



**An Roinn Turasóireachta, Cultúir,
Ealaíon, Gaeltachta, Spóirt agus Meán**
Department of Tourism, Culture,
Arts, Gaeltacht, Sport and Media

Planning Ref: FP2021/013
(Please quote in all related correspondence)

7 April 2021

TEN-T CDP Variation,
Central Planning Unit,
Donegal County Council,
County House,
Lifford,
Co. Donegal, F93 Y622.

Via email: tentcdpvariation@donegalcoco.ie

Proposed Variation to the County Donegal Development Plan 2018-2024 in respect of the TEN-T Priority Route Improvement Project

A chara

I refer to correspondence received on 2nd March, 2021 in connection with the above.

Outlined below are heritage-related observations/recommendations co-ordinated by the Development Applications Unit under the stated headings.

Nature Conservation

These observations are intended to assist you in meeting the obligations that may arise in relation to European sites, biodiversity and environmental protection in general in the context of the current application.

The Department welcomes the referral of the proposed variation to the Donegal County Development Plan (CDP). For context, Departmental staff have met several times with the Ten -T team and their ecological consultants (RPS) (05/02/2019; 23/10/2019 and 15 09 2020). It is acknowledged that the design progression, to date, has adequately considered risks to nature conservation. Specifically, the citing of infrastructure was revised several times prior to the decision on the preferred route options. It is noted that the minutes of these meetings are not attached in Appendix B.

Examples of nature conservation issues that have informed design changes include:

1. The provision of a clear span cantilever bridge with foundations outside of the Lough Swilly SPA and SAC in section 2 (in order to avoid direct habitat loss).
2. The avoidance of *ex-situ* geese and swan foraging areas that support populations linked to Lough Swilly SPA and Lough Foyle SPA in section 3.

Aonad na nIarratas ar Fhorbairt

Development Applications Unit

Oifigí an Rialtais

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3. Provision of a clear span bridge and avoidance of riparian areas on the River Finn where invasive species infestations are most severe, in section 1.

With regard to the NIS, the report adequately adopts the precautionary principal concerning the protection of European sites (e.g. citing of infrastructure and associated effects to European sites) and makes sufficient provision for project level assessment.

With regard to the SEA Environmental Report, the report sufficiently identifies the key risks to biodiversity and the natural environment and proposes sufficient high level mitigation to ensure that the final project design and downstream projects will be adequately mitigated and assessed.

Beyond the proposed changes to the CDP directly linked to the Ten-T project the Department is concerned that a specific CDP change was not flagged in previous discussions, namely; Part C Objectives and Policies of the Towns: Chapter 12 Letterkenny; 23. Insert new Zoning Objective as New Row in the Table: This change appears to provide for a shift in zoning priorities (Map 12.1 B Letterkenny Land Use Zoning Map) associated with the bridge area of Section two (southern bank of Lough Swilly). The precautionary approach should be taken with regard to encouraging built development in this area because it is in close proximity to the Lough Swilly SAC and SPA sites and served by artificial flood embankments. It is unclear whether risks to European sites and wider nature conservation interests associated with this CDP change have been sufficiently assessed in the NIS and/or SEA Environmental Report.

Archaeology

The inclusion of Transport Objective T-O-1A to the CDP is noted and the alteration this will cause to other policies, including heritage policies, in the County Development Plan.

It is also noted that the inclusion of the new transport objective, will not diminish the role of statutory approvals and conditions attached to them in mitigating the impact of development on environmental features, including archaeological monuments, subject to statutory protection.

Despite having some concerns regarding the weakening of cultural heritage policies that the variation seems to suggest, the National Monuments Service will not object to the proposed alteration to the Donegal CDP.

It is important to stress however, that the inclusion of this variation makes the need for detailed assessment and the design of appropriate mitigation strategies early in the design process, even more pressing.

You are requested to send further communications to the Development Applications Unit (DAU) at manager.dau@chg.gov.ie, or to the address on the cover page.

Is mise le meas,

Michael Murphy,

Development Applications Unit