

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

of the

## **Proposed Material Alterations**

to the

## **Letterkenny Plan and Local Transport Plan 2023-2029**

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



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

**Community, Development & Planning Services**

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# 1 Introduction

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## 1.1 Background and Legislative Context

The Draft Letterkenny Plan and Local Transport Plan 2023-2029 (the Plan) is a proposed statutory Local Area Plan for Letterkenny which is being prepared pursuant to Sections 19 and 20 of the Planning and Development Act 2000(as amended). The draft plan was published for public consultation from the 6<sup>th</sup> of January to the 17<sup>th</sup> of February 2023 and following consideration of the Chief Executive Report on the submissions received during the public consultation the Elected Members of the council resolved on the 10<sup>th</sup> of May 2023 to make amendments the Draft Plan which are material alterations of said plan.

Pursuant to Section 20(3)(f) of said Act the Planning Authority is now required to determine if a Strategic Environmental Assessment is required in respect of said Proposed Material Alterations.

Furthermore, Article 3 of the SEA Directive requires that such a such a determination be based on whether, in this instance, said Proposed Material Alterations are likely to have significant environmental effects and that the criteria set out in Annex II of the SEA Directive (which are also set out in Schedule 2B of the Planning and Development Regulations 2001(as amended) be taken into account for this purpose.

As such this SEA Screening report assesses whether the abovementioned material alterations are likely to have significant environmental effects in accordance with the abovementioned Annex II Criteria and provides an associated recommendation as to whether the Planning Authority should determine whether SEA is required in respect of same.

Similarly, an Appropriate Assessment (AA) Screening Report has been undertaken in tandem to assess the impact of the proposed material alterations on Natura 2000 sites (SACs and SPAs) in accordance with the requirements of Article 6(3) of the EU Habitats Directive (92/443/EEC).

## 1.2 The Proposed Material Alterations to the Letterkenny Plan

On the 10<sup>th</sup> of May 2023 the Elected Members resolved to amend the Letterkenny Plan in accordance with S.20(3)(d) of the Planning and Development Act 2000(As Amended). These amendments including 61 Proposed Materials Alterations which are detailed in Section 2 and 3 of the accompanying document entitled '**Proposed Material Alterations to the Draft Letterkenny Plan and Local Transport Plan 2023-2029**'. These Proposed Material Alterations include inter alia alterations to objectives, policies, text and zonings and a dedicated Walking/Pedestrian Strategy in the Local Transport Plan.

## 2 Strategic Environmental Assessment Screening

### 2.1 Assessment of Characteristics of the Plan and Proposed Material Alterations

The Assessment in Table 2.1 is based on the criteria for determining whether a plan is likely to have significant environmental effects in accordance with Schedule 2A of the Planning and Development Regulations 2001 (as amended) and Annex II of the SEA Directive. Said Schedule sets out two main types of criteria for determining whether a plan would be likely to have significant environmental effects:

1. Characteristics of the Plan: relates to inter alia whether the plan sets a framework for other projects, influences others plan, is relevant to sustainable development or the implementation of EU environmental legislation.
2. Characteristics of the effects and of the Area likely to be affected: relates to inter alia: the probability, duration, cumulative transboundary nature of effects, risks to human health, spatial extent of effects, vulnerability of affected areas etc.

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

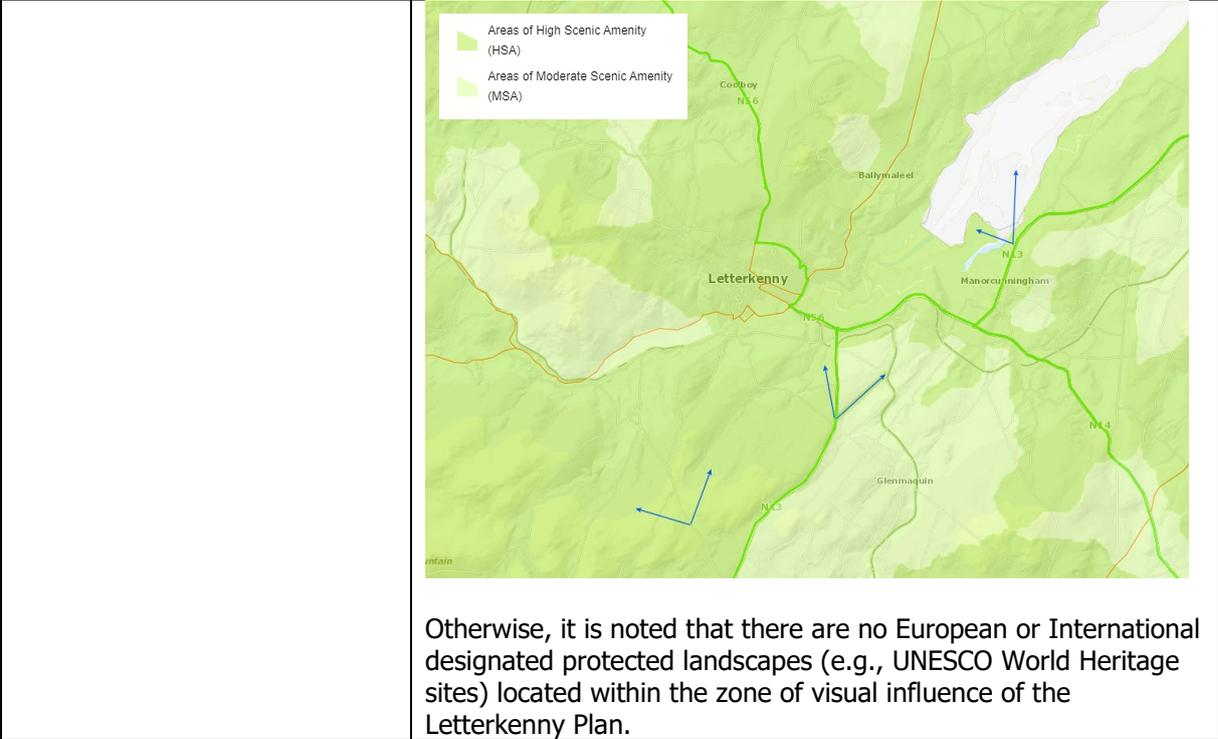
1. The Characteristics of the proposed plan having regard in particular to:	
Schedule 2A Criteria	Assessment
<b>The degree to which the plan sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</b>	The Draft Letterkenny Plan including the proposed material alterations (e.g. zoning changes) will provide a spatial and policy planning framework affecting development management decisions for new projects including future residential and commercial development.
<b>The degree to which the plan influences other plans, including those in a hierarchy.</b>	<p>As a Local Area Plan the Draft Letterkenny Plan sits at a low level the land use planning policy hierarchy. Consequently, unless, for example, a future Urban Development Zone or Priority Area Plan is prepared for the area the plan is unlikely affect any lower land use plans.</p> <p>However, the plan and the proposed material alterations may impact the implementation of higher land use plans including:</p> <ul style="list-style-type: none"> <li>• National Planning Framework including the achievement of the following National Strategic Outcomes/priorities: <ul style="list-style-type: none"> <li>○ Compact Growth: In so far as the plan and the proposed material alterations may affect the overall ability of the plan to achieve compact growth having regard to the location of resultant development.</li> <li>○ Sustainability Mobility: In so far as the plan and the proposed material alterations may affect the spatial distribution of new development (e.g., residential and commercial) which in turn may impact on the viability of sustainable travel modes (e.g. walking, cycling and public transport).</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ The designation of Letterkenny as a regional centre intended to lead the development of its region.</li> <li>● Regional Spatial and Economic Strategy for the Northern and Western Regional Assembly Area in so far as the plan and proposed material alterations may impact on the achievement of, for example:             <ul style="list-style-type: none"> <li>○ The RSES Growth Ambition of 'Peoples and Places' vis-à-vis the sustainable growth of more compact urban settlements.</li> <li>○ RPO 3.7.22: Ensuring that 40% of all newly development lands are within the existing built-up urban area).</li> </ul> </li> <li>● The County Donegal Development Plan 2018-2024 including the identification of Letterkenny as a Layer 1 town with a population allocation of 4190 persons and a housing allocation of 1552 units.</li> <li>● Climate Action Plan 2023 in so far as the plan and the proposed material alterations may affect the overall spatial development pattern in Letterkenny and said plan recognizes the '<i>crucial role of spatial and land-use planning in designing transport systems that can support our net-zero ambition</i>' (P.184 refers).</li> </ul>
<p><b>The relevance of the plan for the integration of environmental considerations in particular with a view to promoting sustainable development</b></p>	<p>The plan and the proposed material alterations have the potential to affect environmental considerations/sustainable development for example:</p> <ul style="list-style-type: none"> <li>● Sustainability Mobility: Locating development in locations which can be readily serviced by active or sustainable transport modes.</li> <li>● Compact Growth: Locating new residential and commercial zonings in serviced and sequential locations, with a focus on brownfield and infill development, in a manner conducive to producing a more consolidated urban form.</li> <li>● Water quality: Locating development in locations serviced by adequate wastewater infrastructure and ensuring that new development is designed and approved in a manner which protects water quality (e.g., use of best practice construction management techniques and Sustainable Urban Drainage Systems).</li> <li>● Biodiversity: Provision of a spatial and policy framework which protects the Lough Swilly SAC/SPA and other locally important areas of biodiversity.</li> <li>● Built Heritage: Providing a policy framework which supports the conservation of built heritage features (e.g., NIAH structures, the Letterkenny Architectural Character Area).</li> <li>● Flooding: Avoiding inappropriate development in flood risk locations.</li> </ul>
<p><b>Environmental problems relevant to the plan</b></p>	<p>The plan and the proposed material alterations have the potential to interact with/affect several environmental problems relevant to the plan including, for example:</p> <ul style="list-style-type: none"> <li>● Water pollution arising from ineffective wastewater treatment systems in unsewered areas of Letterkenny resulting in pressures on water quality in local rivers and the Swilly Estuary which forms part of the Lough Swilly SAC and SPA.</li> </ul>

	<ul style="list-style-type: none"> <li>• Water pollution arising from urban diffuse sources run-off (e.g., chemicals, oils, greases) resulting in pressures on water quality in the Swilly estuary.</li> <li>• Urban sprawl leading to a spatial dislocation between the location of residential development and key services (e.g., education, recreational, retail, and commercial) resulting in a high car dependency, traffic congestion and poor social connectivity.</li> <li>• Loss of soil functionality including food production, habitat provision, flood attenuation, nutrient cycling, water purification, and carbon sequestration arising from the overbuilding of soils on greenfield sites.</li> <li>• Urban sprawl, including the location of residential and commercial developments at peripheral locations, which increase car dependency and hinder public transport provision and active travel modes (e.g., walking and cycling) and thereby increase greenhouse gas emissions.</li> <li>• Location of development in flood risk areas particularly within the flood plain of the river Swilly.</li> </ul>
<p><b>The relevance of the plan or programme for the implementation of European Union legislation on the environment (e.g. plans linked to waste-management or water protection).</b></p>	<p>The plan and the proposed materials provide a framework for the future development of Letterkenny including facilitating new residential and commercial development. Furthermore, given the Location of Letterkenny adjoining the Lough Swilly SAC/SPA and within the hydrological catchment of the River Leannan SAC, the moderate WFD Water quality status of the river Swilly estuary, the extent of flood risk areas in Letterkenny and potential of the plan to impact air quality it is considered that the plan may affect the implementation of European Legislation on the Environment including, for example:</p> <ul style="list-style-type: none"> <li>• Birds Directive (79/409/EEC as amended by 2009/147/EC).</li> <li>• Habitats Directive (92/43/EEC).</li> <li>• Water Framework Directive (2000/60/EC).</li> <li>• Floods Directive (Directive 2007/60/EC).</li> <li>• Strategic Environmental Assessment (Directive 2001/42/EC).</li> <li>• Environmental Impact Assessment (Directive 2011/92/EU).</li> <li>• Air quality (Directive 2008/50/EC).</li> </ul>
<p><b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:</b></p>	
<p><b>The probability, duration, frequency and reversibility of the effects.</b></p>	<p>The plan and the proposed material alterations may provide for a range of new development which has the potential to give rise to environmental effects including on:</p> <ul style="list-style-type: none"> <li>• Biodiversity: Temporary construction phase related (e.g., noise disturbance and contaminated surface water runoff) and long-term operational phase (e.g. water pollution arising from poorly maintained individual wastewater treatment systems) negative effects on the Lough Swilly SAC/SPA.</li> <li>• Human Health: Temporary construction phase related (e.g., noise) and long-term operational phase related (e.g. traffic noise and congestion) negative effects on adjacent residential populations.</li> <li>• Soils: Permanent negative effects on soil ecosystem services/functionality including surface water attenuation,</li> </ul>

	<p>water filtration, habitat provision, and food production as a result of the overbuilding of soils on greenfield sites.</p> <ul style="list-style-type: none"> <li>• Water Quality: Temporary construction phase (e.g., contaminated surface water runoff) and medium to long-term operational phase (e.g., sewage pollution from poorly maintained individual effluent treatment systems in unsewered areas) negative effects.</li> <li>• Climate factors: Additional Construction and transport related Greenhouse gas emissions arising from production of building materials for new development (e.g., cement) and increase in transport demand.</li> <li>• Landscape/Visual: Permanent effects on scenic and visual amenity arising from new development in scenically/visually sensitive areas</li> </ul> <p>The probability of the above effects on water quality and biodiversity may depend on the application of good construction environmental management practices (e.g., management of contaminated surface water runoff) and the future maintenance of individual wastewater treatment systems. The abovementioned loss of soil functionality as a result of overbuilding and any impacts on landscape or visual amenity from new development are likely to be permanent and in practice irreversible.</p>
<p><b>The cumulative nature of the effects.</b></p>	<p>The plan and the proposed materials have the potential to give rise to cumulative effects, in combination with other plans (e.g., the County Development Plan) existing and permitted development (including development within Letterkenny and the adjoining hinterland). Such cumulative effects may include:</p> <ul style="list-style-type: none"> <li>• Biodiversity: Noise disturbance and contaminated surface water from the construction of new residential development in combination with water pollution from existing poorly maintained individual wastewater treatment systems.</li> <li>• Human Health: Traffic related air pollution arising from new development in combination with existing PM2.5 pollution from the burning of fossil fuels for home heating in existing properties.</li> <li>• Water quality: Contaminated surface water from the construction of new residential development in combination with water pollution from existing poorly maintained individual wastewater treatment systems.</li> <li>• Climate: Construction and transport related greenhouse gas (GHG) emissions from new development in combination with GHG emissions from existing sources in Letterkenny.</li> <li>• Landscape: Impacts on scenic and visual amenity arising from new development in scenically/visually sensitive areas in combination with the landscape impacts arising from previously constructed or permitted development.</li> </ul>
<p><b>The transboundary nature of the effects.</b></p>	<p>Some of the effects detailed above will be largely localised in geographical extent (e.g., those related to human health, soils, water quality, air quality and landscape) and are not therefore likely to have any transboundary effects. However other effects greenhouse gas emissions, and effects on bird species in the Lough Swilly SAC/SPA (due to the interconnection between populations of species) may have transboundary effects.</p>

<p><b>The risks to human health or the environment (e.g. due to accidents).</b></p>	<p>The broad risks to human health and the environment have already been noted in the preceding sections of this assessment.</p> <p>However, the plan and the proposed material alterations have the potential to cause risks to human health arising from:</p> <ul style="list-style-type: none"> <li>• Noise impacts arising from the operation of machinery/site clearance during the construction of new developments particularly where rock breaking is involved or traffic related noise during the operational phase of such developments.</li> <li>• Water quality impacts arising from the spillage of hydrocarbons or chemicals during the construction phase of new developments.</li> <li>• Traffic safety impacts arising from additional traffic volumes combined with substandard pedestrian/cycling infrastructure.</li> </ul>
<p><b>The value and vulnerability of the area likely to be affected due to:</b></p> <p><b>a) Special natural characteristics or cultural heritage.</b></p> <p><b>b) exceeded environmental quality standards or limit values</b></p> <p><b>c) intensive land-use</b></p>	<p>The plan and the proposed materials alterations have the potential to interact with and affect the following sensitive/designated areas:</p> <ul style="list-style-type: none"> <li>• The Lough Swilly Special Area of Conservation (004075) which lies partially within the plan boundary, is hydrologically connected to most of the plan area, is designated and protected under the Habitats Directive and contains such qualifying interests as Estuaries, Atlantic Salt Meadows and Lutra Lutra (Otter).</li> <li>• The Lough Swilly Special Protection Area which lies partially within the plan boundary, is hydrologically connected to the majority of the plan area, is designated pursuant to the Bird Directive and contains a wide range of marine and migratory bird species.</li> <li>• The Leannan River Special Area of Conservation which is hydrologically connected to the northern parts of the plan area, is designated and protected under the habitats directive and contains such qualifying interests as the Margaritifera Margaritifera (Freshwater Pearl Mussel), Salmo salar (Salmon), and Lutra Lutra (Otter).</li> <li>• The River Swilly Valley Woods Proposed Natural Heritage Areas which lies within the plan area.</li> <li>• The Swilly Estuary which has a moderate WFD Water Quality status and 'At Risk' WFD Risk Status.</li> </ul>
<p><b>The effects on areas or landscapes which have a recognised national, European Union or international protection status.</b></p>	<p>The County Donegal Development Plan 2018 -2024 (Map 7.1.1 refers) designates several scenic landscapes within the vicinity of Letterkenny including:</p> <ul style="list-style-type: none"> <li>• High Scenic Amenity covering most of the area to the North West, North, northeast, east and southwest of Letterkenny.</li> <li>• Moderate Scenic amenity covering parts of the area to the southeast and west of Letterkenny.</li> </ul>



### 3 Recommendation

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The above screening has been carried out pursuant to Section 20(3)(f) of the Planning and Development Act 2000(as amended) having regard to the criteria detailed in Annex II of the SEA Directive.

#### **RECOMMENDATION**

On the basis of said assessment it is recommended that the Planning Authority determine that the Proposed Material Alterations of the Draft Letterkenny Plan and Local Transport Plan 2023-2029 are likely to have significant environmental effects and that a Strategic Environmental Assessment of same is required.

Specifically, this assessment is based on the fact that that the Letterkenny Plan and the proposed material alterations:

- Will provide a planning framework affecting development management decisions for new projects/developments including residential and commercial development.
- Will affect the implementation of higher-level plans including the National Planning Framework, Regional Spatial and Economic Strategy vis-à-vis inter alia compact growth, sustainable mobility and Letterkenny's designation as a regional centre.
- Are relevant to the integration of environmental considerations/sustainable development including sustainable mobility, compact growth, protecting water quality, biodiversity and built heritage and flood risk management.
- Have the potential to impact on such environmental problems as water pollution, urban sprawl, traffic congestion, greenhouse gas emissions, and flood risk.
- Have the potential to give rise to a range of environmental effects including:
  - Biodiversity including noise disturbance arising from construction and water pollution arising from construction related surface water runoff and sewage pollution from individual wastewater treatment systems.
  - Human Health including construction related noise pollution, traffic related air pollution and traffic safety issues.
  - Soil including loss of soil functionality/ecosystem services due to the overbuilding of soils as a result of development.
  - Water quality including contamination of surface water during construction and sewage pollution from development in unsewered areas.
  - Climate including additional construction and transport related greenhouse gas emissions.
  - Landscape/visual including long term effects on scenic and visual amenity arising from new development in scenically/visually sensitive areas.
- Have the potential to give rise to cumulative effects in combination with existing or permitted development (e.g., contaminated surface water from the construction of new residential development combined with water pollution from existing poorly maintained individual wastewater treatment systems).
- May give rise to certain transboundary effects (e.g., additional greenhouse gas emissions and effects on migratory bird species).
- Have the potential to give rise to risks to human health including (e.g., noise impacts spillage of hydrocarbons or chemical during construction and traffic safety impacts).
- Have the potential to interact with/affect the Lough Swilly SAC/SPA and the River Leannan SAC, the River Swilly Valley Woods SAC and the Swilly Estuary which has a 'At Risk' WFD Risk status.
- Have the potential to impact on the adjoining High Scenic Amenity landscape as designated within the CDP 2018-2024.

Additionally, given: the large number of Proposed Material Alterations, the wide-ranging nature of Strategic Environmental Assessment (over several environmental topics), and the need to incorporate the findings of any Appropriate Assessment and Strategic Flood Risk Assessment into the SEA, it is recommended that a period of 9 weeks following the passing of the resolution in respect of the Proposed

Material Alterations is now specified under S.20(3)(g) of the Planning and Development Act 2000(as amended) to facilitate said assessment (i.e. by the 12<sup>th</sup> of July 2023).



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John McFeely  
Acting Executive Planner

26<sup>th</sup> June 2023



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E. Quinn  
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26<sup>th</sup> June 2023

## 4 Next Steps

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If the above recommendation is accepted and the Planning Authority determines that the Proposed Material Alterations would be likely to have significant environmental effects and therefore Strategic Environmental Assessment is required the Authority shall take the following steps:

- Publish a notice of the making of said determination in a least one newspaper circulating in the area in accordance with S.20(3)(h) of the Planning and Development Act 2000(as amended).
- Undertake a Strategic Environmental Assessment of the proposed material alterations in accordance with the requirements of inter alia the SEA Directive, the Planning and Development Regulations 2001(as amended) and the guidance within the publication *Strategic Environmental Assessment Guidelines for Regional Assemblies and Planning Authorities* (DoHPLG 2021) and pursuant to S.20(3)(i) of said Act.

## APPENDIX A: Map Showing Natura 2000 Sites and proposed Natural Heritage Areas in the Vicinity of the Letterkenny Plan

