

<b>Item/Min Ref:</b>  <b>13</b>	<b>Title of Report: Consultation from Donegal County Council on AA Screening &amp; SEA Preliminary Scoping Report on the Draft Co. Donegal Development Plan (CDDP)</b>	<b>Officer presenting:</b> <b>Senior Planning Officer</b>
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## **1 Purpose of Report/Recommendations**

- 1.1 To appraise Members that Planning officials have recently received consultations from Donegal County Council on a) Screening Report (in relation to Appropriate Assessment - AA) and b) Preliminary Scoping Report (in relation to Strategic Environmental Assessment - SEA). Both reports are associated with a review of the current Co Donegal Development Plan (CDDP) 2012-18 and preparations for a new Co Donegal Development Plan 2018-24. The reports are being undertaken to determine whether the or not the CDDP will have likely significant impacts upon Natura 2000 sites (AA) or on the environment in general (SEA).
- 1.2 On the basis of a preliminary screening assessment, Donegal Co. Council has determined that they cannot conclude beyond reasonable scientific doubt on the basis of their Screening assessment that there will be no significant effects on Natura 2000 sites within the zone of influence of the Plan. Accordingly, in line with AA legislation, they have determined that the draft CDDP will need to undertake a Stage 2 Appropriate Assessment. The Derry City and Strabane District Council's Planning officials have consulted with Shared Environmental Services and we conclude that we would concur with this standard AA determination.
- 1.3 Planning officials have also liaised with Natural Environment Division of DAERA, which responds on behalf of the NI Government; having the largest land border with Donegal, we concur with their comments so we are also content with the scope and level of detail as set out in the SEA Preliminary Scoping Report.

## **2 Background**

- 2.1 Donegal County Council has commenced the review of the County Donegal Development Plan 2012-2018 (As Varied) and the preparation of a new County Donegal Development Plan 2018-2024. The forthcoming CDDP will set out land use policies and objectives to guide the future physical, social economic, cultural and environmental growth and sustainable development of Co Donegal over the 6 year period of the plan and beyond. As part of the preparation of the new Development Plan, an Appropriate Assessment (AA) and also a Strategic Environmental Assessment (SEA) normally also need to be prepared.

- 2.2 The purpose of the EU Habitats Directive AA Screening exercise is to determine whether the CDDP could have significant effects on Natura 2000 sites (Special Protection Areas - SPA's and Special Areas of Conservation - SAC's) within the zone of influence of the CDDP, either alone or in combination with other plans or projects, and consider whether these impacts are likely to be significant.
- 2.3 The purpose of the SEA Preliminary Scoping Report is to facilitate consultation with the statutory consultees regarding the scope of the content of the subsequent Environmental Report (ER) to ensure that any significant environmental issues are appropriately addressed within the ER. Such liaison with Derry City and Strabane District Council falls under the legislative remit of Transboundary Consultation. On completion of the preliminary consultation exercise, a Final Scoping Report will be produced setting out the information to be included in the ER based on the feedback from the Environmental Authorities.
- 2.4 Donegal County Council sought submissions from prescribed Environmental Authorities by the 9<sup>th</sup> August 2016. Accordingly, Planning officials of Derry City and Strabane District Council have issued an interim response, with a formal response from Council to be issued following consideration by this Committee.

### **3 Key Issues**

- 3.1 The AA screening report fulfils the requirements of the EU Habitats Directive in respect of the screening for Appropriate Assessment and the determining of likely impacts on Natura 2000 sites (i.e. SPA's / SAC's) within or adjacent to the plan area, as well as any likely significant effects on the environment in general under the European Environmental Assessment of Plans and Programmes Directive 2001 - the SEA Directive.
- 3.2 Planning officials have consulted with the Shared Environmental Service (SES) on the AA screening conclusion and their comments are attached in Appendix 8.
- 3.3 In terms of SEA Preliminary scoping, Planning officials are satisfied with the stated scope and level of detail to be considered in the SEA that will inform and influence the preparation of the CDDP. The Preliminary Screening Report contains relevant text on the NI planning system and the relevant associated hierarchy of policy documents to which the CDDP must have regard. Relevant transboundary planning issues such as biodiversity; fauna, flora; water (including marine) and landscape are included.
- 3.4 Similarly, in terms of the SEA Preliminary Scoping, Planning officials have liaised with NI Environment Agency (DAERA) as the NI legislatively appointed Consultation Body for SEA Transboundary consultations. The Council's Planning officials accept the comments set out in their overall NI Trans-boundary response, which is attached in Appendix 9.

#### **4 Financial, Equality, Legal, HR, Improvement and Other Implications**

4.1 There are considered to be no financial, equality, legal, HR, Improvement, environmental or other implications, beyond those already outlined.

#### **5 Recommendations**

5.1 That Members note the content of this report and agree to issue the attached Council response to Donegal County Council planning officials as attached at Appendix 10.

#### **Background Papers**

Appendix 8 - SES response regarding Donegal County Council AA Screening Report

Appendix 9 – NIEA response regarding Donegal County Council SEA Preliminary Scoping Report

Appendix 10 - Draft Committee Response to Donegal County Council Planning Officials