



An
Bord
Pleanála

Record of Meeting ABP-309714-21 1st meeting

Case Reference / Description	ABP-309714-21 Pedestrian and Cycle bridge, Riverine Community Park. Lifford Co. Donegal and Strabane Co. Derry		
Case Type	Pre-application consultation		
1st / 2nd / 3rd Meeting	1 st		
Date	27/05/21	Start Time	11:04 a.m.
Location	N/A	End Time	12:33 p.m.

Representing An Bord Pleanála
Staff Members
Ciara Kellett, Assistant Director of Planning (Chair)
Karla McBride, Senior Planning Inspector
Niamh Thornton, Executive Officer
Representing the Prospective Applicant
Ken O'Sullivan
Clare Morris
Louise Byrne
David McLorinan
Ross Anderson
Shane Sweeney
James Kelly

The meeting commenced at 11 a.m.

The Board referred to the letter received from the prospective applicant requesting pre-application consultations and advised the prospective applicant that the instant meeting essentially constituted an information-gathering exercise for the Board; it also invited the prospective applicant to outline the nature of the proposed development and to highlight any matters it wished to receive advice on from the Board. The Board mentioned general procedures in relation to the pre-application consultation process as follows:

- The Board will keep a record of this meeting and any other meetings, if held. Such records will form part of the file which will be made available publicly at the conclusion of the process. The record of the meeting will not be amended by the Board once finalised, but the prospective applicant may submit comments on the record which will form part of the case file.
- A further meeting or meetings may be held in respect of the proposed development.
- Further information may be requested by the Board and public consultations may also be directed by the Board.
- The Board may hold consultations in respect of the proposed development with other bodies.
- The holding of consultations does not prejudice the Board in any way and cannot be relied upon in the formal planning process or any legal proceedings.

Presentation by the prospective applicant:

The proposed development of Riverine community park will be a partnered delivery by Donegal County Council and Derry City & Strabane District Council.

The prospective applicant stated that the Riverine Community Park will be of local and regional importance. The development will provide park infrastructure in excess of twenty-five acres, utilising agricultural land and wetland lying either side of the border.

The core elements of the project will include:

- a pedestrian and cycle bridge between Lifford and Strabane,
- Riverine Park Building providing indoor space for use on a shared basis,
- multi-functional outdoor space and external stage provision,
- play area,
- river walk and access,
- landscaped greenspaces interlaced with a network of pathways and cycleways,
- wetlands, and
- car parking provision.

Donegal County Council and Derry City & Strabane District Council secured 8.96 million euro in funding in 2019, through the SEUPB Peace IV fund, to develop Riverine Community Park. The project must be completed by September 2023.

The prospective applicant states that the needs for such a development were identified in 2013. The aims of the project are to provide a shared space to bring people together from different communities, to encourage social interaction and cross border engagement and act as a catalyst for peace and reconciliation. Other aims of the project are to encourage interaction with the river, improve biodiversity of ponds and provide informal recreation and environmental education/conservation activities.

The development land is zoned as an amenity area and Lifford Town is identified as a strategic town in the Donegal County Development Plan 2018-2024.

The prospective applicant stated that the project does not qualify as Strategic Infrastructure Development as it is not a class of development falling within the Seventh Schedule. S177AE of the Planning and Development Act 2000, as amended, applies as a screening for Appropriate Assessment has been undertaken and indicated that a NIS will be required. The proposed bridge is over 100m in length, meaning that section 50(1)(a) of the Roads Act, 1993, applies and will require a mandatory Environmental Impact Assessment.

Regarding the transboundary issue, the prospective applicant stated that one EIAR would be prepared and submitted to relevant Republic of Ireland and Northern Ireland consenting authorities.

The below were noted as some of the environmental issues:

- The site is directly linked to the River Finn and River Foyle and Tributaries SACs
- Potential impacts on SACs due to connectivity
- Invasive plant species identified
- Badger setts identified near bridge landing point
- The site is affected by fluvial flooding
- Likely short-term air and noise impacts during construction
- Possible land contamination due to past land uses

The prospective applicant noted that they have engaged with statutory and non-statutory bodies regarding the proposed project. The OPW have been involved throughout the early development stage and the prospective applicant has held on site meetings with the NPWS and the Loughs Agency.

The prospective applicant claimed that there has been strong community engagement and support.

Land acquisition will be required from two landowners and one unregistered land parcel. The prospective applicant is confident that the lands will be acquired through agreement but that a CPO process will be required for the unregistered land parcel.

The prospective applicant stated that they intend to submit the planning application in July 2021, with commencement of construction in July 2022. As per the funding programme, the project must be completed by September 2023.

Board's comments/queries:

The applicant set out a number of questions in the presentation which formed the basis of the discussion.

Regarding the provision or combination of provisions under which the application should be made, the Board gave a preliminary opinion that the project could come under Section 50 of the Roads Act, 1993. The Board raised a question regarding tidal range and queried if the application would require a foreshore licence and if the application may need to be made under section 226 of the Planning and Development Act, 2000, as amended. The prospective applicant agreed that they would look at whether s.226 would apply.

The Board confirmed that Statutory Notices can be reviewed by the Board before publication. However it was stated that the applicant is entirely responsible for the accuracy of the development description and the Board cannot be prejudiced in any way should there be difficulties with the notice.

The Board noted that An Bord Pleanála have no jurisdiction in Northern Ireland regarding planning but that from an EIA and AA perspective, they would have to consider the whole project to assess the cumulative and in combination impacts. The Board recommended that the EIAR and AA documentation be very clear on what is being applied for in the Republic of Ireland as well as in Northern Ireland and what the mitigation measures would be in both jurisdictions.

The Board asked for clarification of the planning documentation being prepared having regard to the requirement for an application on both sides of the border. The prospective applicant clarified that there would be one EIAR but that the project will be subject to two separate planning applications and 2 separate construction contracts. The Board advised that the EirGrid North-South Interconnector Project (ABP Ref. VA0017) would be a cross border example of a project which was prepared under similar transboundary circumstances.

The Board recommended that the prospective applicant be particularly mindful of any potentially affected European sites, drainage issues, flood risk, run-off impact on water quality, timing of construction works in relation to habitats and species, pedestrian and cycleway safety, and protected structures and heritage features in the area. The Board recommended that the NIS cover European sites further afield such as Lough Swinny SPA, in regards to mobile species including migrating birds. The Board asked the prospective applicant what they had done to date regarding bird surveys and advised that bird flight paths and collision risk (with the bridge) be analysed, and that a bat survey be undertaken.

In relation to drainage and flood risk, the prospective applicant confirmed that flood modelling had been carried out and that some existing flood embankments would be re-aligned. The prospective applicant also noted that there would be some expected flooding in the development area in the short term until the completion of the Lifford Flood Alleviation Scheme. The prospective applicant stated that this scheme is in early stages of development and noted that the infrastructure proposed as part of this project would be designed to withstand and recover from flooding.

The prospective applicant clarified that the only greenway which will have a link to the proposed development will be the Strabane Greenway, which will travel along the eastern side of the proposed project area and that this is being taken into consideration.

The Board noted that the issue of transboundary effects would be considered and if deemed to occur the applicant would be directed accordingly.

When asked about decision timescales, the Board advised the prospective applicant to ensure that the information contained in the application and documentation are robust to minimise the requirement for further information which would lengthen the process.

Regarding the Climate Action Bill, the Board noted that the prospective applicant could identify in the EIAR what targets this project would meet. The Board suggested that a table on carbon costs versus carbon benefits could be included, and advised the prospective applicant to take current climate change calculations into account in its flood risk analysis.

Conclusion:

The Board advised that another meeting can be facilitated should the prospective applicant wish to keep the process open.

The record of the instant meeting will issue in the meantime and the prospective applicant can submit any comments it may have in writing or alternatively bring any comments for discussion at the time of any further meeting. The onus is on the prospective applicant to either request a further meeting or formal closure of the instant pre-application consultation process.

The meeting concluded at 12:33 p.m.

Ciara Kellett

Assistant Director of Planning