-1

To ensure that an appropriate quantum and mix of housing types, tenures, densities and sizes is provided in suitably located residential areas and in appropriate brownfield/infill areas, in order to meet the needs of the population of Letterkenny, including the provision of private housing, social housing, affordable housing, student housing, traveller accommodation and appropriate residential care solutions designed for older persons and/or persons with disabilities.

Objective LK-H-O-2

To secure the provision of all necessary physical and social infrastructure, inclusive of community, educational, health, childcare and recreational facilities, as appropriate, commensurate with the needs of new residential development.

Chapter 13: Natural and Built Heritage

Policy LK-NBH-P-1

It is a policy of the Council to:

- a. Support the principle of the creation of new amenity spaces, amenity corridors and natural biodiversity and wetlands systems adjacent to the River Swilly corridor subject to detailed considerations;
- b. Generally require developments adjacent to the River Swilly to ‘address’ the river by means of incorporating new amenity spaces, amenity corridors, natural biodiversity and wetlands systems and publicly accessible active frontages, save in exceptional circumstances.

Chapter 14: Social, Community and Culture

Action GC-A-1

Donegal County Council will explore all options and potential funding and delivery mechanisms, (including but not limited to the use of planning conditions and development contributions) to secure the provision of appropriate community facilities for the Glencar area commensurate with levels of new residential development, and including:

- i. The re-imagining of Ballyboe Park, including provision of a children’s play-park;
- ii. The provision of a football pitch and associated ancillary area sufficient to meet local league standards;
- iii. The provision of a community building that would accommodate changing rooms for the football pitch and space for community/youth gatherings/events;

- iv. a. Development of a detailed Active Travel (walking and cycling) action plan for the broader Glencar/Long Lane area, with e.g. links down to schools on College Road also incorporated;
- b. Development of the relevant section of the key active travel link from Glencar to Long Lane to Windyhall;

Objective LK-SCC-1

To deliver all social infrastructure (including, but not limited to, childcare and education facilities, healthcare, social, community and recreational facilities, parks and open spaces) necessary to support the growth of the Regional Centre; both in locations of new development and in existing, long-established areas where the need exists.

Policy LK-SCC-P-3

The Council will support the continued growth and expansion of the Atlantic Technological University campus in the town centre, including the Mission and Vision set out in the University's Strategic Plan and including business development/ incubation projects that are associated with the University, subject to the following:

- (a) That any new development is of a high quality and innovative architectural design that will represent landmark buildings to identify this important site.
- (b) That any new development located on the Port Road side of the campus will be of an appropriate density and will provide for a Gateway entrance to the town whilst elsewhere on the site, new development will not impact negatively on residential amenities.
- (c) That any new development makes provision for permeability, ease of access and provision of appropriate infrastructure that will support walking, cycling and public transport.
- (d) That any new development will not give rise to unacceptable transport or environmental effects.
- (e) That proposals to integrate relevant social infrastructure, such as childcare, will be encouraged.

Chapter 15: Transport Policy Framework

Objective: RPO 3.7.30: To deliver the TEN-T priority route improvement Donegal and Letterkenny by 2028, including the N-56 Link, and also progress the Southern Relief Road (now known as the Southern Network Project).

Objective: RPO 3.7.31: To facilitate the expansion of the LYIT Campus.

Objective: RPO 3.7.32: To prepare (within 2 years of the adoption of the RSES), a Local Transport Plan (LTP) for Letterkenny, which will include a multi-modal focus, and Public Transport roadmap.

Objective: RPO 3.7.33: To develop a dedicated and integrated cycle network around Letterkenny, including the creation of a Greenway along the line of the River Swilly and oriented around the Central Linear Park Project to offer residents a viable alternative to car-based journeys.

Objective: RPO 3.7.34: To deliver a multi-purpose Public and Private Regional Transport Hub within the Town Core of Letterkenny to serve County Donegal and the wider region.

Objective: RPO 3.7.35: To carry out a feasibility study which investigates the potential and viability of a Rail Link between Letterkenny and Derry in future decades.

Chapter 19: Active Travel Strategy

Area Assessments

- North-West Assessment of the town

Key Objectives/Rationale:

- 1) To improve active travel connectivity between the key residential areas in the north-west of the town and the facilities and services on Circular Road, and at the Hospital and Bernard McGlinchey Town Park.
- 2) To facilitate connectivity between the Glencar and Windyhall/nearby large employers on Business Park Road.

(Note that connecting this area with the cluster of schools on College Road is also a key priority. Proposals for College Road are contained in the section on the West of the Town below).

- North/North -East Assessment

Key Objectives/Rationale:

- 1) To improve active travel connectivity between the Mountain Top Road/Carnamuggagh and Lisnennan.
- 2) To improve connectivity between the IDA Business Park area and the developed areas immediately opposite across the N56 Business Park Road.

- East Inner Town Assessment

Key Objectives/Rationale:

- 1) To improve connectivity between this area and the IDA Business Park/Planned LYIT Campus and the Gaelscoil Ailagh.
- 2) To provide connectivity between Kilty Road and the Ramelton Road.

- East Assessment

Key Objectives/Rationale:

To maximise the opportunities presented by the aforementioned key strategically-important projects to deliver dedicated active travel facilities. These facilities will serve the large number of employees in the area, as well as the smaller residential communities here. They will provide strong active travel links between the east of the town and: a. the town centre; and b. the Ballyrain/Kilty area. Experience elsewhere would suggest that they will also promote recreational active travel given the 'looped' route that shall be created.

- South Assessment

Key Objectives/Rationale:

To provide more direct active travel connections from Oldtown/Lismonaghan to the town centre and to the leisure facilities at the Aura Leisure Centre etc. To ensure that new development south of the river is adequately connected to the town centre.

These objectives will be achieved through a combination of private and public sector projects.

- West/ College Road Assessment

Key Objectives/Rationale:

Develop safe active travel facilities on foot of a holistic study of the wider surrounding area inclusive of having regard to the Southern Network Project linkages.

Whilst already-secured active travel funding provide some improvements at the location of the cluster of schools on College Road, a much broader initiative is required.

(Note that connecting this area with Oldtown is also a key priority. Proposals for this are contained in the section on the South of the Town above).

- Town Centre Assessment

Key Objectives/Rationale:

To provide quality active travel connections around the town centre, and to ensure their integration with other active travel projects identified in the Active Travel Strategy.

- Active Travel Policies and Objectives

LTP-AT-O-1: To provide for an increase in active travel through an expansion of parks, public realm and the strategic, inter-connecting and permeability walking and cycling networks in Letterkenny.

LTP-AT-P-1: It is a policy of the Council to:

- a) Not permit development that would prejudice the implementation of any active travel scheme as set out on the Land Use Zoning Map or Map 1.2: Active Travel indicative proposals overview.
- b) Incorporate active travel infrastructure into Strategic Roads projects;
- c) Utilize existing footpaths and roads, and off-line routes identified on the Land Use Zoning Map or Map 1.2: Active Travel Overview and as opportunities arise, for the purpose of the development of ‘Local Scale’ and ‘Interconnecting Arterial’ walking and cycling routes.

LTP-TP-P-2: It is a policy of the Council to:

- a. require that developments identify desire lines by incorporating filtered pedestrian permeability link(s) to adjoining land uses where such links would serve a meaningful purpose in terms of promoting active travel.
- b. ensure new residential and commercial development(s) shall be designed to the latest DMUR S standards, unless precluded by space or other constraints, to be accessible and permeable for pedestrians, cyclists, vulnerable road users and those of reduced mobility.

Greenway (LTP-AT-P-3): It is a policy of the council to support the development of the Letterkenny to Burtonport Greenway route as it affects the lands within the Letterkenny Plan boundary and to ensure that it integrates effectively with active travel initiatives within the town.

Chapter 20: Strategic Roads Strategy

➤ TEN-T PRIPD Policies and Objectives

LTP-T- O-1 - Should there be any ostensible or apparent conflict between, on the one hand, the Objectives, Policies and/or provisions of the Local Area Plan herein providing for the development of Section 2 of the TEN-T Priority Route Improvement Project, Donegal (TEN-T PRIPD) and, on the other hand, any other Objectives, Policies and/or provisions of the Local Area Plan, those Objectives, Policies and Provisions which provide for the development of the TEN-T PRIPD shall take priority over all or any other provisions of the Local Area Plan and any such other provisions or Objectives shall be read and construed as subservient to and not in any material way contravening so much of the Objectives, Policies and provisions contained within this Plan as provide for the development of the TEN-T PRIPD.

LTP-T-P-1: It is a policy of the Council to support and facilitate the appropriate development, extension and improvement of the TEN-T network within Letterkenny, subject to environmental, safety and other planning considerations. In this regard it is a specific policy of the Council to:

- a) Progress and ultimately carry out/implement the TEN-T Priority Route Improvement Project, Donegal within Letterkenny as one of critical strategic importance to Donegal subject to the granting of the required statutory approvals for same and the terms and conditions of any such approvals (if granted).
- b) Reserve the preferred route corridor for Section 2 of the TEN-T Priority Route Improvement Project, Donegal within Letterkenny as shown on the Zoning Map for the purposes of the project and the ancillary facilities to service the same and not to permit other development within those corridors where such development may prejudice the carrying out/implementation of the said project.
- c) Facilitate any development related to the TEN-T Priority Route Improvement Project, Donegal within Letterkenny within lands zoned:
 - TEN-T PRIPD/Established Development.
 - TEN-T PRIPD/General Employment and Commercial.
 - TEN-T PRIPD/Open Space.
 - TEN-T PRIPD/Local Environment.
 - TEN-T PRIPD /Opportunity site.

LTP-T- O-2: To develop the Strategic Roads programme for Letterkenny.

LTP-T -P-2: It is a policy of the council to:

- a. Support and facilitate the appropriate development, extension and improvement of Letterkenny's transport network, including the strategic roads projects identified in Table 21.2 below;
- b. Not to permit development that would prejudice the implementation of a strategic roads project.
- c. Protect the corridors and routes and acquire the lands necessary for new roads and road improvement projects.

LTP-T-P-3: It is a policy of the council to:

- a. Address the inadequate strategic road network serving the town of Letterkenny so as to alleviate current congestion to and from and within the town.
- b. Provide for and support the removal of non-strategic traffic from the town through support for the provision of strategic roads infrastructure projects.

- c. Manage future traffic interventions to ensure reprioritizing from the private car to sustainable modes so as to create a safer and more comfortable environment for pedestrians cyclists and public transport.
- d. Protect the corridors and routes and acquire the lands necessary for new roads and road improvement projects.

Chapter 21: Town Centre Strategy

LTP-TC-01: To deliver a multi-functional, centrally located regional transport hub for Letterkenny.

LTP-TC-02 : To create a dynamic, connected and accessible town centre, anchored by a centrally-located local transport hub, enabling transitional shift to public transport, walking and cycling.

LTP-TC-03 : To support the principle of the following projects and the incorporation therein of strong Active Travel measures:

- Upper and Lower Main Street - Breathing new life into the Main Street through restoration, redevelopment and greater use and development of existing properties, in addition to the creation of new civic public space.
- The Port and Pearse Roads - Transformation of these two key strategic arterial routes into town centre 'Boulevards' with clear integration, permeability and way-finding.
- Town Square and Hub - Establishing a major new civic space as the go to focal point for the Town complementary to the existing Market Square with this new space potentially being located on Pearse road.
- The LK Green Connect Project identified on the Land Use Zoning Map as an 'Indicative Active Travel' route.
- The Swilly Way

Policy LTP-TC-P-1: It is a policy of the Council to support the principle of the following sustainable transport interventions in the Town Centre:

- the development of a centrally-located Transport Hub/interchange;
- development of the network of walking and cycling routes and public transport priority measures, inclusive of the preservation of corridors necessary for such purposes;
- the re-allocation of road space and crossings for the development of priority pedestrian and cycling corridors;
- the re-allocation of road corridors and crossings for the development of bus priority measures.

Policy LTP-TC-P-2: It is a policy of the council to:

- support the development of the public realm /active travel routes within the Town Centre core as identified in the Land Use Zoning Map; and
- support the development of the Swilly Way as provided for within the Letterkenny Plan Land Use zoning map.

Chapter 22: Public Transport Strategy

LTP-PT-O-1: To deliver significantly enhanced public transport services and facilities for Letterkenny.

LTP-PT -P-1: It is a policy of the council to:

- Continue to collaborate with the NTA and all other stakeholders to develop new services and provide an efficient, frequent, effective and legible public transport bus service to serve the needs of the town
- To connect origins and destinations throughout the town including residential, education, healthcare facilities, employment and town centre by way of a local bus service.
- To support bus priority infrastructure particularly in the town centre, such as quality bus corridors.
- To provide new bus shelter infrastructure to include real time passenger information.

LTP- PT-O-2: To support the provision of rail links between Letterkenny and Derry, and Letterkenny to Sligo.

LTP- PT- P-2: It is a policy of the Council to:

- Support the provision of a Rail link between Letterkenny and Derry and Letterkenny to Sligo; and to support the reopening of the Western Rail Corridor from Athenry to Sligo, thereby completing the All Ireland rail network;
- Not protect the abandoned historic railways corridors within the Letterkenny Plan area boundary for strategic infrastructure provision (such as rail/road/greenway projects) or for recreational development.

4.2.1.2 QIs/SCIs with the potential to be adversely affected

Lough Swilly SAC

- > Estuaries [1130]
- > Coastal lagoons [1150]
- > *Lutra lutra* (Otter) [1355]

Lough Swilly SPA

- > Wetland and Waterbirds [A999]

Leannan River SAC

- > *Lutra lutra* (Otter) [1355]

4.2.2 Habitat degradation via airborne pollutants

Several elements of the Proposed Plan have the potential to give rise to adverse indirect effects on Lough Swilly SAC and SPA via the increase in airborne pollutants arising from construction activities and an increase in traffic and air pollution associated with the population growth of the town and industrial expansion.

Zoning

All zones may be subject to developments with the potential to result in adverse effects on habitats via airborne pollutants, in particular those associated with ‘General Employment and Commercial’ where acceptable land use includes general industry (subject to conditions).

Objectives, Actions and Policies

The same key objectives, actions and policies as listed in section 4.2.1.1 above are relevant in this section and are not repeated.

4.2.2.1 QIs/SCIs with the potential to be adversely affected

Lough Swilly SAC

- Estuaries [1130]
- Coastal lagoons [1150]
- Old sessile oak woods with *Ilex* and *Blechnum* in the British Isles [91A0]

Lough Swilly SPA

- Wetland and Waterbirds [A999]

4.2.3 Disturbance and Displacement

4.2.3.1 Key Elements of the Proposed Plan with the Potential for Adverse Effect

Zoning

All zones may be subject to developments with the potential to result in disturbance and displacement of QI or SCI species. Developments along the River Swilly (largely zoned ‘Open Space’, see section 4.2.1.1) will have the largest potential for adverse effect due to the presence of habitat for the majority of species which may potentially be affected. However, it is likely that species such as otter or heron associated with the SAC/SPA utilise other, smaller watercourses within the Proposed Plan boundary as well while Curlew or Whooper Swan may be found on wet grassland or agricultural sites within the boundary, some of which are zoned for e.g. ‘Local Environment’, ‘Residential Reserve’ or were identified as ‘Opportunity Sites’ or ‘Primary Residential Sites’.

Objectives, Actions and Policies

The same key objectives, actions and policies as listed in section 4.2.1.1 above are relevant in this section and are not repeated.

4.2.3.2 QIs/SCIs with the potential to be adversely affected

Lough Swilly SAC

- *Lutra lutra* (Otter) [1355]

Lough Swilly SPA

- Great Crested Grebe (*Podiceps cristatus*) [A005]
- Grey Heron (*Ardea cinerea*) [A028]

- > Whooper Swan (*Cygnus cygnus*) [A038]
- > Greylag Goose (*Anser anser*) [A043]
- > Shelduck (*Tadorna tadorna*) [A048]
- > Wigeon (*Anas penelope*) [A050]
- > Teal (*Anas crecca*) [A052]
- > Mallard (*Anas platyrhynchos*) [A053]
- > Shoveler (*Anas clypeata*) [A056]
- > Scaup (*Aythya marila*) [A062]
- > Goldeneye (*Bucephala clangula*) [A067]
- > Red-breasted Merganser (*Mergus serrator*) [A069]
- > Coot (*Fulica atra*) [A125]
- > Oystercatcher (*Haematopus ostralegus*) [A130]
- > Knot (*Calidris canutus*) [A143]
- > Dunlin (*Calidris alpina*) [A149]
- > Curlew (*Numenius arquata*) [A160]
- > Redshank (*Tringa totanus*) [A162]
- > Greenshank (*Tringa nebularia*) [A164]
- > Black-headed Gull (*Chroicocephalus ridibundus*) [A179]
- > Common Gull (*Larus canus*) [A182]
- > Sandwich Tern (*Sterna sandvicensis*) [A191]
- > Common Tern (*Sterna hirundo*) [A193]
- > Greenland White-fronted Goose (*Anser albifrons flavirostris*) [A395]

Leannan River SAC

- > *Lutra lutra* (Otter) [1355]

5.

MITIGATION MEASURES

In the absence of mitigation, there is potential for the Proposed Plan to result in adverse effects on three European Sites and there is a need for the inclusion of mitigation measures to ensure 1) the protection of habitats and species and 2) the safeguarding of water quality.

Section 1.3 of the Proposed Plan states that ‘*objectives and policies set out in the CDP, and further contextualised in the Environmental Report and the Natura Impact Report of the CDP, also apply to this Plan. Some 27 of the objectives and policies set out in the CDP specifically include compliance with Article 6 of the Habitats Directive as a condition of implementation. A further 10 objectives or policies impose a constraint of no impact on Natura 2000 sites. In addition to this, wider environmental constraints are referenced throughout many of the objectives and policies of the CDP.*’

In addition, the Proposed Plan has incorporated significant environmental mitigation measures in the form of proactive objectives and policies as well as zoning considerations. For example, in accordance with the provisions of the Planning System and Flood Risk Management Guidelines for Planning Authorities, the Proposed Plan aims to avoid development of areas of significant flood risk and certain locations that were previously zoned for employment use have been re-zoned as ‘open space’. Where areas at high risk of flooding are, in principle, considered open for development (including parts of the town centre), the Planning Authority will require the submission of comprehensive flood risk assessments in support of planning applications.

Table 5-1 lists all relevant mitigatory policies and objectives of the CDP and the Proposed Plan that aim to protect European Sites and safeguard the environmental sensitivities in the area and, if applicable, highlights which specific effects identified in Section 4 will be mitigated by them.

Where policies or objectives are very long or contain multiple bullets, only the sections or bullets relevant to the mitigation of identified adverse effects (as outlined in Section 4) are listed within the table. These shortened policies/objectives are indicated by an asterisk. Missing text is indicated by [...].

Table 5-1 Mitigatory policies and objectives in the County Donegal Development Plan 2018-2024 and Letterkenny Plan 2022-2028

Section of Plan	Policy/Objective	Purpose of the Policy/Objective
County Donegal Development Plan 2018-2024 (referred to also as the CDP)		
Key Strategic Objectives	S-O-6: To protect, enhance and appropriately harness the unique quality and diversity of the environment in the County, through a wide range of measures, supported by proper planning and sustainable development.	General environmental protection
General Economic Development	ED-O-4: To liaise with Irish Water to ensure maximum synchronisation between the Core Strategy and Economic Development Objectives of this Plan with the investment programmes of Irish Water and thus to ensure the provision of adequate infrastructure, including water, wastewater treatment and waste management facilities to accommodate future economic growth and job creation in the Gateway centre of Letterkenny and the towns and villages throughout the County.	Mitigation for: <ul style="list-style-type: none"> ➤ Water quality deterioration
	*ED-P-14: It is a policy of the Council that any proposal for economic development use, in addition to other policy provisions of this Plan, will be required to meet all the following criteria; (d) There is existing or programmed capacity in the water infrastructure (supply and/or effluent disposal) or suitable developer-led improvements can be identified and delivered; (g) It does not create a noise nuisance; (h) It is capable of dealing satisfactorily with any emission(s); (i) It does not adversely affect important features of the built heritage or natural heritage including Natura 2000 sites; (j) It is not located in an area at flood risk and/or will not cause or exacerbate flooding; (n) It does not compromise water quality nor conflict with the programme of measures contained within the current north western river basin management plan	Protection of European Sites and mitigation for: <ul style="list-style-type: none"> ➤ Water quality deterioration ➤ Changes to river regime ➤ Air pollution ➤ Disturbance/displacement
Infrastructure	*T-P-1: It is a policy of the Council to support and facilitate the appropriate development, extension and improvement of the TEN-T network (Map 5.1.1 refers) within Donegal in accordance with the Core Strategy and subject to environmental, safety and other planning considerations. [...] (see CDP for full details)	General environmental protection
	T-P-2: It is a policy of the Council to support and facilitate the appropriate development, extension and improvement of Donegal's transport network, including the Strategic Road Network (Map 5.1.2 refers), and roads	

	<p>identified in Table 5.1 in accordance with the Core Strategy and subject to environmental, safety and other planning considerations.</p>	
	<p>T-P-5: It is a policy of the Council to promote the quality and connectivity provided through the identified Strategic Road Network (Map 5.1.2), subject to environmental, safety and other planning considerations.</p>	
	<p>T-P-25: It is a policy of the Council to facilitate the appropriate development of small-scale tourism based rail projects in the County subject to environmental and other planning considerations.</p>	
<p>Water and Environmental Services</p>	<p>WES-O-1: To support Irish Water in the implementation of the strategic objectives outlined in the ‘Water Services Strategic Plan (2015)’ for the delivery of water services over the next 25 years up to 2040.</p> <p>WES-O-2: To work closely with Irish Water to identify and facilitate the timely delivery of the water services required to realise the development objectives of this plan in accordance with the Core Strategy and Settlement Structure of this Plan.</p> <p>*WES-O-3: To support and facilitate Irish Water to ensure a satisfactory level of service, through sustainable systems, in respect of: (b) Waste Water</p> <ul style="list-style-type: none"> • Providing adequate treatment for all waste water entering a public collection system in accordance with the relevant waste water discharge licence issued by the Environmental Protection Agency; • Adequate waste water treatment capacity for priority urban areas identified in the Core Strategy and Settlement Structure; and • Adequate controls for the treatment and disposal of commercial and industrial waste water, where appropriate through partnership with the private sector. <p>WES-O-4: To implement the EU Water Framework Directive through the implementation of the appropriate River Basin Management Plan and Programme of Measures as it affects Donegal.</p> <p>WES-O-5: To maintain, protect, improve and enhance the quality of surface waters and ground waters in accordance with the Programme of Measures contained within the relevant River Basin Management Plan.</p>	<p>Mitigation for:</p> <p>➤ Water quality deterioration</p>

	<p>WES-O-6: To provide for environmental protection, through:</p> <ul style="list-style-type: none"> • The protection of surface water and ground water from pollution in accordance with the relevant River Basin Management Plan, Groundwater Protection Scheme and Source Protection Plans for public water supplies; • The protection against soil contamination; • Minimising air and noise pollution; • Supporting remediation of all existing pollution; and • Ensuring full compliance with relevant EU Directives, and National and European Policies and Regulations and through monitoring and control of relevant activities 	<p>Protection of European Sites and mitigation for:</p> <ul style="list-style-type: none"> > Habitat degradation > Water quality deterioration > Air pollution > Disturbance/displacement
	<p>WES-O-7: To support the implementation of the ‘Connacht-Ulster Regional Waste Management Plan 2015-2021’ insofar as it relates to the area of County Donegal and have regard to the plan targets and strategic objectives.</p>	<p>Mitigation for:</p>
	<p>WES-O-9: To seek to provide adequate services for:</p> <ul style="list-style-type: none"> • The collection, treatment and disposal of household waste; and • The collection, treatment and disposal of commercial and industrial waste, where appropriate through partnership with the private sector. 	<ul style="list-style-type: none"> > Water quality deterioration
	<p>WES-P-3: It is a policy of the Council to support and facilitate Irish Water to ensure the continued provision of wastewater infrastructure and also to ensure the upgrading of wastewater infrastructure to meet the anticipated wastewater requirements of the County.</p>	
	<p>WES-P-4: It is a policy of the Council to protect the environment from adverse impact through directing and controlling development, enforcement, licensing and direct intervention.</p>	
	<p>WES-P-5: It is a policy of the Council to prevent and minimise waste, to encourage and support material sorting and recycling, and to ensure that waste is managed and treated without causing environmental pollution.</p>	
	<p>WES-P-7: It is the policy of the Council to ensure that all commercial materials recovery facilities within the County are appropriately licensed/permitted and are operating within the terms of their licences/permits.</p>	

	<p>WES-P-8: It is the policy of the Council to protect all waters, including any sites on the Water Framework Directive Register of Protected Areas, through supporting and facilitating Irish Water with its environmental protection programme (including the Programme of Measures contained within the relevant River Basin Management Plan; and through the land use planning system.</p> <p>Controls will be based on a risk management approach, which seeks to establish the nature of the hazard, the vulnerability of the groundwater body and the potential consequences of a contamination event. Within Donegal there are a number of locally important aquifers, which store large quantities of water and are capable of storing water for small group and village schemes. (Public Groundwater Abstraction points and associated Groundwater Protection Plans can be viewed on the Councils website.</p>	
	<p>WES-P-9: It is a policy of the Council to support and facilitate Irish Water to achieve compliance with the Urban Waste Water Treatment Regulations and the relevant Waste Water Discharge Licence in respect of discharges of municipal waste water to rivers, estuaries and the open sea, and to allow for economic and social development through the delivery of its sewage scheme programmes, where appropriate through partnership with the private sector.</p>	
	<p>WES-P-10: It is a policy of the Council to implement its Group Water Schemes Programme and to provide adequate technical and administrative support to group schemes committees, and to assist these schemes with the Irish Water taking-in-charge process if the groups so wish.</p>	
	<p>*WES-P-11: It is a policy of the Council to support and facilitate Irish Water to ensure that waste water generated is collected and discharged in a safe and sustainable manner that is consistent with the combined approach outlined in the latest Waste Water Discharge (Authorisation) Regulations and with the objectives of the relevant River Basin Management Plan and in doing so the following will apply [...] (see CDP for full details)</p>	
	<p>WES-P-12: It is a policy of the Council to manage development proposals in order to reduce the risk and/or limit the consequences of major accidents which involve dangerous substances. In the context of including policies and objectives for the purpose of reducing the risk of a major accident and limiting the consequences of a major accident, the Development Plan is required to indicate the location and nature of established sites within the plan area. Development criteria may relate to maintaining appropriate distances between hazards and residential areas, areas of public use, and/or areas of particular natural sensitivity or interest. In this regard the Council will liaise</p>	

	<p>closely with the Health and Safety Authority and any planning proposals which may be submitted will have to comply with the regulations, guidelines, and Directives related to the Major Accidents Directive.</p>	
Flooding	<p>F-O-1: To assess all development proposals in accordance with ‘The Planning System and Flood Risk Management - Guidelines for Planning Authorities’ (DoEHLG, 2009).</p>	<p>Mitigation for:</p> <ul style="list-style-type: none"> > Water quality deterioration > Changes to river regime
	<p>F-O-3: To ensure that the requirements of EU and national law in relation to the natural environment and nature conservation are complied with at all stages of flood risk management and to comply with Articles 6 of the Habitats Directive and have regard to the relevant conservation objectives, qualifying interest and threats to the integrity of Natura 2000 site.</p>	
	<p>F-P-1: It is a policy of the Council to ensure that all development proposals comply with ‘The Planning System and Flood Risk Management - Guidelines for Planning Authorities’, November 2009, DoEHLG. In doing so the planning authority shall:</p> <ul style="list-style-type: none"> • Assess developments in accordance with the Sequential approach and precautionary principle set out the in the Planning System and Flood Risk Management – Guidelines for Planning Authorities’; • Utilise the Draft Flood Risk Management Plans (and any associated flood risk mapping) prepared as part of the CFRAMS programme, or any other flood risk datasets or mapping it considers appropriate, in assessing flood risk. 	
	<p>F-P-2: It is a policy of the Council to require applicants/developers to submit, where appropriate, an independent ‘Flood Risk Assessment’ in accordance with the Flood Risk Management Guidelines, DEHLG, 2009 or any subsequent related publication and/or ‘Surface Water Drainage Calculations’, from suitably qualified persons</p>	
	<p>F-P-3: It is a policy of the Council to require applicants/developers to submit, where appropriate, evidence of compliance with the Justification test set out in S5.15 of The Planning System and Flood Risk Management - Guidelines for Planning Authorities’ (DoEHLG 2009) or any subsequent related publication.</p>	
	<p>F-P-4: It is a policy of the Council not to permit development where flood or surface water management issues have not been, or cannot be, addressed successfully and/or where the presence of unacceptable residual flood risks remain for the development, its occupants and/or property or public infrastructure elsewhere including, inter alia, up or downstream</p>	

	<p>F-P-5: It is a policy of the Council to promote the use of Sustainable Urban Drainage Systems (SUDs), flood attenuation areas, the controlled release of surface waters and use of open spaces and semi permeable hard surfaces for appropriate development proposals.</p>	
	<p>F-P-6: It is a policy of the Council to consider the development of long and short-term flood remediation works, including embankments, sea defences, drainage channels, and attenuation ponds to alleviate flood risk and damage to livelihoods, property and business subject to environmental considerations including potential impact on designated shellfish water and, fresh water pearl mussel catchment areas, compliance with Article 6 of the Habitats Directive, best practice in Coastal Zone Management and the Marine Resource and Coastal Management policies of this Plan.</p>	
Housing	<p>UB-O-3: To ensure that new residential development is not carried out in advance of the implementation of planned programmes in relation to investment in hard infrastructure (e.g. roads, footpaths, waste water, water supply) and social and community infrastructure.</p>	<p>Mitigation for:</p> <p>➤ Water quality deterioration</p>
	<p>UB-P-2: It is a policy of the Council that, within Letterkenny and Layer 2A, applications for residential development will be assessed in the light of all relevant material planning considerations including residential land use zonings, the availability of infrastructure, relevant policies of the County Development Plan including Part C and other regional and national guidance/policy and relevant environmental designations</p>	<p>General environmental protection</p>
	<p>UB-P-5: It is the policy of the Council to guide urban residential development in a sequential manner, outwards from the core area in order to maximise the utility of existing and future infrastructure provision, promote the achievement of sustainability, avoid ‘leapfrogging’ to more remote areas and to make better use of underutilised land subject to compliance with Article 6 of the Habitats Directive (where applicable). Housing development on an out-of-centre site will be considered only in exceptional circumstances where the applicant can demonstrate and the planning authority is satisfied that there are no sites or potential sites either within the centre or on the edge of the centre that are (a) suitable, (b) available and (c) viable.</p>	<p>General environmental protection and protection of Designated Sites</p>
	<p>UB-P-9: It is a policy of the Council that direct pedestrian and cycle linkages shall be provided within proposals for new residential developments so as to interconnect with central amenity areas, adjoining neighbourhood developments and neighbourhood facilities subject to compliance with Article 6 of the Habitats Directive. Linkages shall be provided in addition to the primary access to the development and shall be designed to</p>	

	<p>maximise passive surveillance from surrounding properties, be well lit and maintained and the materials and finish shall be off a high quality. Linkages that follow indirect routes and/or to the rear of properties shall normally not be considered acceptable.</p>	
	<p>*UB-P-15: It is a policy of the Council that, within Letterkenny, Buncrana and Bundoran, proposals for single dwellings will only be permitted on lands identified as ‘Strategic Residential Reserve’ where it can be clearly demonstrated that;</p> <p>(d) The proposal can reasonably connect to the future provision of mains services to the area; (f) The development will not impact negatively on relevant environmental designations.</p>	<p>Mitigation for:</p> <ul style="list-style-type: none"> ➤ Water quality deterioration ➤ Impact on Designated Sites in general
	<p>UB-P-16: It is a policy of the Council that, in addition to residential proposals within lands zoned ‘Residential (Phase 1)’ in Letterkenny, Buncrana and Bundoran, complementary scaled facilities may be considered such as crèche facilities, play facilities, small convenience store(s) subject to all other relevant policies of this plan, relevant national/regional guidance, relevant environmental designation and in the context of the proper planning and sustainable development of the area.</p>	<p>General environmental protection</p>
Natural Heritage	<p>NH-O-1: To protect, sustainably manage and enhance the rich biodiversity of County Donegal for present and future generations.</p>	<p>General environmental protection and protection of Designated Sites</p>
	<p>NH-O-2: To comply with Article 6 of the Habitats Directive (92/43/EEC) and have regard to the relevant conservation objectives, management plans, qualifying interests and threats to the integrity of Natura 2000 sites.</p>	
	<p>NH-O-3: To maintain the conservation value of all existing and/or proposed SACs, SPAs, NHAs and RAMSAR sites including those plant and animal species that have been identified for protection under the EU Habitats Directive (92/43/EEC), EU Birds Directive (79/409/EEC as amended by 2009/147/EC), the Wildlife Acts (1976-2014) and the Flora Protection Order (2015).</p>	
	<p>NH-O-4: To ensure the protection and management of the landscape in accordance with current legislation, ministerial and regional guidelines and having regard to the European Landscape Convention 2000.</p>	

	<p>NH-O-6: To protect and improve the integrity and quality of Designated Shellfish Waters, and Freshwater Pearl Mussel Basins and to take account of any relevant Shellfish Reduction Program or Fresh Water Pearl Mussel Sub-basin Plan.</p>	<p>Protection of the Freshwater Pearl Mussel which is a QI of Leannan River SAC and mitigation for:</p> <p>➤ Water quality deterioration</p>
	<p>NH-O-8: To ensure where appropriate the protection and conservation of hedgerows, stone walls and traditional field boundaries as natural heritage corridors and migration routes for wildlife where they are shown to play a significant heritage role.</p>	<p>Protection of natural heritage corridors and migration routes which are of importance to the QI/SCI species of Lough Swilly SAC and SPA and Leannan River SAC.</p>
	<p>NH-O-10: To maintain and restore ecosystems and to conserve valuable or threatened habitats and species in order to prevent further loss of biodiversity and to meet the EU’s target to halt biodiversity loss by 2020 through the implementation of the EU Biodiversity Strategy (2011) or as updated.</p>	<p>Protection of ecosystems, habitats and species which include any QIs/SCIs of Lough Swilly SAC and SPA and Leannan River SAC.</p>
	<p>NH-P-1: It is a policy of the Council to ensure that development proposals do not damage or destroy any sites of international or national importance, designated for their wildlife/habitat significance in accordance with European and National legislation including: SACs, Special SPAs, NHAs, Ramsar Sites and Statutory Nature Reserves.</p>	<p>Protection of Designated Sites.</p>
	<p>NH-P-2: It is the policy of the Council to protect the habitats of species listed for protection through the prevention and management of the spread of invasive plant and animal species in the County in accordance with European and National legislation.</p>	<p>Protection of habitats and species against invasives which were identified as a threat in the Conservation Objectives for Old sessile Oak Woods in Lough Swilly SAC.</p>

	<p>NH-P-4: It is a policy of the Council to require the consideration of Freshwater Pearl Mussel and any relevant Freshwater Pearl Mussel Sub-basin Plans in all development proposals that fall within their basin or catchment.</p>	Protection of the Freshwater Pearl Mussel which is a QI of Leannan River SAC.
	<p>NH-P-5: It is a policy of the Council to require consideration of the impact of potential development on habitats of natural value that are key features of the County’s ecological network and to incorporate appropriate mitigating biodiversity measures into development proposals.</p>	Protection of habitats, trees, hedgerows and woodlands which are of importance to the QI/SCI species of Lough Swilly SAC and SPA and Leannan River SAC.
	<p>NH-P-10: It is a policy of the Council to retain and protect significant stands of existing trees/hedgerows/woodlands, and seek increased planting of native trees where appropriate in new developments.</p>	
	<p>NH-P-18: It is the policy of the Council to ensure that an ecological assessment (including where necessary EIA) is carried out at the appropriate level in relation to proposals for drainage or reclamation of wetlands.</p>	Protection of wetlands which are important habitats for QI/SCI species of Lough Swilly SAC and SPA and Leannan River SAC.
Energy	<p>E-P-21: It is the policy of the Council that all applications for renewable energy projects will ensure that details of the proposed grid connection and all associated infrastructure are considered in the Environmental Impact Statement (EIS) and Natura Impact Statement as may be required.</p>	General environmental protection and protection of Designated Sites
Tourism	<p>*TOU-P-20: It is a policy of the Council that all development proposals for the creation of new, or the extension of existing Tourist Developments (including Resource Related/Activity based Tourism Product Developments, Campervan/Motorhomes and Touring Caravan Stopover Sites, Hotels, Guest Houses, Tourism Hostels, Holiday Resorts, Mobile Homes/Static Caravan Parks Camping Sites, and other Tourist Related Developments) shall comply with the following criteria:</p> <p>b) The development is not located within sensitive/fragile physical environments (e.g. sand dunes, machairs, etc.), and provides adequate means of protection of such environments by means of fencing and the provision of raised/fenced walkways across beach and sand dune areas.</p> <p>c) The development is significantly setback from, and adequately screened from, coastlines, shorelines and river banks.</p>	<p>Protection of Designated Sites and mitigation for:</p> <ul style="list-style-type: none"> > Habitat degradation > Water quality deterioration > Changes to river regime > Air pollution > Disturbance/displacement

	<p>h) There is existing or imminent programmed capacity in the public wastewater infrastructure for developments within urban areas or suitable on-site effluent treatment facilities to EPA standards can be provided in rural areas.</p> <p>l) The development does not create a noise nuisance and will not cause any significant environmental emissions.</p> <p>m) The development will not have an adverse impact on the built, scenic, or natural heritage of the area including structures on the RPS/NIAH and Natura 2000 sites;</p> <p>n) The development is not located in an area at flood risk and/or will not cause or exacerbate flooding;</p> <p>o) The development will not compromise the water quality of water bodies with River Basin Districts designated under the Water Framework Directive or hinder the programme of measures contained within any associated River Basin Management Plan.</p>	
<p>The Marine Resource and Coastal Management</p>	<p>MRCM-O-2: To safeguard and improve the health of our Marine ecosystem by:</p> <ul style="list-style-type: none"> • Protecting the qualifying habitat and species of Natura 2000 sites through Appropriate Assessment of development proposals • Maintaining and improving water quality in our estuaries and seas by implementing River Basin Management Plan and any future programmes under the Marine Strategy Framework Directive. • Ensuring that there is; sufficient sewage treatment capacity to serve development in urban areas, adequate on-site effluent treatment to EPA standards for developments in rural/unserved areas, and adequate pollution control measures for commercial/industrial development. • Seeking best practice measures in relation to the carrying out of site preparation and construction works for developments in close proximity to rivers and the sea. 	<p>Protection of European Sites and mitigation for:</p> <ul style="list-style-type: none"> ➤ Water quality deterioration
	<p>MRCM-O-3: To manage our coastal environment in a sustainable manner by:</p> <ul style="list-style-type: none"> • Avoiding new development in areas at risk from Coastal Flooding in line with the flooding policies of this Plan • Managing coastal change in a manner which accepts that coastal erosion/sea level rise is a natural and/or inevitable process and does not permit/provide coastal protection works; in areas subject to significant long term coastal erosion/change or sea level rise unless there is overriding reason of public interest to do (e.g. built up urban areas), where it would damage the visual, scenic or environmental amenities of the area or where it would have a significant impact on natural coastal ecomorphological processes and systems. 	<p>Mitigation for:</p> <ul style="list-style-type: none"> ➤ Habitat degradation ➤ Water quality deterioration

	<ul style="list-style-type: none"> Managing development in a manner which protects sensitive coastal environments (e.g. dune environments) and undertaking coastal zone management projects. Ensuring that new marine infrastructure developments (e.g. pier, breakwaters) are located, sited and designed in a manner which has minimal impact on natural Coastal Geomorphological process. 	
	<p>MRCMP-7: It is a policy of the Council not to permit developments at locations at risk from coastal flooding in accordance with the flooding policies of this Plan.</p>	<p>Mitigation for:</p> <ul style="list-style-type: none"> > Habitat degradation > Water quality deterioration
<p>Community, Culture and the Gaeltacht</p>	<p>*CCG-P-4: It is a policy of the Council that any development proposal for social, community or cultural use (e.g. healthcare facilities sheltered housing facilities, nursing homes, residential care homes, sports/ recreational facilities, playgrounds, community resource centres, education facilities, libraries, museums, galleries etc.), in addition to other policy provisions of this Plan, shall be required to meet the following criteria;</p> <p>(c) There is existing or imminent programmed capacity in the public water waste infrastructure for developments within urban areas or suitable on-site effluent treatment facilities to EPA standards can be provided in rural areas.</p> <p>(g) It does not create a noise nuisance and will not cause any significant environmental emissions.</p> <p>(j) It does not have an adverse impact on the built, scenic, or natural heritage of the area including structures on the RPS/NIAH and Natura 2000 sites;</p> <p>(k) It is not located in an area at flood risk and/or will not cause or exacerbate flooding;</p> <p>(l) It does not compromise the water quality of water bodies with River Basin Districts designed under the Water Framework Directive or hinder the programme of measures contained within any associated River Basin Management Plan.</p>	<p>Mitigation for:</p> <ul style="list-style-type: none"> > Water quality deterioration > Changes to river regime > Disturbance/displacement
<p>The Letterkenny Plan 2022-2028 (Draft)</p>		
<p>Development Strategy and Consolidation</p>	<p>OBJECTIVE DSC1: To work strategically with other key stakeholders to deliver resolutions to the key infrastructural deficits constraining the growth ambitions for Letterkenny.</p>	<p>Mitigation for:</p> <ul style="list-style-type: none"> > Water quality deterioration
<p>General Development</p>	<p>Policy LK-DM-2: In assessing development proposals within Letterkenny, the Council will implement all relevant policy provisions of the operative County Development Plan in addition to the policy framework of the Letterkenny Plan.</p>	<p>Ensures compliance with all relevant policy provisions within this plan and within the CDP</p>

Management Approach		which includes all the mitigating policies and objectives listed in this table.
Town Centre Strategy	<p>Policy LK-TC-05: It is a policy of the Council to support in principle the following strategic urban design/public realm interventions in Letterkenny town centre, subject to compliance with all relevant policies and standards contained in this plan and the CDP:</p> <ul style="list-style-type: none"> • The delivery of walking, cycling and parkland infrastructure (inclusive of the LK Green Connect project) • The delivery of a creative hub and urban parkland adjacent to Church Lane, as part of the continued development of the Letterkenny Cathedral Quarter • The re-use of the former courthouse for appropriate town centre uses • The regeneration of the Main Street area (with particular reference to Lower Main St.) and tackling vacancy and dereliction generally • The development of a regional transport hub • The development of new public realm to complement the existing Market Square • Proposals that rebalance pedestrian and vehicular space to give greater priority to active travel • Strengthening the linkages between Main Street and Pearse Road, from both an accessibility and urban design perspective • Public realm improvements along Port and Pearse Roads, with a view to transforming these key routes into town centre ‘boulevards’ • Improvements to public realm and accessibility at Oldtown, the Station roundabout area and the Polestar roundabout area • The provision of green and blue infrastructure, with particular reference to the River Swilly Corridor. 	<p>Ensures compliance with all relevant policy provisions within this plan and within the CDP which includes all the mitigating policies and objectives listed in this table.</p>
Housing	<p>*Policy LK-H-P-9: In addition to ensuring compliance with all relevant planning policies and technical standards of this Plan and the County Development Plan, it is a policy of the Council to require developers to comply with the following site specific development requirements [...]</p>	<p>Ensures compliance with all relevant policy provisions within this plan and within the CDP which includes all the mitigating policies and objectives listed in this table.</p>
	<p>*Policy LK-H-P-9d and Policy LK-H-P-9i: [...]</p>	<p>Mitigation for:</p>

	<p>(ii.) Developers will be required to carefully consider surface water management on site and incorporate appropriate measures in this regard into the development proposal.</p> <p>*Policy LK-H-P-10: It is a policy of the Council to support significant development proposals within the SSDS only where:</p> <p>i. a. A comprehensive infrastructure masterplan has been agreed by the Planning Authority, and funding and implementation mechanisms for the required strategic infrastructure have been clearly identified to the satisfaction of the Planning Authority. The said <u>infrastructure masterplan shall address, inter alia:</u></p> <ul style="list-style-type: none"> • <u>A bridge crossing of the River Swilly and link road to Leck Road,</u> • Foul sewer connections, • Water supply connections, • Surface water drainage inclusive of Sustainable Urban Drainage Systems as required, • Effective integration of the TEN-T and Southern Network Project Road schemes <p>For development north of the Leck Road, the following strategic infrastructure will be required before first occupation of any development:</p> <ul style="list-style-type: none"> • A bridge crossing of the River Swilly and link road to Leck Road, • Foul sewer connections, • Water supply connections, • Surface water drainage inclusive of Sustainable Urban Drainage Systems as required <p>For development south of the Leck Road, the following strategic infrastructure will be required before first occupation of any development:</p> <ul style="list-style-type: none"> • A bridge crossing of the River Swilly and link road to Leck Road, • Foul sewer connections, • Water supply connections, • Surface water drainage inclusive of Sustainable Urban Drainage Systems as required <p>ii. Occupation of development to be provided shall only be permitted where all required strategic infrastructure has been completed to the satisfaction of the Planning Authority.</p>	<ul style="list-style-type: none"> > Water quality deterioration > Change of river regime
--	---	---

	<p>Objective LK-H-O-1: To ensure that an appropriate quantum and mix of housing types, tenures, densities and sizes is provided in suitably located residential areas and in appropriate brownfield/infill areas, in order to meet the needs of the population of Letterkenny, including the provision of private housing, social housing, affordable housing, student housing, traveller accommodation and appropriate residential care solutions designed for older persons and/or persons with disabilities. All housing developments will be subject to compliance with all relevant policies and standards contained in this plan and the CDP.</p>	<p>Ensures compliance with all relevant policy provisions within this plan and within the CDP which includes all the mitigating policies and objectives listed in this table.</p>
	<p>Objective LK-H-O-2: To secure the provision of all necessary physical and social infrastructure, inclusive of community, educational, health, childcare and recreational facilities, as appropriate, commensurate with the needs of new residential development. All physical and social infrastructure developments will be subject to compliance with all relevant policies and standards contained in this plan and the CDP.</p>	
<p>Opportunity Sites</p>	<p>*Policy LK-OPP-1 to Policy LK-OPP-12: It is a policy of the Council to support the principle of the following development types on Opportunity Site (1-12), subject to compliance with all relevant policies and standards contained in this plan and the CDP</p>	<p>Ensures compliance with all relevant policy provisions within this plan and within the CDP which includes all the mitigating policies and objectives listed in this table.</p>
	<p>*Policy LK-OPP-3, Policy LK-OPP-7 and Policy LK-OPP-11: [...]</p> <p>(i.) Support the principle of the following development types on Opportunity Site 7, subject to compliance with all relevant policies and standards contained in this plan and the CDP.</p> <ul style="list-style-type: none"> • Residential • Local neighbourhood-level retail activity in accordance with the provisions of the County Development Plan, • Offices; and • Commercial use. <p>(iii.) Require the submission of an appropriately detailed Flood Risk Assessment with all proposals for development on Opportunity Site 7.</p>	<p>Mitigation for:</p> <ul style="list-style-type: none"> > Water quality deterioration > Changes to river regime

Climate Adaptation and Mitigation	Objective CAM-LK-O-1: To ensure Letterkenny transitions to a low carbon, competitive, climate resilient and environmentally sustainable settlement by 2050, via the implementation of the polices and development strategy of this Plan that, inter alia, seek to deliver compact growth, integrated land use and transport, sustainable transport choices, renewable energy production, reduced energy consumption, enhanced ecological biodiversity and climate adaptation measures such as appropriate flood risk management, sustainable urban drainage systems and high quality place-making and design.	General environmental protection
	Policy CAM-LK-P-6: It is a policy of the Council to require, save in exceptional circumstances, the use of SuDS within public and private developments and within the public realm, to minimise and limit the extent of hard surfacing and paving and reduce the potential impact of flooding.	Mitigation for: > Water quality deterioration > Changes to river regime
	Objective CAM-LK-O-1: To work in partnership with Inland Fisheries Ireland and National Parks and Wildlife Service on the construction of any flood alleviation measures	Mitigation for: > Water quality deterioration > Changes to river regime
Natural and Built Heritage	Policy LK-NBH-P-1: It is a policy of the Council to: a. Support the principle of the creation of new amenity spaces, amenity corridors and natural biodiversity and wetlands systems adjacent to the River Swilly corridor subject to detailed considerations and in line with relevant environmental designations and policies and standards contained in this plan and the CDP; b. Generally require developments adjacent to the River Swilly to ‘address’ the river by means of incorporating new amenity spaces, amenity corridors, natural biodiversity and wetlands systems and publicly accessible active frontages, save in exceptional circumstances.	Ensures compliance with relevant environmental designations and all relevant policy provisions within this plan and within the CDP which includes all the mitigating policies and objectives listed in this table.

	<p>Objective LK-NBH-O-1: To ensure that an Appropriate Assessment, in accordance with Article 6(3) and Article 6(4) of the Habitats Directive and with DEHLG guidance (2010), is carried out in respect of any plan or project not directly connected with or necessary to the management of a Natura 2000 site to determine the likelihood of the plan or project having a significant effect on a Natura 2000 site, either individually or in combination with other plans or projects and to ensure that projects which may give rise to significant cumulative, direct, indirect or secondary impacts on Natura 2000 sites will not be permitted (either individually or in combination with other plans or projects) unless for reasons of overriding public interest.</p>	<p>Protection of Designated Sites</p>
<p>Social, Community and Culture</p>	<p>*Policy LK-SCC-P-3: The Council will support the continued growth and expansion of the Atlantic Technological University campus in the town centre, including the Mission and Vision set out in the University’s Strategic Plan and including business development/ incubation projects that are associated with the University, subject to compliance with all relevant policies and standards contained in this plan and the CDP and the following: (d) That any new development will not give rise to unacceptable transport or environmental effects.</p> <p>*Action GC-A-1: Donegal County Council will explore all options and potential funding and delivery mechanisms, (including but not limited to the use of planning conditions and development contributions) to secure the provision of appropriate community facilities for the Glencar area commensurate with levels of new residential development, and subject to compliance with all relevant policies and standards contained in this plan and the CDP. These will include:</p> <ul style="list-style-type: none"> i. The re-imagining of Ballyboe Park, including provision of a children’s play-park; ii. The provision of a football pitch and associated ancillary area sufficient to meet local league standards; iii. The provision of a community building that would accommodate changing rooms for the football pitch and space for community/youth gatherings/events; iv. <ul style="list-style-type: none"> a. Development of a detailed Active Travel (walking and cycling) action plan for the broader Glencar/Long Lane area, with e.g. links down to schools on College Road also incorporated; 1. b. Development of the relevant section of the key active travel link from Glencar to Long Lane to Windyhall; 	<p>Ensures compliance with all relevant policy provisions within this plan and within the CDP which includes all the mitigating policies and objectives listed in this table.</p>

	<p>Objective LK-SCC-1: To deliver all social infrastructure (including, but not limited to, childcare and education facilities, healthcare, social, community and recreational facilities, parks and open spaces) necessary to support the growth of the Regional Centre; both in locations of new development and in existing, long-established areas where the need exists. All infrastructure development will be subject to compliance with all relevant policies and standards contained in this plan and the CDP.</p>	
--	--	--

6. RESIDUAL IMPACT ASSESSMENT

This section determines whether there is the potential of residual effects arising from the Proposed Plan following the implementation of mitigation measures provided in Section 5 above. The attributes and targets of each of the potentially affected QIs/SCIs are re-examined in Table 6-1 and Table 6-2 below.

6.1 Lough Swilly SAC

Table 6-1 provides an assessment of the Proposed Plan against the nominated attributes and targets for the QIs for which pathways for effect were identified as per the SSCOs for Lough Swilly SAC (NPWS 2011).

Table 6-1 Assessment of the potential of residual effects in relation to the Conservation Objectives of the relevant QIs of Lough Swilly SAC

Attribute	Target	Assessment
[1130] Estuaries		
Habitat Area	The permanent area is stable or increasing, subject to natural processes.	There will be no decline in the habitat area. As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a change in habitat area.
Community distribution	The following communities should be conserved in a natural condition: Fine and community complex; Intertidal mixed sediment with polychaetes; Subtidal mixed sediment with polychaetes and bivalves; Muddy fine sand with <i>Thyasira flexuosa</i> ; Mud community complex and <i>Ostrea edulis</i> dominated community.	There will be no change to the community distribution. As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a change in community distribution.
[1150] Coastal lagoons		
Habitat area	Area stable, subject to slight natural variation. Favourable reference area 206ha – Inch Lough 176ha; Blanket Nook 30ha.	There will be no decline in the habitat area. As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a change in habitat area.

Attribute	Target	Assessment
Salinity regime	Maintain median annual salinity within natural ranges: Inch 0.1-3.0psu; Blanket Nook 10-20psu	There will be no impact on the salinity or hydrological regime.
Hydrological regime	Maintain current annual water level fluctuations and minima	As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a change in the salinity or hydrological regime.
Barrier	Maintain permeability, including appropriate management of sluices	There will be no increase in barriers. As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to ensure that there will be no impediment to permeability.
Water quality: Chlorophyll a	Reduce annual median chlorophyll a to less than 2.5µg/L at Inch; less than 5µg/L at Blanket Nook	There will be no impact on water quality. As described in Section 5 of this NIR, a comprehensive set of policies have been incorporated into the Proposed Plan particularly to avoid any adverse effects on water quality.
Water quality: Molybdate reactive phosphorus (MRP)	Reduce annual median MRP to less than 0.01mg/L at Inch; less than 0.02mg/L at Blanket Nook	As described in Section 5 of this NIR, a comprehensive set of policies have been incorporated into the Proposed Plan particularly to avoid any adverse effects on water quality.
Water quality: Dissolved inorganic Nitrogen (DIN)	Reduce annual median DIN to less than 0.15mg/L at Inch; less than 0.4mg/L at Blanket Nook	
Depth of macrophyte colonisation	Increase colonisation to maximum depth of both lagoons	
Typical plant species	Maintain number and extent of listed lagoonal specialists, subject to natural variation	There will be no impact on the plant or animal species associated with this SAC. As described in Section 5 of this NIR, a comprehensive set of policies have been incorporated into the Proposed Plan to block any pathways that could lead to a change in species composition or distribution.
Typical invertebrate species	Maintain listed lagoon specialists, subject to natural variation	
Negative indicator species	Negative indicator species absent or under control	
[1330] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>)		
Habitat area	Area stable or increasing, subject to natural processes, including erosion and succession. For sub-sites	There will be no decline in the habitat area or change to habitat distribution.

Attribute	Target	Assessment
	mapped: Fahan - 7.29ha, Green Hill - 2.02ha, Lower Lough Swilly - 8.44ha, Rathmelton - 10.01ha, Ray - 0.05ha.	As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a change in habitat area or distribution.
Habitat distribution	No decline, subject to natural processes.	
Physical structure: sediment supply	Maintain/restore natural circulation of sediments and organic matter, without any physical obstructions	There will be no change to the sediment supply or creek and pan structure.
Physical structure: creeks and pans	Maintain/restore creek and pan structure, subject to natural processes, including erosion and succession	As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a change in sedimentation or erosion.
Physical structure: Flooding regime	Maintain natural tidal regime	There are no elements within the Proposed Plan which could cause a change to the flooding regime.
Vegetation structure: zonation	Maintain range of saltmarsh habitat zonations including transitional zones, subject to natural processes including erosion and succession	There will be no impact on vegetation structure or composition.
Vegetation structure: vegetation height	Maintain structural variation within sward	As described in Section 5 of this NIR, a comprehensive set of policies have been incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a change in vegetation zonation, height, cover or composition.
Vegetation structure: vegetation cover	Maintain more than 90% of area outside creeks vegetated	
Vegetation composition: typical species and sub-communities	Maintain range of sub-communities with characteristic species listed in Saltmarsh Monitoring Project (McCorry & Ryle, 2009)	
Vegetation composition: negative indicator species – <i>Spartina anglica</i>	No significant expansion of <i>Spartina</i> . No new sites for this species and an annual spread of less than 1% where it is already known to occur	
[91A0] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles		
Habitat area	Area stable or increasing, subject to natural processes, at least 58.68ha for sub-sites surveyed: Rathmullen wood -	There will be no decline in the habitat area or change to habitat distribution.

Attribute	Target	Assessment
	26.00ha; Salt Pans wood - 13.47ha; Ballynarry wood - 15.61ha; Carrow Cashel wood - 3.60ha	As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to avoid any adverse effects that could lead to a change in habitat area or distribution.
Habitat distribution	No decline	
Woodland size	Large woods at least 25ha in size and “small” woods at least 3ha in size	<p>There will be no decrease in woodland size.</p> <p>As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to ensure that there will be change to the woodland size of this QI.</p>
Woodland structure: cover and height	Diverse structure with a relatively closed canopy containing mature trees; subcanopy layer with semi-mature trees and shrubs; and well-developed herb layer	<p>There will be no impact woodland structure.</p> <p>As described in Section 5 of this NIR, a comprehensive set of policies have been incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a change in the cover and height of vegetation, the diversity of community types, natural regeneration or the amount and size of deadwood.</p>
Woodland structure: community diversity and extent	Maintain diversity and extent of community types, including oak-ash; alder-ash in seepage areas and alongside streams; oak-birch; willow-alder-ash	
Woodland structure: natural regeneration	Seedlings, saplings and pole age-classes occur in adequate proportions to ensure survival of woodland canopy	
Woodland structure: dead wood	At least 30m ³ /ha of fallen timber greater than 10cm diameter; 30 snags/ha; both categories should include stems greater than 40cm diameter	
Woodland structure: veteran trees	No decline	
Woodland structure: indicators of local distinctiveness	No decline	As described in Section 5 of this NIR, a comprehensive set of policies have been incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a decline of veteran trees or indicators of local distinctiveness.

Attribute	Target	Assessment
Vegetation composition: native tree cover	No decline. Native tree cover not less than 95%	There will be no impact on vegetation composition. As described in Section 5 of this NIR, a comprehensive set of policies have been incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a change in vegetation composition.
Vegetation composition: typical species	A variety of typical native species present, depending on woodland type, including oak (<i>Quercus petraea</i>) and birch (<i>Betula pubescens</i>)	
Vegetation composition: negative indicator species	Negative indicator species, particularly non-native invasive species, absent or under control	
[1355] Otter		
Distribution	No significant decline	There will be no decline in the habitat area or change to habitat distribution. As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a change in distribution or extent of habitat.
Extent of terrestrial habitat	No significant decline. Area mapped and calculated as 95.7ha above high water mark (HWM); 44.0ha along river banks/ around pools	
Extent of marine habitat	No significant decline. Area mapped and calculated as 839.5ha	
Extent of freshwater (river) habitat	No significant decline. Length mapped and calculated as 15.5km	
Extent of freshwater (lake/lagoon) habitat	No significant decline. Area mapped and calculated as 83.7ha	
Couching sites and holts	No significant decline	There will be no decline in couching sites and holts. As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to ensure that couching sites and holts will be maintained.
Fish biomass available	No significant decline	There will be no decline in available fish biomass. As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the

Attribute	Target	Assessment
		Proposed Plan and the CDP to block any pathways that could lead to a decline in fish biomass.
Barriers to connectivity	No significant increase	<p>There will be no increase in barriers to connectivity.</p> <p>As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to ensure that the connectivity of other habitats will be maintained.</p>

6.2 Lough Swilly SPA

Table 6-2 provides an assessment of the Proposed Plan against the nominated attributes and targets for the SCIs for which pathways for effect were identified as per the SSCOs for Lough Swilly SPA (NPWS 2011).

As the attributes and targets for all non-breeding SCI species (Great Crested Grebe, Grey Heron, Whooper Swan, Greylag Goose, Shelduck, Wigeon, Teal, Mallard, Shoveler, Scaup, Goldeneye, Red-breasted Merganser, Coot, Oystercatcher, Knot, Dunlin, Curlew, Redshank, Greenshank, Common Gull, Greenland White-fronted Goose) are identical, they are only listed once, the same applies for the breeding SCI species (Black-headed Gull, Sandwich Tern, Common Tern).

Table 6-2 Assessment of the potential of residual effects in relation to the Conservation Objectives of the relevant SCIs of Lough Swilly SPA

Attribute	Target	Assessment
[A005, A028, A038, A043, A048, A050, A052, A053, A056, A062, A067, A069, A125, A130, A143, A149, A160, A162, A164, A182, A395] Non-breeding SCI species		
Population trend	Long term population trend stable or increasing	There will be no change to the population trend or distribution of the species.
Distribution	No significant decrease in the numbers or range of areas used by waterbird species, other than that occurring from natural patterns of variation	As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a decrease of the population or the number and range of areas used by the species.
[A179, A191, A193] Breeding SCI species		
Breeding population abundance: apparently occupied nests (AONs)	No significant decline	<p>There will be no change to the breeding population abundance, productivity rate or distribution of the species.</p> <p>As described in Section 5 of this NIR, a comprehensive set of mitigatory policies</p>

Attribute	Target	Assessment
Productivity rate: fledged young per breeding pair	No significant decline	and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a decline in the number of AONs, fledged young per pair or breeding colonies.
Distribution: breeding colonies	No significant decline	
[A999] Wetlands & Waterbirds		
Habitat area	The permanent area occupied by the wetland habitat is stable and not significantly less than the areas of 4,162, 2,419, 201 and 317 hectares for subtidal, intertidal, supratidal and lagoon (and associated) habitats respectively, other than that occurring from natural patterns of variation.	<p>There will be no change to the breeding population abundance, productivity rate or distribution of the species.</p> <p>As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a decline in the number of AONs, fledged young per pair or breeding colonies.</p>

6.4

Leannan River SAC

Table 6-3 provides an assessment of the Proposed Plan against the nominated attributes and targets for the QI for which pathways for effect were identified as per the SSCOs Leannan River SAC (NPWS 2019).

Table 6-3 Assessment of the potential of residual effects in relation to the Conservation Objectives of the relevant QIs of Leannan River SAC

Attribute	Target	Assessment
[1355] Otter		
Distribution	No significant decline	There will be no decline in the habitat area or change to habitat distribution. As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a change in distribution or extent of habitat.
Extent of terrestrial habitat	No significant decline. Area mapped and calculated as 138ha along river banks/lake shoreline/around ponds	
Extent of freshwater (river) habitat	No significant decline. Length mapped and calculated as 60km	
Extent of freshwater (lake) habitat	No significant decline. Area mapped and calculated as 191ha	
Couching sites and holts	No significant decline	There will be no decline in couching sites and holts. As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to ensure that couching sites and holts will be maintained.
Fish biomass available	No significant decline	There will be no decline in available fish biomass. As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to block any pathways that could lead to a decline in fish biomass.
Barriers to connectivity	No significant increase	There will be no increase in barriers to connectivity. As described in Section 5 of this NIR, a comprehensive set of mitigatory policies and objectives are incorporated into the Proposed Plan and the CDP to ensure that

Attribute	Target	Assessment
		the connectivity of other habitats will be maintained.

Conclusion of Residual Impact Assessment

The mitigation measures that have been included in the Proposed Plan will effectively block any adverse effects on the integrity of any European site.

The Proposed Plan will not prevent the QIs/SCIs of any European Site from achieving or maintaining favourable conservation status in the future as defined in Article 1 of the EU Habitats Directive.

The favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing,
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future,
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats,
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future,
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Based on the above, it can be concluded in view of best scientific knowledge, on the basis of objective information that the proposed development will not adversely affect the QIs/SCIs associated with the following European Sites or any other European Site:

- Lough Swilly SAC
- Lough Swilly SPA
- Leannan River SAC

7. CUMULATIVE EFFECTS

A search and review in relation to other plans, programmes and projects that may have the potential to result in cumulative and/or in-combination impacts on European Sites was conducted. This assessment focuses on the European Sites where potential for adverse effects was identified.

7.1 Plans and Programmes

Table 7-1 lists the plans and programmes that were assessed for cumulative in-combination effects. As there is a level of uncertainty regarding the scale and location of the future projects and developments arising from the Proposed Plan, the identification of these cumulative effects is limited and they have to be assessed in a more comprehensive manner at the individual project-level.

Table 7-1 Review of plans and programmes

Plan/Programme	Purpose	Assessment for possible in-combination effects
Northern & Western Regional Assembly Regional Spatial and Economic Strategy 2020-2032	This plan provides a high-level development framework for the Northern and Western Region that supports the implementation of the National Planning Framework and the relevant economic policies of Government. It provides a 12-year strategy to deliver the transformational change that is necessary to achieve the objectives and vision of the Assembly.	This plan was subject to Appropriate Assessment (AA) and no in-combination effects on European Sites are envisaged.
County Donegal Development Plan 2018-2024	This plan is the principal statutory land use plan for County Donegal and sets out a strategic vision for the future growth and development of the County over the 6 year life of the Plan and beyond to a 20 year timeframe. This spatially-based strategic framework seeks to manage and coordinate change in land use in the County setting out a clear view ahead in development terms together with clear priorities to drive growth.	This plan was subject to AA and no in-combination effects on European Sites are envisaged.
Seven Strategic Towns Local Area Plan 2018 - 2024	This plan out an overall strategy for the proper planning and sustainable development of seven Donegal towns (An Clochán Liath	This plan was subject to AA and no in-combination effects on European Sites are envisaged.

Plan/Programme	Purpose	Assessment for possible in-combination effects
	(Dungloe), Ballybofey-Stranorlar, Ballyshannon, Bridgend, Carndonagh, Donegal Town and Killybegs) in the context of the County Donegal Development Plan 2018-2024 and the Regional Planning Guidelines for the Border Region 2010-2022.	
Donegal Local Economic and Community Plan 2016-2022	This plan sets out the objectives and actions needed to promote and support both the economic development and the local community development of the County. Although it is not a land use plan, it guides relevant funding streams within Donegal at a European, National, Regional and Cross Border Level, and thus provides a framework within which many operational and other plans are placed.	Screening for AA concluded that the plan is not likely to have significant effects on the Natura 2000 network and no in-combination effects on European Sites are envisaged.
Regional Development Strategy for Northern Ireland 2035	This plan is the revised Regional Development Strategy (RDS) for the future development of Northern Ireland to 2035 and is the spatial strategy of the Executive. The RDS contains a Spatial Framework and Strategic Guidelines. It aims to provide long-term policy direction with a strategic spatial perspective.	All proposals for expenditure will be subject to environmental assessment and no in-combination effects on European Sites are envisaged.
Connacht-Ulster Region Waste Management Plan 2015-2021	The plan sets out the framework for the prevention and management of wastes for the region. It sets mandatory targets for reuse, recycling, recovery of many waste streams. In addition, it sets performance targets for the reduction of household waste, reuse and recycling of municipal waste, and eliminating disposal of residual municipal waste to landfill.	While not subject to AA, the objective of the Waste Management Plan is to apply the relevant environmental and planning legislation to protect the environment (including Natura 2000 sites) and human health from the adverse impact of generated waste and no in-combination effects on European Sites are envisaged.
National Biodiversity Action Plan	This plan captures the objectives, targets and actions for biodiversity that will be undertaken by a wide range of government, civil society and private sectors to achieve Ireland's Vision for Biodiversity. It	The aim of this plan is the protection of the environment and biodiversity and no in-combination effects on European Sites are envisaged.

Plan/Programme	Purpose	Assessment for possible in-combination effects
	provides a framework to track and assess progress towards Ireland's Vision for Biodiversity over a five-year timeframe from 2017 to 2021.	
Freshwater Pearl Mussel Sub-Basin Management Plans	The European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations 2009 sets environmental quality objectives for freshwater pearl mussel (FPM) habitats and requires the production of sub-basin plans with programmes of measures to achieve these objectives. It sets out responsibilities of public authorities in terms of sub-basin plan implementation. FPM Sub-Basin Management Plans have been prepared for the six Natura designated FPM catchments in County Donegal, one of which is located in the very north of the boundary of the Proposed Plan. These Sub-Basin Management Plans sit alongside the River Basin Management Plans to provide a detailed programme of measures to improve the habitat of the FPM so that it can attain favourable conservation status.	The policies and objectives of the CDP are informed by the FPM Sub-basin Management Plans. Due to the planning policy hierarchy, any policies and objectives of the CDP also apply to the Proposed Plan and no in-combination effects on European Sites are envisaged.
River Basin Management Plan for Ireland	The Water Framework Directive (WFD) (2000/60/EC) establishes a legal framework for the protection and restoration of clean water across Europe and to ensure its long-term, sustainable use. The main tool for implementing the WFD is through the River Basin Management Plans (RBMPs). The 2 nd Cycle plan covers the period 2018-2021 and the 3 rd Cycle plan, which is currently in draft form and covers the period 2022-2027. The RBMPs include a programme of measures to protect and restore bodies of water to at least 'good status' by 2027 (with some limited exemptions).	The policies and objectives of the CDP are informed by the RBMP 2018-2021. Due to the planning policy hierarchy, any policies and objectives of the CDP also apply to the Proposed Plan and no in-combination effects on European Sites are envisaged.
Water Services Strategic Plan (Irish Water)	This plan sets out strategic objectives and details current and future challenges which affect the provision of water services and identifies the priorities to be addressed in the short and medium term. In developing the plan, Irish Water have considered its interaction with other national and regional strategic plans such as the National Spatial Strategy and	AA found that the development of this plan and the strategic management of water resources and wastewater provision by a national body will help improve the condition of many European sites and support the achievement and maintenance of

Plan/Programme	Purpose	Assessment for possible in-combination effects
	<p>River Basin Management Plans. The plan aims to protect and enhance the environment by ensuring that Irish Water services are delivered in a sustainable manner which contributes to the protection of the environment; operating infrastructure to support the achievement of objectives under the Birds, Habitats and Water Framework Directives; managing all water services residual waste in a sustainable manner.</p>	<p>favourable conservation status across the Natura 2000 network, and concluded that this plan will have no adverse effect on any European Site. No in-combination effects on European Sites are envisaged.</p>

7.2 Projects

The potential for the Proposed Plan to contribute to a cumulative effect on Designated Sites was considered. The online planning system for Donegal was consulted on June 10th 2022 for planning applications for projects from the last 5 years in Letterkenny and the surrounding area.

7.2.1 TEN-T Priority Route Improvement Project

The TEN-T Priority Route Improvement Project, Donegal consists of and prioritises three Sections for improvement, with Section 2 being partially located within Letterkenny. As such, there is potential for cumulative effects.

Donegal County Council has already adopted the entire extent of the TEN-T corridors by means of a Variation to the Donegal County Development Plan, 2018-2024 and the project has already been subject to Appropriate Assessment.

7.2.2 Other Projects

Table 7-2 lists a selection of other projects that have potential to result in adverse effects when considered in combination with the Proposed Plan which were assessed for cumulative in-combination effects.

Table 7-2 Other Projects considered for cumulative effects

Project	Description
TEN-T-PRIPD	<p>The TEN-T PRIPD is a proposed major strategic roads project and consists of and prioritises three Sections of the TEN-T road network for improvement namely:</p> <ul style="list-style-type: none"> • Section 1: N15/N13 Ballybofey/Stranorlar Urban Region. • Section 2: N56/N13 Letterkenny to Manorcunningham. • Section 3: N14 Manorcunningham to Lifford/Strabane/A5 Link.
1751002 Leckview Lane, Letterkenny, Co. Donegal	<p>Permission for (1) extensions to existing indoor recreation centre to include activity zones, glazed link, bar area, toilets and covered smoking area, kitchen extension to provide additional works space, storage and all ancillary accommodation, (2) all associated site works to include signage, revised car parking arrangement and rainwater harvesting system (3) retention permission for existing kitchen extension.</p>
1751467 Creevesmith, Letterkenny, Co. Donegal	<p>Permission for the erection of 2 no. semi-detached 4-bedroom dwellings and associated site works with connection to services granted permission under planning permission reference numbers 180043/05 and 17/50066.</p>
1850016	<p>Permission for development consisting of (a) the continuation of quarrying activities for a period of 10 years on a site of 7.3</p>

Project	Description
Fallard Or Calhame, Letterkenny, Co. Donegal	hectares by lowering the floor of the existing quarry to 132m aod, and (b) revised opening hours. an environmental impact statement and natura impact statement have been prepared in respect of the proposed development and will be submitted to the planning authority with the application.
1850181 Castleway, Letterkenny Po, Co. Donegal	Permission for construction of a two storey dwelling house, detached coach house/garage, access road with entrance pillars, septic tank with polishing filter and all associated site works.
1851939 An Gleann Rua, Killylastin, Letterkenny Po	Permission for erection of 98 no. residential units with connection to public sewer and all associated ancillary site development works.
1851858 Drumnaoagh, Letterkenny Po, Co. Donegal	Permission for the construction of a building to include workshop, stores, toilet accommodation, a portacabin to provide reception/office, service roadway, parking, external display area, on-site sewage treatment plant, using existing entrance onto n.14-13 all in association with relocating existing business.
1950065 Ballyraine, Letterkenny Po, Co. Donegal	Retention for a motorcycle race track with observation office/container including the installation of speakers with all associated site development works.
1951189 Glebe, Letterkenny, Letterkenny Po	Permission for the erection of a new spectator stand & 2 no. dugouts and retention permission for existing scoreboard / advertising board.
1951902 Kilmacrennan Road, Knocknamona, Letterkenny	Permission for the construction of a part two storey, part three storey, community nursing unit/residential care unit (9,400sqm total gross floor area). The building comprises of 110 beds for a mix of long stay, short stay/rehabilitation and dementia uses with associated resident accommodation including dining rooms, kitchenettes, resident areas with family overnight room, visitor's room, treatment rooms, hairdresser's salon; rehabilitation rooms; internal courtyard and terrace spaces; back of house areas including kitchen and laundry rooms, staff accommodation and ancillary offices and new entrance from Kilmacrennan Road; hard and soft landscaping; service yard (the total gross floor area of service buildings is 74sqm and includes waste storage area, staff areas and ESB switch room and sub station); and all associated site and development works.

Conclusion of Cumulative Assessment

Following the detailed assessment provided in the preceding sections, it is concluded that the Proposed Plan will not result in any residual adverse effects on any of the European Sites, their integrity or their conservation objectives when considered on its own. There is therefore no potential for the plan to contribute to any cumulative adverse effects on any European Site when considered in-combination with other plans, programmes and major projects.

In the review of the plans, programmes and major projects that was undertaken, no connection, that could potentially result in additional or cumulative impacts was identified. Neither was any potential for different (new) impacts resulting from the combination of the various plans and projects in association with the plan.

Taking into consideration the reported residual impacts from other plans and projects in the area and the predicted impacts of the plan, no residual cumulative impacts have been identified with regard to any European Site.

8. CONCLUDING STATEMENT

This NIR has provided an assessment of all potential direct or indirect adverse effects on European Sites.

Where the potential for any adverse effect on any European Site has been identified, the pathway by which any such effect may occur has been robustly blocked through the inclusion of mitigatory policies and objectives into the Proposed Plan, as detailed in Section 5. All future projects and developments arising from the implementation of the Plan will be subject to Appropriate Assessment to ensure they will not adversely affect the integrity of these European Sites.

Therefore, it can be objectively concluded that the Proposed Plan, individually or in combination with other plans, programmes or projects, will not adversely affect the integrity of any European Site.

BIBLIOGRAPHY

Birds Directive (2009/47/EC) – http://ec.europa.eu/environment/nature/legislation/birdsdirective/index_en.htm

Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (Habitats Directive) and Directive 2009/147/EC (codified version of Directive 79/409/EEC as amended) (Birds Directive) – transposed into Irish law as European Communities (Birds and Natural Habitats) Regulations 2011 (SI 477/2011).

DEHLG (2010). Appropriate Assessment of Plans and Projects in Ireland. Guidance for Planning Authorities. Revision, February, 2010. Department of the Environment, Heritage and Local Government.

EC (2002) Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2006) Nature and biodiversity cases: Ruling of the European Court of Justice. Office for Official Publications of the European Communities, Luxembourg.

EC (2007a) Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC – Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, opinion of the commission. Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2007b) Interpretation Manual of European Union Habitats. Version EUR 27. European Commission, DG Environment.

EC (2018) Managing Natura 2000 Sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC, Office for Official Publications of the European Communities, Luxembourg. European Commission.

EC (2021) Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Articles 6(3) and (4) of the Habitats Directive 92/43/EEC.

EPA website: <http://www.epa.ie>.

European Communities (Conservation of Wild Birds) Regulations, 1985, SI 291/1985 & amendments – <http://www.irishstatutebook.ie>.

European Communities (Environmental Impact Assessment) Regulations, 1989 to 2001.

European Communities (Natural Habitats) Regulations, SI 94/1997, SI 233/1998 & SI 378/2005 – <http://www.irishstatutebook.ie>.

Habitats Directive (92/43/EEC).

NPWS (2008) The Status of EU Protected Habitats and Species in Ireland. Conservation Status in Ireland of Habitats and Species listed in the European Council Directive on the Conservation of Habitats, Flora and Fauna 92/43/EEC.

NPWS of the DEHLG (2008) The Report on Status of Habitats and Species in Ireland: Technical Reports and Forms.

NPWS Protected Areas Site Synopses and maps available on <http://www.npws.ie/en/ProtectedSites/>.

OPR (2021) *Appropriate Assessment Screening for Development Management*. Office of the Planning Regulator, Dublin 7, Ireland.

Scottish Natural Heritage (SNH) (July 2013) *Assessing Connectivity with Special Protection Areas (SPA)*.

Therivel R. (2009) *Workshop Material on the Habitats Directive Assessment of Plans* Levett-Therivel Sustainability Consultants on behalf of the Heritage Council, Kilkenny.

Water status data available on <http://www.epa.ie> and <http://www.wfdireland.ie>

Wildlife Act 1976 and Wildlife (Amendment) Act 2000.



APPENDIX 1

APPROPRIATE ASSESSMENT SCREENING

Screening For Appropriate Assessment of Proposed Draft Letterkenny Plan & Local Transport Plan 2022-2028.



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

Community Development & Planning Services
29th June, 2022

TABLE OF CONTENTS

1.1 BACKGROUND 1

1.2 EUROPEAN SITES 1

1.3 NATURE OF THE PLAN 2

1.4 SCREENING 2

1.5 CONCLUSION 3

LIST OF MAPS

MAP 1: EUROPEAN SITES WITHIN 15KM OF DRAFT LAP BOUNDARY..... 1

1.1 Background

Donegal County Council, as the competent authority, is currently preparing a Draft Local Area Plan and Local Transport Plan for Letterkenny; the principal service centre and largest town in County Donegal. The purpose of the LAP is to set out a strategy for the proper planning and sustainable future development of the town in order to provide for growth to take place in a coordinated manner, while protecting and preserving the area's character, heritage and amenity, and making a positive contribution to people's quality of life. The purpose of the Local Transport Plan is to align land use and transport planning to prepare a co-ordinated long-term sustainable strategy for the town.

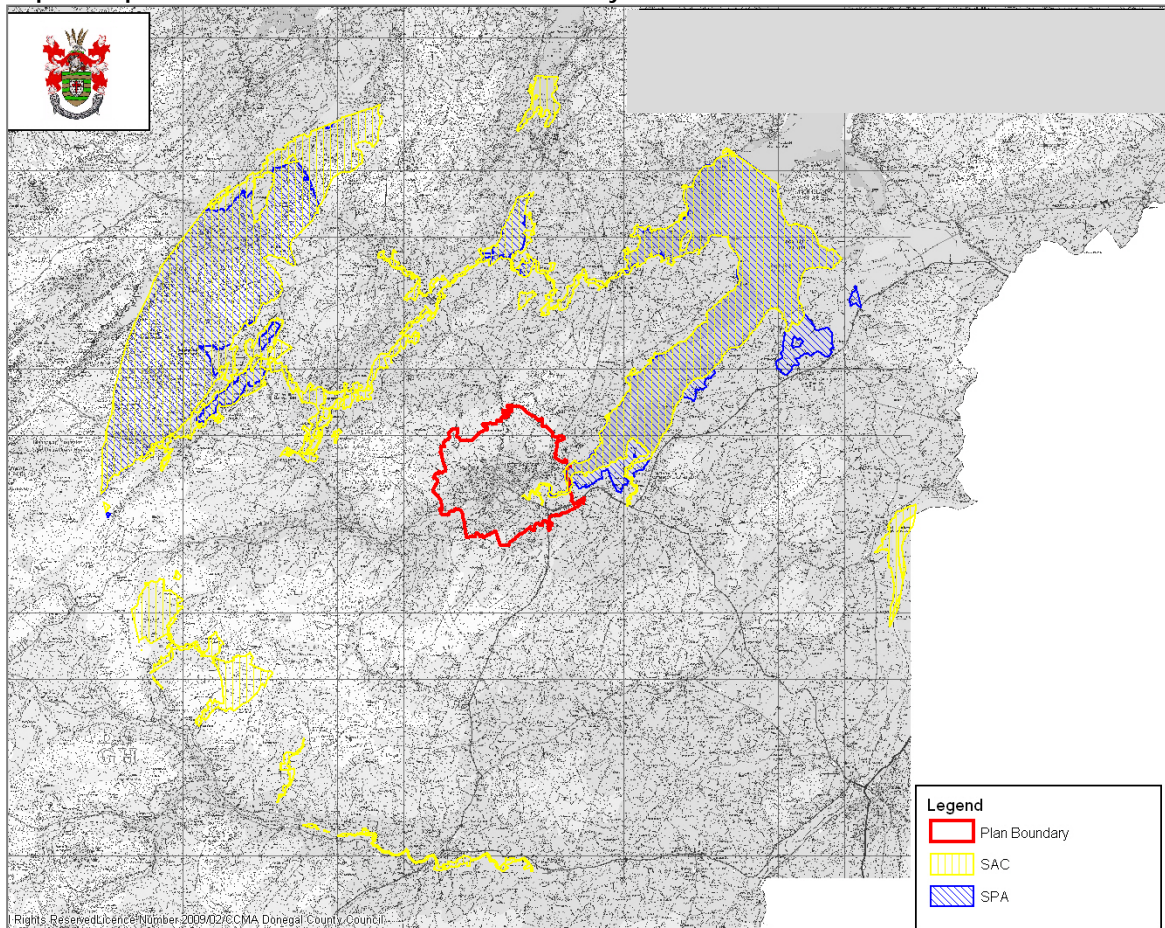
In accordance with the EU Habitats Directive and section 177U of the Planning and Development Act 2000 (as amended), this document provides screening in order to:

- (a) determine whether Appropriate Assessment is necessary by examining whether the plan might be excluded from AA requirements because it is directly connected with or necessary to the management of the site/s in question and
- (b) examine the potential effects of the plan, either alone or in combination with other projects or plans, on a European site in view of its conservation objectives, and assesses whether these effects will be significant.

1.2 European sites

Map 1 shows that there are 2 European sites located within the proposed plan area, i.e. Lough Swilly Special Protection Area (SPA) and Lough Swilly Special Area of Conservation (SAC). In addition, a further 8 European sites have been identified within 15km of the proposed plan boundary. These comprise 6 SACs and 2 SPAs.

Map 1 European Sites within 15km of Draft LAP boundary



1.3 Nature of the Plan

The proposed Letterkenny Plan will provide the framework for new physical development within the town across the spectrum of potential development sectors (e.g. economic, residential, industrial, recreational, community, infrastructural development). The Plan will contain a suite of policies and objectives supported by land use zoning that will guide the development of Letterkenny. It will also identify and prioritise the essential infrastructure and investment needed to support the planned growth. The ambition within which the Plan for Letterkenny is being prepared is that the town will grow its population to +35,000 people and it will offer all the ingredients of a future small city including employment, community and social amenities, housing choice, high quality of life, a vibrant town centre, a healthy Letterkenny and positive public and civic space.

The plan will be the statutory land use plan for the town prepared under the provisions of sections 18, 19 and 20 of the Planning and Development Act 2000 (as amended).

The Local Transport Plan will provide a strategic framework for the development and enhancement of existing and future sustainable transport infrastructure over the next 10 years. It will largely focus on the development of sustainable modes options across the entire town which have been particularly lacking as a realistic option in recent times, and the provision of viable options with the aim of realizing a modal shift to sustainable mobility. The Plan has been developed at a strategic level in accordance with national and regional policy, and all proposed schemes will be subject to further detailed analysis and design to develop the most appropriate site-specific interventions for walking, cycling and public transport.

1.4 Screening

1.4.1 Is the project or plan directly connected with or necessary to the management of any European sites?

The Department of the Environment, Heritage and Local Government publication 'Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities' (2009) outlines that for a project or plan to be 'directly connected with or necessary to the management of the site', the management component must refer to nature conservation management in the sense of Article 6(1) of the Habitats Directive, i.e. specific measures to address the ecological requirements of annexed habitats and species (and their habitats) present on a site.

The Local Area Plan for Letterkenny may include objectives and policies which relate to the natural environment, including conservation objectives, but it will not contain objectives or policies that are directly concerned with the conservation management of identified European sites and therefore it is not directly connected with or necessary to the management of any European Site.

1.4.2 The potential effects of a project or plan, either alone or in combination with other projects or plans, on a European site in view of its conservation objectives, and whether these effects will be significant.

The main elements of the Draft Letterkenny Plan and Transport Plan with the potential to impact on the integrity of European sites are described below (NB – this list is not intended to be exhaustive):

- Expansion of residential development within the town to meet Core Strategy targets.
- Bridge crossings over the River Swilly to aid traffic movements within and around the town.
- Zoning of lands for commercial and industrial purposes.
- Provision of riverside walks along the banks of the River Swilly.
- Provision of key services within the town, inclusive of transportation, water and sewerage infrastructure.
- Provision of enhanced or development of new walking and cycling infrastructure within the town.

At this stage in the process, the significance of the aforementioned potential effects on European sites are uncertain and therefore it cannot be excluded that the draft Letterkenny Plan and Local Transport Plan, individually or in combination with other plans or projects, will have a significant effect on a European site.

1.5 Conclusion and Recommendation

As a result of the foregoing i.e. that (a) the plan is not directly connected with or necessary to the management of any European Site and (b) the significance of potential effects on European site is uncertain, it is concluded that Appropriate Assessment (Stage 2) of the draft Letterkenny Plan and Local Transport Plan is required. Accordingly, it is recommended that a Scoping Issues paper be prepared and consultation in relation to it with the prescribed Environmental Authorities be carried out.

Signed: R. Kelly
Roisin Kelly,
Executive Planner,
Central Planning Unit.
29th June 2022

Endorsed by: PC
Paul Christy,
Senior Executive Planner,
Central Planning Unit.
29th June 2022



APPENDIX 2
SCOPING ISSUES PAPER



SCOPING ISSUE PAPER

Project Reference	Natura Impact Report – The Letterkenny Plan 2022-2028
Date & Time	19.09.2022
Subject	Scoping Issue Paper
Author(s)	Colin Murphy

Organisation	Scoping response
Environmental Protection Agency (EPA)	<p>Appropriate Assessment</p> <p>You should ensure that the Plan complies with the requirements of the Habitats Directive where relevant. Where Appropriate Assessment is required, the key findings and recommendations should be incorporated into the SEA and the Plan.</p>
Northern Ireland Environment Agency (NIEA)	<p>AA – Screening Report</p> <p>Given the scope, nature and eventual connectivity to the marine environment, the MPT are content with the findings of the AA Screening Report. We look forward to commenting on the next stage – Scoping, including any potential transboundary marine consideration, in due course.</p>
Fermanagh and Omagh District Council (FODC)	<ul style="list-style-type: none"> • The Council would recommend that DCC consult with the Northern Ireland Environment Agency (Department of Agriculture, Environment and Rural Affairs) in respect of the SEA and AA Scoping Report and therefore should furnish a comprehensive list of up-to-date assets which may be of relevance. • Consideration should be given to any cumulative effects of proposals during plan preparation. These include potential cumulative effects within the plan and in combination with other relevant plans and strategies. • Ecological pathways and corridors should be considered such as river systems and hydrological links. • Infrastructural connectivity is also an important factor in considering possible transboundary impacts.
Inland Fisheries Ireland (IFI)	<p>The long-term environmental sustainability of any activity included in the The Letterkenny Plan & Local Transport Plan 2022- 2028 that may impact on the status of fish species, their habitats, fisheries and/or the recreational angling or related commercial activities that may utilise these resources is of primary concern to IFI. IFI is among the public bodies that have a role in making policies, plans or programmes relevant to surface waters in Ireland. Critical and sensitive habitats and species (both designated and otherwise) must be</p>



protected. A number of fish species and associated habitats are protected under European Directives in Ireland. From an IFI perspective, all fish species and associated habitats within its remit require protection and management for conservation and development. IFI advocates application of the precautionary principle when considering the fisheries resource in the current process.



