



P2288

**ENVIRONMENTAL IMPACT ASSESSMENT REPORT
VOLUME 3: APPENDICES**

CHAPTER 4 APPENDICES

RIVERINE COMMUNITY PARK

LIFFORD-STRABANE

AUGUST 2021



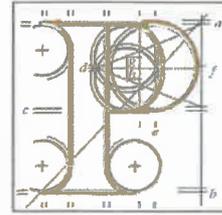
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Unit 5, Forty Eight North
Duncrue Street
Belfast
BT3 9BJ
028 9074 7766

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Appendix 4-1

An Bord Pleanála Consultation Letter

Our Case Number: ABP-309714-21



**An
Bord
Pleanála**

Tobin Consulting Engineers
Block 10-4 , Blanchardstown Corporate Park
Blanchardstown
Dublin 15
D15 X98N

Date: 18 August 2021

Re: Pedestrian and Cycle bridge, Riverine Community Park
Lifford Co. Donegal and Strabane Co. Derry

Dear Sir / Madam,

I have been asked by the Board to refer to the above-mentioned pre-application consultation case.

The Board has now determined that consultations are closed in respect of this case. Please find attached herein a list of the prescribed bodies which the Board considers should be formally notified of any planning application.

A copy of the Board Direction in this case is also enclosed for your information.

Please quote the above-mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,



Niamh Thornton
Executive Officer
Direct Line: 01-8737247

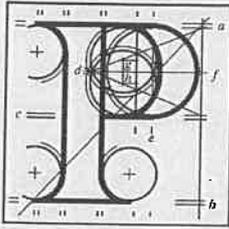
TOBIN CONSULTING ENGINEERS
PROJECT NO. _____
FILE REF. _____
Date Received **20 AUG 2021**
L.B./m.m.c.

Tel
Glaó Áitiúil
Facs
Láithreán Gréasáin
Ríomhphost

Tel (01) 858 8100
LoCall 1890 275 175
Fax (01) 872 2684
Website www.pleanala.ie
Email bord@pleanala.ie

64 Sráid Maoilbhríde
Baile Átha Cliath 1
D01 V902

64 Marlborough Street
Dublin 1
D01 V902



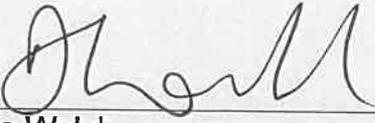
**An
Bord
Pleanála**

**Board Direction
BD-008906-21
ABP-309714-21**

At a meeting held on 16/08/2021, the Board considered the documents on file and the report of the Inspector, which was completed following the request by the prospective applicant to close the consultation, in relation to the development of a pedestrian and cycle bridge within the proposed Riverine Community Park, spanning the River Foyle at Lifford, County Donegal, and Strabane, County Derry.

The Board noted the contents of the Inspector's report and agreed that the pre-application consultations be formally closed.

Board Member:



Dave Walsh

Date: 16/08/2021

List of prescribed bodies

A recommended list of Prescribed Bodies, who should be forwarded copies of the application documentation, is as follows:

Section 51(3)(b) Bodies:

- (i) The Commissioner of Public Works in Ireland
- (ii) Failte Ireland
- (iii) An Taisce
- (iv) Any other prescribed body or person

It is considered that the following prescribed bodies should also be notified:

- i. Minister for Housing, Local Government and Heritage
- ii. Minister for Agriculture, Food and the Marine
- iii. Minister for Environment, Climate and Communications
- iv. Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media
- v. Minister for Transport
- vi. Irish Water
- vii. Inland Fisheries Ireland
- viii. Transport Infrastructure Ireland
- ix. Environmental Protection Agency
- x. The Heritage Council
- xi. Health & Safety Authority

Further notifications should also be made where deemed appropriate.

Please also note below excerpt from Inspector's Report:

Note: It is considered that transboundary consultation should be undertaken with the Northern Ireland Executive.

Note: The prospective applicant should be advised to submit a separate document (to the EIAR) with the planning application which outlines the mitigation measures, in the interest of convenience and ease of reference.

Appendix 4-2

Scoping Responses - ROI

Ross Anderson

From: Ger Cafferkey <Ger.Cafferkey@opw.ie>
Sent: 19 April 2021 15:37
To: Ross Anderson
Cc: Miriam Mulligan; Claire Anderson; Sean Langan; SHANE MCMONAGLE; SHANE SWEENEY; Nicholas Duff
Subject: RE: EIA Scoping Opinion Request

Hi Ross,

Thanks for your email. We are consulting on the Riverine project directly through the respective Steering Groups and the Donegal County Council Project Management structure. We would expect that our views are collated from these on-going communications rather than through this mechanism.

You are probably aware that we are in the process of developing a flood relief scheme for Lifford in the vicinity of the proposed park and that the area concerned is currently subject to flooding and that our scheme is likely (subject to getting planning approval) to have construction elements on parts of the lands proposed for the park. That would be like a formal warning that we might be doing something to parts of their park which they might have finished. You are likely also aware of our Drainage Maintenance responsibilities under the 1945 Arterial Drainage Act on the existing embankments along the park boundary.

I suppose the main thing for your EIAR to consider is in-combination effects with our works listed above. Ryan Hanley is looking after our EIAR for the Flood Relief Scheme (Nick Duff cc'd)

Other than that Shane Sweeney should be update you on the details of conversations that we have already been having. If not, give me a call on 087 3611033.

Regards,

Ger

Ger Cafferkey
Drainage Maintenance

Oifig na nOibreacha Poiblí
Office of Public Works

An tSráid Mhór, Áth Cinn, Co na Gaillimhe, H91 RX79
Main Street, Headford, Co Galway, H91 RX79

M +353 87 361 1033 T +353 46 942 2275
<https://gov.ie/opw>

To send me files larger than 30MB, please use the link below
<https://filetransfer.opw.ie/filedrop/Ger.Cafferkey@opw.ie>

Email Disclaimer: <https://www.gov.ie/en/organisation-information/439daf-email-disclaimer/>

From: Info Opw <info@opw.ie>
Sent: Thursday 18 March 2021 12:31

To: Ger Cafferkey <Ger.Cafferkey@opw.ie>; Miriam Mulligan <miriam.mulligan@opw.ie>
Cc: Library <library@opw.ie>
Subject: FW: EIA Scoping Opinion Request

Please see email for your information.

Regards,

Siobhan

Communications

Oifig na nOibreacha Poiblí

Office of Public Works

Sráid Jonathan Swift, Baile Átha Troim, Co na Mí, C15 NX36

Jonathan Swift Street, Trim, Co Meath, C15 NX36

T +353 46 942 6000

<https://www.opw.ie>

Email Disclaimer: <https://www.opw.ie/en/disclaimer/>

From: Ross Anderson <ross@mclni.com>

Sent: Thursday 18 March 2021 12:02

To: Info Opw <info@opw.ie>

Subject: EIA Scoping Opinion Request

Dear Sir/Madam,

Please find attached a letter detailing the request of a scoping opinion to be given on a proposed cross border community park and bridge straddling the River Foyle, incorporating lands immediately adjacent to Lifford and Strabane.

An Environmental Impact Assessment (EIA) Screening Report has also been attached, providing an explanation of all aspects of the proposal whilst also providing a comprehensive description of the aspects of the environment that have the potential to be significantly impacted by the proposed development.

I trust that the letter and Screening Report provide sufficient information for an opinion/feedback to be provided on the proposed development however if anything further is required please do not hesitate to ask.

Thank you for your time and I look forward to your response.

Kind regards,



Ross Anderson

Environmental Planning Consultant
MCL Consulting

p: 028 90 747 766 | m: 07719 958757

e:ross@mclni.com

w:www.mclni.com

a: Unit 5, Forty Eight North, 48 Duncrue Street,
Belfast, BT3 9BJ



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Please note that the existing 01-6476XXX / 046-9426XXX numbering ranges will no longer be available after 30th April 2021.



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

Your Ref: P2288 Riverine Scoping

Our Ref: G Pre00124/2021 (Please quote in all related correspondence)

26th May 2021

MCL Consulting
Unit 5
Forty Eight North
48 Duncrue Street
Belfast
BT3 9BJ

Via email: ross@mclni.com

Re: Donegal County Council - develop a cross-border community park straddling the River Foyle, incorporating a pedestrian and cycle bridge between Lifford and Strabane, Riverine Park Building, multi-functional outdoor space and external stage provision, play area, river walk and access, landscaped green-spaces interlaced with a network of pathways and cycleways, wetlands supported by car parking provision

A chara

I refer to your pre-planning correspondence received on 26th April in connection with the above proposed development.

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

Archaeology

It is noted that the proposed development is located adjacent to a zone of archaeological potential established around the Historic Town of Lifford, Recorded Monument DG071-008- - which is subject to statutory protection in the Record of Monuments and Places, established under section 12 of the National Monuments (Amendment) Act 1994. The River Finn is also considered to be an area of high underwater archaeological potential. The Wreck Inventory of Ireland Database lists numerous logboats for the River Finn and its environs, which are subject to statutory protection under section 3 of the 1987 National Monuments (Amendment) Act. Given the location of the proposed development it is also possible that wrecks may lie buried under riparian land which was reclaimed from the river over time.

Aonad na nIarratas ar Fhorbairt

Development Applications Unit

Oifigí an Rialtais

Government Offices

Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90

Newtown Road, Wexford, County Wexford, Y35 AP90



It is therefore recommended that an Archaeological Impact Assessment, as described below, shall be undertaken to assess the impact of the development on known or potential archaeology prior to any works proceeding at the site. This will enable this Department to formulate an informed archaeological recommendation before a planning decision on the development is taken.

It should be borne in mind, that if significant archaeological remains are found, refusal might still be recommended, and/or further monitoring or excavation required.

Archaeological Impact Assessment shall be compiled as follows;

1. The applicant is required to engage the services of a suitably qualified archaeologist to carry out an archaeological assessment of the potential impacts of the development/proposed works.
2. The assessment shall comprise of a detailed desktop study, with the archaeologist carrying out any relevant documentary research including consulting with the Wreck Inventory of Ireland, the Record of Monuments and Places all of which are held by this Department. The Topographical Files held by the National Museum of Ireland should also be consulted. The assessment should also include a detailed archaeological impact statement including a detailed description of the proposed works and the impact they will have on known and/or potential archaeology.
3. The archaeologist shall carry out a field survey of all areas that may be impacted both directly and indirectly by the proposed works. Should there be any impacts along the river banks or on the riverbed itself then the assessment should include an archaeological dive survey licenced under the National Monuments Act 1930-2004.
4. Having completed the work, the archaeologist shall submit a written report to this Department for review.
5. Where archaeological material/features are shown to be present, preservation *in situ*, avoidance, preservation by record (archaeological excavation) or archaeological monitoring may be required. The applicant shall be prepared to be advised by the



The above observations/recommendations are based on the papers submitted to this Department on a pre-planning basis and are made without prejudice to any observations that the Minister may make in the context of any consultation arising on foot of any development application referred to the Minister, by the planning authority/ies, in the role as statutory consultee under the Planning and Development Act, 2000, as amended.

You are requested to send further communications to the Development Applications Unit (DAU) at manager.dau@housing.gov.ie, or to the following address:

The Manager
Development Applications Unit (DAU)
Government Offices
Newtown Road
Wexford
Y35 AP90

Is mise, le meas

Diarmuid Buttimer
Development Applications Unit

Unit 5
Forty 8 North
48 Duncrue Street
Belfast
BT3 9BJ

29 April 2021

Dear Ross Anderson

Our Ref: LA-29-04-2021

Planning Application: Scoping for the Riverine Project Environmental Impact Assessment

Thank you for your correspondence dated 18 March 2021 in relation to the above-mentioned proposed development. The Loughs Agency is the statutory body charged with the conservation, protection and development of inland fisheries within the Foyle and Carlingford systems, the promotion of development of Loughs Foyle and Carlingford, and catchments for commercial and recreational purposes in respect of marine, fisheries and aquaculture issues and the development of marine tourism.

The Atlantic salmon which are a key feature of the River Foyle and Tributaries SAC and River Finn SAC are internationally in decline, and as such any development particularly adjacent to or hydrologically connected to the river must ensure the conservation of this species is considered. Atlantic salmon in the River Finn catchment are failing to meet conservation targets and therefore the utmost effort to conserve the species must be

exercised. It is also part of a key corridor for upward migrating Atlantic salmon and downward migrating juvenile smolts. This corridor, where the River Mourne and River Finn meet is also a key pathway for endangered European Eel, sea trout and brown trout. The impact of the development on otters, a designated feature of the SAC, should also be taken into consideration in the EIA.

The EIA should also take into account potential direct and indirect impacts on the habitat and lifecycle of smelt and shad. Smelt and shad are listed on the IUCN Red List of threatened Species. Lamprey use the area and lamprey habitat is present adjacent to the proposed development footprint. The EIA should take into account potential direct and indirect impacts on the habitat and lifecycle of lamprey, smelt and shad.

Due to the cross-border nature of the project consultation should be undertaken with NIEA and NPWS to obtain the relevant permissions for the works and to seek further input in relation to protected species.

The area is also a key amenity area for recreational angling. The Loughs Agency owns the fishing rights by Regulation on the area to be developed and the execution of these rights must be unhindered. In addition the Loughs Agency has invested public money in the construction of groynes for angling in this area of the Greenbraes fishery, Loughs Agency would seek assurance that angling activity, this investment and these structures will not be adversely affected before, during or following construction. Well designed, sustainable and multiuse access to water measures are to be encouraged in assisting the development of angling and marine tourism.

Lough Agency notes the proposed development's proximity to areas affected by Asian Clam, an invasive aquatic species with several detrimental impacts including posing a threat to salmon spawning sites. The Agency is aware of terrestrial invasive species along the riparian corridor. All works which have the potential to aid the spread of invasive species must implement a biosecurity protocol. Loughs Agency advises that an invasive species management plan is prepared in advance of the works.

Areas that have the potential to flood are of concern to the Loughs Agency as a fishery body as flood events have in the past carried silt and other pollutants into the river system in both the flood event and as a flood abates, particularly where there is construction or infrastructure within the flood zone. Loughs Agency advises consultation is undertaken with OPW in relation to the proposed Lifford flood relief scheme.

Loughs Agency notes the route of the former railway line, in the event that significant contaminated land is identified during the construction phase, works should cease until the contamination is remediated to the satisfaction of the competent authority or shown to pose no risk to the surface water environment.

The Agency notes the proximity of the structures to the outfall of Lifford wastewater treatment works, the Agency would seek an assurance that the dispersion of this final effluent has been considered in the current proposal.

The proposed development is located in an intertidal area. A Marine Licence application may need to be made to DAERA. Given the cross-border nature of the project similar permissions may need to be sought from the EPA. The

Agency would prefer that any bridge construction would not require any disturbance to the river channel and bed.

Should a silt curtain be deployed during construction it must not impede fish passage.

Piling can impact migratory fish, which are present in the adjacent River Foyle. Any planned piling works permitted should be restricted to summer months (between May and September), during daylight hours. A soft start approach to works should be implemented to reduce potential impacts to salmonid populations. The soft-start methodology would be required each time the machinery is started following a 30 minute rest period. Once the piling is in full operation, associated noise and vibration from the machinery will keep fish outside of the area of influence.

Any proposed lighting should take into account all species of fish that migrate in the area. Artificial light can be a migration barrier to some fish species. You are urged to avoid light spilling on to the water surface or illuminating the general area above and along the watercourse. Please consider the type of light used (source, orientation, colour etc).

The Agency would welcome the inclusion of Sustainable Urban Drainage Systems (SuDs) in the proposed development in order to reduce/delay surface water runoff returns to the adjacent surface water environment. Construction of SuDS should comply with the standards in the design manual for Scotland and Northern Ireland (CIRIA C521).

Works could result in increases in silt and sediment loads during construction. Any silt traps employed must be regularly inspected and

maintained accordingly. Loughs Agency recommend an Outline CEMP is prepared to ensure appropriate pollution prevention and mitigation measures are implemented.

Oil storage must have a secondary containment system (of 110% capacity) to ensure that any leaking oil is contained and does not enter the aquatic environment. Should for any reason, oil or fuel be stored in the area, it must be kept in a bunded area (providing 110% capacity of the largest stored unit), where within 10m of a watercourse, ditch or drainage channel.

The use of cement/concrete on site will require careful management. While they are versatile building materials, they are also highly toxic to aquatic life and therefore must be kept out of all drains and watercourses.

The applicant should demonstrate best environmental practice when working close to watercourses. The applicant should adhere to the guidance in GPP5 Works and maintenance in or near water and PP6 6 Working at construction and demolition sites. The potential for deleterious matter to enter a watercourse is of primary concern. Impacts on the aquatic environment such as a decrease in water quality can cause a significant impact upon various life history stages of fish species.

The applicant should also be aware that it is an offence under section 41 of the Foyle Fisheries Act (1952) to cause pollution which is detrimental to fisheries interests.

Environmental Officer

On behalf of the Loughs Agency

From: [INFO](#)
To: [Ross Anderson](#)
Subject: EIAR Scoping: Riverine Community Park, River Foyle, Co. Donegal. TII Ref: TII21-112808.
Date: 23 March 2021 08:15:24
Attachments: [image001.jpg](#)

Dear Mr. Anderson,

Thank you for your email of 18 March 2021 regarding the above EIAR scoping exercise. The position in relation to your enquiry is as follows.

Transport Infrastructure Ireland (TII) will endeavour to consider and respond to planning applications referred to it, given its status and duties as a statutory consultee under the Planning Acts. The approach to be adopted by TII in making such submissions or comments will seek to uphold official policy and guidelines, as outlined in 'Spatial Planning and National Roads. Guidelines for Planning Authorities' (DoECLG, 2012). Regard should also be had to other relevant guidance available at www.TII.ie.

The issuing of this correspondence is provided as best practice guidance only and does not prejudice TII's statutory right to make any observations, requests for further information, objections or appeals, following the examination of any valid planning application referred.

With respect to EIAR scoping issues, the recommendations indicated below provide only general guidance for the preparation of an EIAR, which may affect the national road network.

The developer/scheme promoter should have regard, inter alia, to the following:

- TII notes that the subject site accesses the local road network, prior to access to the N14/N15 national road. Consultations should be had with the relevant Local Authority/National Roads Design Office with regard to the locations of existing and future national road schemes.
- TII would be specifically concerned as to potential significant impacts the development would have on the national road network (and junctions with national roads), in the proximity of the proposed development; N14, N15.
- The N15 Lifford Bridge crosses the River Foyle in the vicinity of the proposed bridge crossing. Any potential impacts to the existing national road structure should be assessed. Where potential for impacts occur, the developer should be aware that there are Technical Acceptance requirements relating to the assessment, alteration, modification, strengthening and repair of all existing road structures (national roads) and same shall be agreed with the Bridge Management Section of TII.
- Where relevant, a hydraulic analysis should be undertaken to identify the impact of proposed works on the hydraulic capacity of any TII Structures impacted and the potential for scour at the structure. An assessment of scour and other hydraulic actions on national road structures, in accordance with UK BD 97/12, should be undertaken where necessary. Scour prevention measures will be required if the assessment illustrates the potential for scour beneath the foundations.
- The developer should assess visual impacts from existing national roads.
- The developer should have regard to any Environmental Impact Statement and all conditions and/or modifications imposed by An Bord Pleanála regarding road schemes in the area. The developer should, in particular, have regard to any potential cumulative impacts.
- The developer, in preparing EIAR, should have regard to TII Publications (formerly DMRB and the Manual of Contract Documents for Road Works).
- The developer, in preparing EIAR, should have regard to TII's Environmental Assessment and Construction Guidelines, including the 'Guidelines for the Treatment of Air Quality During the Planning and Construction of National Road Schemes' (National Roads Authority (NRA), 2006).
- The EIAR/EIS should consider the 'Environmental Noise Regulations 2006' (SI 140 of 2006)

and, in particular, how the development will affect future action plans by the relevant competent authority. The developer may need to consider the incorporation of noise barriers to reduce noise impacts (see 'Guidelines for the Treatment of Noise and Vibration in National Road Schemes' (1st Rev., NRA, 2004)).

- It would be important that, where appropriate, subject to meeting the appropriate thresholds and criteria and having regard to best practice, a Traffic and Transport Assessment (TTA) be carried out in accordance with relevant guidelines, noting traffic volumes attending the site and traffic routes to/from the site, with reference to impacts on the national road network and junctions of lower category roads with national roads. In relation to national roads, TII's 'Traffic and Transport Assessment Guidelines' (2014) should be referred to in relation to proposed development, with potential impacts on the national road network. The scheme promoter is also advised to have regard to Section 2.2 of TII's TTA Guidelines, which addresses requirements for sub-threshold TTA. Any improvements required to facilitate development should be identified. It will be the responsibility of the developer to pay for the costs of any improvements to national roads, to facilitate the private development proposed, as TII will not be responsible for such costs.
- The designers are asked to consult TII Publications to determine whether a Road Safety Audit is required.
- In the interests of maintaining the safety and standard of the national road network, the EIAR should identify the methods/techniques proposed for any works traversing/in proximity to the national road network.
- In relation to haul route identification, the applicant/developer should clearly identify haul routes proposed and assess the network to be traversed. Where abnormal loads are proposed, separate structure approvals/permits and other licences may be required in connection with the proposed haul route and all structures on the haul route should be checked by the applicant/developer to confirm their capacity to accommodate any abnormal load.

Notwithstanding, any of the above, the developer should be aware that this list is non-exhaustive, thus site and development specific issues should be addressed in accordance with best practice.

I hope that this information is of assistance to you.

Yours sincerely,

Alban Mills

Senior Regulatory and Administration Executive



Transport Infrastructure Ireland

Parkgate Business Centre

Parkgate Street

Dublin D08 DK10

TII processes personal data provided to it in accordance with its Data Protection Notice available at <http://www.tii.ie/about/> Próiseálann

Próiseálann BIÉ sonraí pearsanta a sholáthraítear dó i gcomhréir lena Fhógra ar Chosaint Sonraí atá ar fáil ag <http://www.tii.ie/about/>

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MCL Consulting
Unit 5, Forty 8 North,
48 Duncrue Street,
Belfast BT3 9BJ

27th April 2021

To Mr. Anderson,

Re: EIA Scoping Riverine Community Park & Bridge

The National Transport Authority ('the NTA') has reviewed the EIA Scoping document for the Riverine Community Park and Bridge project and submits the following observations.

The NTA has no issue in principle with the proposed community park and bridge and welcomes the objective to *"create an iconic cross-border community park straddling the River Foyle as a shared space to bring communities together from both sides of the border, to re-connect and form new, long lasting connections and relationships"*. In principle, the NTA supports projects which provide greater connectivity between communities and which facilitate travel by sustainable modes.

The NTA has no specific comments in relation to the development of an EIA Report for the proposed project.

Kind regards,

A handwritten signature in black ink that reads 'Michael MacAree'.

Michael MacAree
Head of Strategic Planning

From: [planning applications](#)
To: [Ross Anderson](#)
Subject: RE: Fáilte Ireland: EIA Scoping Opinion Request Email No :0100169012560
Date: 24 March 2021 16:55:10
Attachments: [imaps007.pdf](#)
[imaps008.pdf](#)
[imaps009.pdf](#)
[imaps010.pdf](#)
[imaps011.pdf](#)
[imaps012.pdf](#)
[imaps013.pdf](#)
[imaps014.pdf](#)
[imaps015.pdf](#)
[imaps016.pdf](#)
[imaps017.pdf](#)

Hello Ross,

Your email was forwarded to me by our Customer Team. Thank you for sending Fáilte Ireland the letter regarding a request for a scoping opinion for the proposed cross border community park and bridge straddling the River Foyle. We have no comments on this stage of the project.

Just for your information, Fáilte Ireland has a dedicated mailbox for planning notifications/applications, appeals, information, queries, Environmental Impact Assessment (EIAs), consultations and documentation planning.applications@failteireland.ie. This is our preferred method in receiving planning information/notifications etc. By using the email address it will ensure the information/notifications will get to the Manager of Environment & Planning (Mr Shane Dineen) & Team and will be reviewed in a timely manner by the Manager and the Environment & Planning Team.

Regards & thanks,

Yvonne

Yvonne Jackson

Product Development Environment & Planning Support | Fáilte Ireland
Aras Fáilte, 88/95 Amiens Street, Dublin 1, D01WR86
T +353 (0)1 854 7224 | M +353 (0) 860357590 | www.failteireland.ie



----- Original Message -----

From: ross@mclni.com
Received: Thu Mar 18 2021 13:49:30 GMT+0000 (Greenwich Mean Time)
To: customersupport@failteireland.ie
Subject: EIA Scoping Opinion Request

[ATTENTION] This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir/Madam,

Please find attached a letter detailing the request of a scoping opinion to be given on a proposed cross border community park and bridge straddling the River Foyle, incorporating lands immediately adjacent to Lifford and Strabane.

An Environmental Impact Assessment (EIA) Screening Report has also been attached, providing an explanation of all aspects of the proposal whilst also providing a comprehensive description of the aspects of the environment that have the potential to be significantly impacted by the proposed development.

I trust that the letter and Screening Report provide sufficient information for an opinion/feedback to be provided on the proposed development however if anything further is required please do not hesitate to ask.

Thank you for your time and I look forward to your response.

Kind regards,



Ross Anderson

Environmental Planning Consultant
MCL Consulting
p: 028 90 747 766 | m: 07719 958757
e:ross@mclni.com
w:www.mclni.com
a: Unit 5, Forty Eight North, 48 Duncrue Street,
Belfast, BT3 9BJ



Contaminated Land • Hydrogeology • Waste Management • Planning • Air, Noise & Odour • Hydrology • Flood Risk • Ecology • Geotechnical/Drilling • Topographical Surveys • Environmental Monitoring

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Ross Anderson

From: Brendan Maguire <Brendan.Maguire@fisheriesireland.ie>
Sent: 15 April 2021 09:13
To: Ross Anderson
Subject: Community Park

Ross

This appears to be the Loughs Agency area – not IFI

Kind Regards

Brendan

Brendan Maguire
Senior Fisheries Environmental Officer
Inland Fisheries Ireland – Ballyshannon

Iascach Intíre Éireann
Inland Fisheries Ireland
Tel + 353 (071) 98 51435
Fax +353 (071) 98 51816
Email Brendan.maguire@fisheriesireland.ie
Web www.fisheriesireland.ie

Station Road, Ballyshannon, Co. Donegal, IRELAND F94 WV76

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D'fhéadfaí go bhfuil an ríomhphost seo agus ceangaltáin ar bith atá in éineacht leis faoi rún agus iad beartaithe d'úsáid an duine a bhfuil a s(h)eoladh air amháin. Dearcthaí nó tuairimí ar bith atá curtha in iúl ann, baineann siad leis an údar amháin, agus ní chaithfidh go n-aontaíonn Iascaigh Intíre Éireann leo. Mura tusa faighteoir beartaithe an ríomhphoist seo, ná déan rud ar bith mar gheall ar an méid atá ann, ná é a chóipeáil ná é a thaispeáint do dhuine ar bith eile. Déan teagmháil leis an seoltóir, le do thoil, má chreideann tú go bhfuair tú an ríomhphost seo trí earráid.

Ross Anderson

From: CIE Group Property <Property.Dept@cie.ie>
Sent: 04 May 2021 13:22
To: Ross Anderson
Subject: FW: EIA Scoping Opinion Request
Attachments: Riverine Scoping Consultation - Córas Iompair Éireann.pdf; P2288 Screening Report - Riverine Community Park.pdf

Ross,

Thank you for your email which has been forwarded to CIE Group Property Management.

We have no comments to make at this time and wish you luck with your scheme.

Many thanks
Sinead



Sinéad Killeen,
Group Property Management

T: +353 (0)1 703 2932,
M: +353 (0)87 371 2889,
Curzon House, 35 Lower Abbey Street, Dublin 1, D01 H560
www.cie.ie

Driving Change for a Sustainable future

At Córas Iompair Éireann we believe in facilitating flexible working, so while it suits me to email now, I do not expect a response or action outside of your own working hours.

From: CIE INFO <info@cie.ie>
Sent: Tuesday 27 April 2021 09:18
To: CIE Group Property <Property.Dept@cie.ie>
Subject: FW: EIA Scoping Opinion Request

From: Ross Anderson <ross@mclni.com>
Sent: Monday 26 April 2021 11:32
To: CIE INFO <info@cie.ie>
Subject: FW: EIA Scoping Opinion Request

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Good morning,

Further to the previous email, I wish to follow up on the request for feedback on the attached proposal.

We would be very grateful to receive any feedback as it will help inform our final submission. If you have no comment to make at this stage I would also be grateful if you could confirm as such.

Kind regards,



Ross Anderson

Environmental Planning Consultant
MCL Consulting

p: 028 90 747 766 | m: 07719 958757
e:ross@mclni.com
w:www.mclni.com
a: Unit 5, Forty Eight North, 48 Duncrue Street,
Belfast, BT3 9BJ



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From: Ross Anderson
Sent: 18 March 2021 14:02
To: info@cie.ie
Subject: EIA Scoping Opinion Request

Dear Sir/Madam,

Please find attached a letter detailing the request of a scoping opinion to be given on a proposed cross border community park and bridge straddling the River Foyle, incorporating lands immediately adjacent to Lifford and Strabane.

An Environmental Impact Assessment (EIA) Screening Report has also been attached, providing an explanation of all aspects of the proposal whilst also providing a comprehensive description of the aspects of the environment that have the potential to be significantly impacted by the proposed development.

I trust that the letter and Screening Report provide sufficient information for an opinion/feedback to be provided on the proposed development however if anything further is required please do not hesitate to ask.

Thank you for your time and I look forward to your response.

Kind regards,



Ross Anderson

Environmental Planning Consultant
MCL Consulting

p: 028 90 747 766 | m: 07719 958757

e:ross@mclni.com

w:www.mclni.com

a: Unit 5, Forty Eight North, 48 Duncrue Street,
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Uisce Éireann
Bosca OP 6000
Baile Átha Cliath 1
D01 WA07
Éire

Irish Water
PO Box 6000
Dublin 1
D01 WA07
Ireland

T: +353 01 89 25000
T: +353 01 89 25001
www.water.ie

21st May 2021

Re: EIAR Scoping Request – Develop a crossborder community park straddling the River Foyle, incorporating a pedestrian and cycle bridge between Lifford and Strabane, Riverine Park Building, multi-functional outdoor space and external stage provision, play area, river walk and access, landscaped green-spaces interlaced with a network of pathways and cycleways, wetlands supported by car parking provision. Co. Donegal.

Dear Mr Anderson,

Irish Water (IW) has received notification of your request in respect of the Environmental Impact Assessment Report (EIAR) scoping for the proposed development in Co. Donegal

Please see attached our suggested scope in relation to Water Services. On receipt of the planning referral, Irish Water will review the EIAR as part of the planning process

Queries relating to the terms and observations above should be directed to planning@water.ie

Yours sincerely,

Signed on behalf of Irish Water:

PP: Ali Robinson

Yvonne Harris
Connections and Development Services

Response to EIAR Scoping Report Requests

IW currently does not have the capacity to advise on scoping of individual projects. However, in general we would like the following aspects of Water Services to be considered in the scope of an EIAR where relevant;

- a) Impacts of the development on the capacity of water services (do existing water services have the capacity to cater for the new development if required). This is confirmed by IW in the form of a Confirmation of Feasibility (COF). If a development will require a connection to either a public water supply or sewage collection system the developer is advised to submit a Pre Connection Enquiry (PCE) enquiry to IW to determine the feasibility of connection to the Irish Water network. All pre-connection enquiry forms are available from <https://www.water.ie/connections/get-connected/>
- b) Where the development proposal has the potential to impact an IW Drinking Water Source the applicant shall provide details of measures to be taken to ensure that there will be no negative impact to IWs Drinking Water Source during construction and operational phases of the development. It is a requirement of the Water Framework Directive that waters used for the abstraction of drinking water are protected so as to avoid deterioration in quality.
- c) Any up-grading of water services infrastructure that would be required to accommodate the development.
- d) In relation to a development that would discharge trade effluent – any upstream treatment or attenuation of discharges required prior to discharging to an IW collection network
- e) In relation to the management of surface water; the potential impact of surface water discharges to combined sewer networks & potential measures to minimise/stop surface waters from combined sewers
- f) Any physical impact on IW assets – reservoir, drinking water source, treatment works, pipes, pumping stations, discharges outfalls etc. including any relocation of assets
- g) If you are considering a development proposal, it is best practice to contact us in advance of designing your proposal to determine the location of public water services assets. Details, where known, can be obtained by emailing an Ordnance Survey map identifying the proposed location of your intended development to datarequests@water.ie. Other indicators or methodologies for identifying infrastructure located within your lands are the presence of registered wayleave agreements, visible manholes, vent stacks, valve chambers, marker posts etc. within the proposed site.
- h) Any potential impacts on the assimilative capacity of receiving waters in relation to IW discharge outfalls including changes in dispersion /circulation characterises

- i) Any potential impact on the contributing catchment of water sources either in terms of water abstraction for the development (and resultant potential impact on the capacity of the source) or the potential of the development to influence/present a risk to the quality of the water abstracted by IW for public supply.
- j) Where a development proposes to connect to an IW network and that network either abstracts water from or discharges waste water to a “protected”/sensitive area, consideration as to whether the integrity of the site/conservation objectives of the site would be compromised.
- k) Mitigation measures in relation to any of the above ensuring a zero risk to any IW drinking water sources (Surface and Ground water).

This is not an exhaustive list.

Please note

- The Confirmation of Feasibility from IW, to the applicant, should be issued prior to applying for planning permission.
- Irish Water will not accept new surface water discharges to combined sewer networks

Ross Anderson

From: Environmental Co-ordination (Inbox) <Environmental_Co-ordination@agriculture.gov.ie>
Sent: 28 April 2021 09:42
To: Ross Anderson
Subject: EIA Scoping Opinion Request

Good morning Ross,

The response from the Department of Agriculture Food and the Marine is the following:

DAFM have no concerns regarding agricultural activities and this proposal. However, DAFM would recommend that appropriate consideration be given regarding the Planning & Development Regulations, European Communities (Birds and Natural Habitats) (Amendment) Regulations and EIA Directives relating to Ecological receptors in the vicinity. Notably the Qualifying interests of proximal SAC or SPA sites associated with the study area, including mobile species such as Swans associated the River Foyle/Lifford area and their interaction with the proposed development.

Kind regards,

Breeda

Breeda Hennebry

Clerical Officer

An tAonad um Chomhordú Timpeallachta, An Rannóg um Athrú Aeráide agus Beartas Bithfhuinnimh,
Environmental Co-ordination Unit | Climate Change & Bioenergy Policy Division |

An Roinn Talmhaíochta, Bia agus Mara

Department of Agriculture, Food and the Marine

Pailliún A, Páirc Gnó Grattan, Bóthar Átha Cliath, Port Laoise, Co Laoise, R32 K857

Pavilion A, Grattan Business Park, Dublin Road, Portlaoise, Co Laois, R32 K857

T +353 (0)57 868 9914 environmentalco-ordination@agriculture.gov.ie

www.agriculture.gov.ie

From: Norton, Luke
Sent: 27 April 2021 12:39
To: Environmental Co-ordination (Inbox)
Subject: FW: EIA Scoping Opinion Request

Hello,

Please see query below received to our information email address, for direct reply. If this is not relevant to your area please let me know.

Thank you

Kind regards,

Luke Norton

An Roinn Talamhaíochta, Bia agus Mara
Department of Agriculture, Food and the Marine

An Teach Talmhaíochta, Sráid Chill Dara, Baile Átha Cliath 2, D02 WK12
Agriculture House, Kildare Street, Dublin 2, D02 WK12

T +353 (0)1 607 2082
www.agriculture.gov.ie

From: Ross Anderson [<mailto:ross@mclni.com>]
Sent: 26 April 2021 11:41
To: Info@agriculture.gov.ie
Subject: FW: EIA Scoping Opinion Request

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Good morning,

Further to the previous email, I wish to follow up on the request for feedback on the attached proposal.

We would be very grateful to receive any feedback as it will help inform our final submission. If you have no comment to make at this stage I would also be grateful if you could confirm as such.

Kind regards,



Ross Anderson

Environmental Planning Consultant
MCL Consulting

p: 028 90 747 766 | m: 07719 958757
e: ross@mclni.com
w: www.mclni.com
a: Unit 5, Forty Eight North, 48 Duncrue Street,
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From: Ross Anderson
Sent: 18 March 2021 14:15
To: info@agriculture.gov.ie
Subject: EIA Scoping Opinion Request

Dear Sir/Madam,

Please find attached a letter detailing the request of a scoping opinion to be given on a proposed cross border community park and bridge straddling the River Foyle, incorporating lands immediately adjacent to Lifford and Strabane.

An Environmental Impact Assessment (EIA) Screening Report has also been attached, providing an explanation of all aspects of the proposal whilst also providing a comprehensive description of the aspects of the environment that have the potential to be significantly impacted by the proposed development.

I trust that the letter and Screening Report provide sufficient information for an opinion/feedback to be provided on the proposed development however if anything further is required please do not hesitate to ask.

Thank you for your time and I look forward to your response.

Kind regards,



Ross Anderson

Environmental Planning Consultant
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An Roinn Talmhaíochta, Bia agus Mara

Tá an t-eolais san ríomhphost seo, agus in aon ceanglái leis, faoi phribhléid agus faoi rún agus le h-agmaigh an seolaí amháin. D'fhéadfadh ábhar an seoladh seo bheith faoi phribhléid profisiúnta nó dlíthiúil. Mura tusa an seolaí a bhí beartaithe leis an ríomhphost seo a fháil, tá cosc air, nó aon chuid de, a úsáid, a chóipeál, nó a scaoileadh. Má tháinig sé chugat de bharr dearmad, téigh i dteagmháil leis an seoltóir agus scríos an t-ábhar ó do ríomhaire le do thoil.

Ross Anderson

From: Manager DAU <Manager.DAU@housing.gov.ie>
Sent: 07 July 2021 16:21
To: Ross Anderson
Subject: RE: EIA Scoping Opinion Request

A Chara

The Department is not in a position to make specific Nature Conservation comment on this particular EIA Scoping Opinion request at this time. No inference should be drawn from this that the Department is satisfied or otherwise with the proposed activity. The Department may submit observations/recommendations at a later stage in the process.

Kind Regards
Sinéad

Sinéad O' Brien
Executive Officer

Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigí an Rialtais
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman Y35 AP90
Newtown Road, Wexford, County Wexford Y35 AP90

From: Ross Anderson [mailto:ross@mclni.com]
Sent: Tuesday 29 June 2021 10:05
To: Manager DAU <Manager.DAU@housing.gov.ie>
Subject: RE: EIA Scoping Opinion Request

Good morning,

As below, I gratefully received archaeological recommendations on the proposed Riverine Community Park project at Lifford/Strabane. I am also interested in receiving ecological recommendations from NPWS and am wondering if this is the correct email address to do that through?

I previously sent the attached to <manager.dau@chg.gov.ie> but have received no response. Apologies, I am not overly familiar with the scoping process in the South so any help on this would be gratefully appreciated.

Kind regards,

Ross

From: Manager DAU <Manager.DAU@housing.gov.ie>
Sent: 26 May 2021 17:09
To: Ross Anderson <ross@mclni.com>
Subject: RE: EIA Scoping Opinion Request

A Chara,

Please find attached Archaeological recommendations for the above mentioned pre-planning application.

Regards
Diarmuid

Diarmuid Buttimer
Executive Officer

Aonad na nIarratas ar Fhorbairt
Development Applications Unit

Oifigi an Rialtais

Government Offices

Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman Y35 AP90
Newtown Road, Wexford, County Wexford Y35 AP90

Diarmuid.Buttimer@housing.gov.ie

From: Ross Anderson [<mailto:ross@mclni.com>]
Sent: Monday 26 April 2021 11:25
To: manager.dau@chg.gov.ie
Subject: FW: EIA Scoping Opinion Request

Good morning,

Further to the previous email, I wish to follow up on the request for feedback on the attached proposal.

We would be very grateful to receive any feedback as it will help inform our final submission. If you have no comment to make at this stage I would also be grateful if you could confirm as such.

Kind regards,



Ross Anderson

Environmental Planning Consultant
MCL Consulting

p: 028 90 747 766 | m: 07719 958757
e: ross@mclni.com
w: www.mclni.com
a: Unit 5, Forty Eight North, 48 Duncrue Street,
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From: Ross Anderson
Sent: 18 March 2021 16:51
To: manager.dau@chg.gov.ie
Subject: EIA Scoping Opinion Request

Dear Sir/Madam,

Please find attached a letter detailing the request of a scoping opinion to be given on a proposed cross border community park and bridge straddling the River Foyle, incorporating lands immediately adjacent to Lifford and Strabane.

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I trust that the letter and Screening Report provide sufficient information for an opinion/feedback to be provided on the proposed development however if anything further is required please do not hesitate to ask.

Thank you for your time and I look forward to your response.

Kind regards,



Ross Anderson

Environmental Planning Consultant
MCL Consulting

p: 028 90 747 766 | m: 07719 958757
e: ross@mclni.com
w: www.mclni.com
a: Unit 5, Forty Eight North, 48 Duncrue Street,
Belfast, BT3 9BJ



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Deimhnítear leis an bhfo-nóta seo freisin go bhfuil an teachtaireacht ríomhphoist seo scuabtha le bogearraí frithvíorais chun víorais ríomhaire a aimsiú.

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Deimhnítear leis an bhfo-nóta seo freisin go bhfuil an teachtaireacht ríomhphoist seo scuabtha le bogearraí frithvíorais chun víorais ríomhaire a aimsiú.

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Ross Anderson
MCL Consulting
Unit 5, Forty 8 North
48 Duncrue Street
Belfast BT3 9BJ
Northern Ireland

06 May 2021

Re: Proposed Riverine Community Park, Strabane and Lifford, Co. Donegal - EIA Scoping Opinion Request

Your Ref: P2288

Our Ref: 21/114

Dear Ross,

Geological Survey Ireland is the national earth science agency and is a division of the Department of the Environment, Climate and Communications. We provide independent geological information and advice and gather various data for that purpose. Please see our [website](#) for data availability. .

With reference to your letter dated 18 March, concerning the proposed Riverine Community Park, Strabane and Lifford, Co. Donegal - EIA Scoping Opinion Request, Geological Survey Ireland would encourage use of and reference to our datasets. Please find attached a list of our publicly available datasets that may be useful to the EIA, SEA, planning and scoping processes. We recommend that you review this list and refer to any datasets you consider relevant to your environmental assessment and planning process. Use of our data or maps should be attributed correctly to 'Geological Survey Ireland'. Please note that our datasets are typically not 'all Island' and therefore we also recommend consideration of publicly available data for Northern Ireland. The remainder of this letter and following sections provide more detail on some of our datasets with reference to your scoping document.

Geoheritage

Geological Survey Ireland is in partnership with the National Parks and Wildlife Service (NPWS, Department of Housing, Local Government and Heritage), to identify and select important geological and geomorphological sites throughout the country for designation as geological NHAs (Natural Heritage Areas). This is addressed by the Geoheritage Programme of Geological Survey Ireland, under 16 different geological themes, in which the minimum number of scientifically significant sites that best represent the theme are rigorously selected by a panel of theme experts.

County Geological Sites (CGSs), as adopted under the National Heritage Plan, include additional sites that may also be of national importance, but which were not selected as the very best examples for NHA designation. All geological heritage sites identified by Geological Survey Ireland are categorised as CGS pending any further NHA designation by NPWS. CGSs are now routinely included in County Development Plans and in the GIS of planning departments, to ensure the recognition and appropriate protection of geological heritage within the planning system. CGSs can be viewed online under the Geological Heritage tab on the online [Map Viewer](#).

The audit for Co. Donegal was published in November 2020 and the full report details can be found [here](#). The audit of County Geological Sites in Donegal is a compilation of two reports:

- An audit of County Geological and Geomorphological Sites in north Donegal carried out by Ronan Hennessy, Robert Meehan, Vincent Gallagher, Matthew Parkes and Sarah Gatley on behalf of Geological Survey Ireland; and
- An audit of County Geological Sites in south Donegal carried out by Malcolm McClure, Vincent Gallagher, Robert Meehan and Sarah Gatley on behalf of Geological Survey Ireland.

Our records show that there are no CGSs in the vicinity of the proposed Riverine Park on the Co. Donegal side of the river.



Groundwater

Geological Survey Ireland's [Groundwater and Geothermal Unit](#), provides advice, data and maps relating to groundwater distribution, quality and use, which is especially relevant for safe and secure drinking water supplies and healthy ecosystems.

Proposed developments need to consider any potential impact on specific groundwater abstractions and on groundwater resources in general. We recommend using the groundwater maps on our [Map viewer](#), which should include: wells; drinking water source protection areas; the national map suite - aquifer, groundwater vulnerability, groundwater recharge and subsoil permeability maps. For areas underlain by limestone, please refer to the karst specific data layers (karst features, tracer test database; turlough water levels (gwlevel.ie)). Background information is also provided in the Groundwater Body Descriptions. Please read all disclaimers carefully when using Geological Survey Ireland data.

The Groundwater Data Viewer indicates a 'Locally important gravel aquifer' underlies the proposed development. The Groundwater Vulnerability map indicates the area covered is classed as High.

Geological Mapping

Geological Survey Ireland maintains online datasets of bedrock and subsoils geological mapping that are reliable and accessible. We would encourage you to use these data which can be found [here](#), in your future assessments.

Geotechnical Database Resources

Geological Survey Ireland continues to populate and develop our national geotechnical database and viewer with site investigation data submitted voluntarily by industry. The current database holding is over 7500 reports with 134,000 boreholes; 31,000 of which are digitised which can be accessed through downloads from our [Geotechnical Map Viewer](#). We would encourage the use of this database as part of any baseline geological assessment of the proposed development as it can provide invaluable baseline data for the region or vicinity of proposed development areas. This information may be beneficial and cost saving for any site-specific investigations that may be designed as part of the project.

Geohazards

Geohazards can cause widespread damage to landscapes, wildlife, human property and human life. In Ireland, landslides, flooding and coastal erosion are the most prevalent of these hazards. We recommend that geohazards be taken into consideration, especially when developing areas where these risks are prevalent, and we encourage the use of our data when doing so.

Geological Survey Ireland has information available on landslides in Ireland via the National Landslide Database and Landslide Susceptibility Map both of which are available for viewing on our dedicated [Map Viewer](#). Associated guidance documentation relating to the National Landslide Susceptibility Map is also available.

Natural Resources (Minerals/Aggregates)

Geological Survey Ireland provides data, maps, interpretations and advice on matters related to minerals, their use and their development in our [Minerals section](#) of the website. The Active Quarries, Mineral Localities and the Aggregate Potential maps are available on our [Map Viewer](#).

We would recommend use of the Aggregate Potential Mapping viewer to identify areas of High to Very High source aggregate potential within the area. In keeping with a sustainable approach we would recommend use of our data and mapping viewers to identify and ensure that natural resources used in the development, are sustainably sourced from properly recognised and licensed facilities, and that consideration of future resource sterilization is considered.

Other Comments

Should development go ahead, all other factors considered, Geological Survey Ireland would much appreciate a copy of reports detailing any site investigations carried out.



An Roinn Comhshaoil,
Aeráide agus Cumarsáide
Department of the Environment,
Climate and Communications



Geological Survey
Suirbhéireacht Gheolaíochta
Ireland | Éireann

The data would be added to Geological Survey Ireland's national database of site investigation boreholes, implemented to provide a better service to the civil engineering sector. Data can be sent to Beatriz Mozo, Geological Mapping Unit, at Beatriz.Mozo@gsi.ie, 01-678 2795.

I hope that these comments are of assistance, and if we can be of any further help, please do not hesitate to contact me Clare Glanville, or my colleague Trish Smullen at GSIPanning@gsi.ie.

Yours sincerely,

Clare Glanville
Senior Geologist
Geological Survey Ireland

Enc: Table - Geological Survey Ireland's Publicly Available Datasets Relevant to Planning, EIA and SEA processes.

Appendix 4-3

Scoping Responses - NI



Historic Environment Division
Ground Floor, 9 Lanyon Place
Town Parks
Belfast
BT1 3LP

Tel: 028 9082 3100
Email:
HEDPlanning.General@communities-
ni.gov.uk

Date: 11 August 2020

Dear Sir/Madam

Planning Application Ref.: LA11/2020/0446/PAD

Location: Park Road
Strabane
Co. Tyrone
BT82 0AN

Proposal: Riverine Community Park will comprise multi-functional internal and external spaces including a modern community park building, new pedestrian and cycle bridge (between Strabane & Lifford), Car parking, River walks, wetland and park space viewing and family play areas to promote enjoyment of the rich ecology of the local area. The completed project will be designed to incorporate the principles of sustainability and low environmental impact both during and after construction.

Thank you for your consultation on the above application, received by DfC on 22/07/2020

Historic Environment Division (HED) has reviewed the details of the application and provides summary comments as follows:

Archaeology and Built Heritage

HED (Historic Monuments) would require an Archaeological Impact Assessment (AIA) with a particular focus on the Industrial Heritage features located within the immediate area, to be submitted with any subsequent planning application for this site. The AIA should be prepared by a professional archaeologist/archaeological consultancy

Should you seek further clarification on any of the issues raised in this response, please do not hesitate to contact the HED Planning Team.

Kind Regards

Historic Environment Division

Issued on behalf of Department for Communities

Archaeology & Built Heritage

Section Reference SM11/1 IHR 00017:181:00

Consideration

There are a number of archaeological sites and monuments recorded within the application site that relate to the GNR Portadown to Londonderry Line (IHR 00017:000:00) which is shown to cut through the application site on historic maps. It is also worth noting that a large dugout canoe (TYR 04: 10) which is presumably prehistoric, was uncovered on the banks of the Foyle close to the application site.

Historic Environment Division (Historic Monuments) would require an Archaeological Impact Assessment (AIA) with a particular focus on the Industrial Heritage features located within the immediate area, to be submitted with any subsequent planning application for this site. The AIA should be prepared by a professional archaeologist/archaeological consultancy and include:

1. A detailed desk-based assessment of the potential impacts of the proposed development on the archaeological sites and monuments and related historic environment assets and areas located within, and within an appropriate study area around, the proposed development site. This should include reference to any relevant information held in the National Monuments and Buildings Record; a comprehensive historic map review; information of archaeological sites, monuments, artefacts or related heritage assets held by the Ulster Museum or PRONI; a review of previous archaeological investigations in the area; and any other relevant sources. The assessment should include field inspection(s) of the application site to identify any other previously unrecorded, upstanding archaeological remains, and to assess the archaeological potential of the site.
2. An assessment of the potential impacts of this development on those known archaeological sites and monuments and related historic environment assets located within the development site and an appropriate study area, and upon their settings. Reference should be made to the relevant planning policy protections contained in *Planning Policy Statement 6 – Planning, Archaeology and the Built Heritage*, and note any potential statutory consent requirements associated with Scheduled or State Care sites. The HED document [Guidance on Setting and the Historic Environment](#) contains advice on the assessment of the settings of heritage assets and the potential impacts of development proposals upon them.
3. An archaeological mitigation strategy, to identify any previously unrecorded archaeological remains within the development area. The mitigation strategy should include options for preservation of archaeological remains *in-situ*, or for the appropriate identification and excavation recording of remains where preservation *in-situ* cannot be achieved. The mitigation strategy should also make provisions for works

that may be necessary after the field work is completed. This may include post-excavation processing and analysis of the archaeological material retrieved, preparation of specialist reports, archiving and the preparation of a final report.

Informative

- Please refer to the HED guidance document [Development and Archaeology: Guidance on Archaeological Works in the Planning Process](#).

Infrastructure Planning
Westland House
Old Westland Road
Belfast
BT41 6TE

Tel: 028 90354813 Ext 20646
www.niwater.com



Derry and Strabane
Local Planning Office
Orchard House
40 Foyle Street
Londonderry
BT48 6AT

Your Ref:
LA11/2020/0446/PAD

Our Ref:

Date: 4 August 2020

Dear Sir / Madam.

PLANNING CONSULTATION REFERENCE – LA11/2020/0446/PAD

NI Water would advise as follows –

This proposed development would not have a significant impact on existing NI Water infrastructure. Consultation with NIW is required at an early design stage by means of a Pre-development Enquiry to determine how this proposal may be served.

Yours faithfully

Alan Moore
Infrastructure Planning

Derry and Strabane
Local Planning Office
98 Strand Road
Derry
BT48 6AT

27 August 2020

Dear Sir/Madam

Planning Application: LA11/2020/0446/PAD - Riverine Community Park will comprise multi-functional internal and external spaces including a modern community park building, new pedestrian and cycle bridge (between Strabane & Lifford), Car parking, River walks, wetland and park space viewing and family play areas to promote enjoyment of the rich ecology of the local area. The completed project will be designed to incorporate the principles of sustainability and low environmental impact both during and after construction at Park Road Strabane Co. Tyrone, BT82 0AN.

Thank you for your recent correspondence dated 22 July 2020 in relation to the above-mentioned proposed development. The Loughs Agency is the statutory body charged with the conservation, protection and development of inland fisheries within the Foyle and Carlingford systems, the promotion of development of Loughs Foyle and Carlingford, and catchments for

commercial and recreational purposes in respect of marine, fisheries and aquaculture issues and the development of marine tourism.

The Loughs Agency has considered the information provided and would like to outline the potential impacts from this development. Such impacts could include:

- Increases in silt and sediment loads resulting from construction works
- Point source pollution incidents during construction
- Overloading of existing WWTW infrastructure

CONDITIONS

The Loughs Agency requests that all storm water from the development site should not be discharged to nearby watercourses unless first passed through pollution interception and flow attenuation measures. Storm water can carry pollutants into watercourses and high volume discharges can alter the prevailing hydrological regime, both of which can impact on fisheries interests. **REASON: To prevent pollution of surface waters which is detrimental to fisheries.**

Loughs Agency request that work methods and materials must not impinge upon any nearby watercourses. The use of cement/concrete on site will require careful management. While they are versatile building materials, they are also highly toxic to aquatic life and therefore must be kept out of all drains and watercourses. **REASON: To prevent pollution of surface waters which is detrimental to fisheries.**

It is essential that silt traps and settlement ponds are utilised and are capable of settling out materials prior to discharge off site. The traps and ponds must be regularly inspected and maintained accordingly. **REASON: To prevent pollution of surface waters which is detrimental to fisheries.**

Loughs Agency would prefer that bridge construction would not require any disturbance to the river channel and bed. This would ideally mean support platforms being constructed beyond the river bank and associated levees. No in-stream works shall be carried out without the consent of the Loughs Agency. **REASON: To ensure fisheries protection during sensitive periods.**

Any proposed lighting should take into account all species of fish that migrate in the area. **REASON: Artificial light can be a migration barrier to some fish species.**

INFORMATIVES

Should for any reason, oil or fuel be stored in the area, it must be kept in a bunded area (providing 110% capacity of the largest stored unit), 100m from any watercourse that appears on a 1:10 000 O.S. map of the site.

The applicant should demonstrate best environmental practice when working close to watercourses. The potential for deleterious matter to enter a watercourse is of primary concern. Impacts on the aquatic environment such as a decrease in water quality can cause a significant impact upon various life history stages of fish species.

The River Foyle is a popular and important river for both angling and marine tourism. Loughs Agency requests that the development does not hinder access for anglers or other river users during the construction phase and welcomes the improved access infrastructure (riverside pathways, slipway to the river, fully accessible angling stand and environmental education facilities) included within the proposed plan.

It is an offence to remove or disturb any material, including sand or gravel from the bed of any freshwater river within the Foyle and Carlingford Areas without the consent of the Loughs Agency contrary to Section 46 of the Foyle Fisheries Act (NI) 1952, as amended by Article 18(3) of the Foyle and Carlingford Fisheries (NI) Order 2007.

The applicant should also be aware that it is an offence under section 41 of the Foyle Fisheries Act (1952) to cause pollution which is detrimental to fisheries interests.

Yours sincerely



Caitriona Downey
Environmental Officer

On behalf of the Loughs Agency



PLANNING APPLICATION CONSULTATION CHECKLIST

Planning Application Ref No.: LA11/2020/0446/PAD Date Received: 22nd July 2020

Proposal: Riverine Community Park will comprise multi-functional internal and external spaces including a modern community park building, new pedestrian and cycle bridge (between Strabane & Lifford), Car parking, River walks, wetland and park space viewing and family play areas to promote enjoyment of the rich ecology of the local area. The completed project will be designed to incorporate the principles of sustainability and low environmental impact both during and after construction at Park Road Strabane Co. Tyrone BT82 0AN

		COMMENTS
<u>NOISE (includes vibration)</u>		
Does the proposal have the potential to adversely impact on amenity due to noise?	Y	See attached comments
Is the proposal likely to be adversely affected by noise?	N	
<u>AIR POLLUTION</u>		
Does the proposal have the potential to adversely impact on amenity due to air pollution (eg odour, dust)?	Y	See attached comments
Is the proposal likely to be adversely affected by air pollution?	N	
<u>GENERAL AMENITY</u>		
Does the proposal have the potential to adversely impact on amenity due to vermin, insect or litter problems etc?	N	
Is the proposal likely to be adversely affected by vermin, insects or litter etc?	N	
<u>AMBIENT AIR QUALITY</u>		
Does the proposal have the potential to have an adverse impact on ambient air quality?	N	
Is the proposal likely to be adversely affected by ambient air quality?	N	
<u>CONTAMINATED LAND</u>		
To the best of the officer's knowledge is the site potentially contaminated either as a result of:		See attached comments
• a previous use of the site	Y	
• use, or a previous use, of adjacent land where there may be the possibility of migration of contaminants	N	
• naturally occurring levels of contamination, excluding Radon ?	N	

<u>OTHER CONSIDERATIONS</u>		
Does the proposal have the potential to adversely impact on local amenity due to other Environmental Health considerations?	Y	See attached comments

Is application for proposal accompanied by an Environmental Statement (ES)?	N	
Has ES been considered?	N	
Has 3 rd party (eg objector/NIEA) comment been received?	N	
Has 3 rd party (eg objector/NIEA) comment been considered?	N	
Should other agencies be involved as additional consultees? eg NIEA, Land & Groundwater Team, IPRI, HSENI, etc.	Y	NIEA Land and Groundwater Team

ENVIRONMENTAL HEALTH SERVICE - RECOMMENDATION ON APPLICATION

	Tick ✓	Comment
No Issues of Concern Arising		(e.g. see attached informative)
Essential Information Not Provided		
Substantive Response Provided	✓	See attached comments
Considered - No Comment Necessary		
Superseded by Further Consultation		
Issues to be Addressed in Future ES		
Issues to be Addressed in a Future Application		
Consulted in Error		

Issued on behalf of the Environmental Health Service

Date: 11th August 2020

NOTE: Any consultation response provided by the Environmental Health Service is based on: information supplied by the applicant, and other information currently available.

ADDITIONAL ENVIRONMENTAL HEALTH COMMENTS

The Environmental Health Service has considered the consultation letter from the Planning Department dated 22nd July 2020 in relation to the PAD application and would advise that it has no objections in principle to the proposal but would make the following comments;

It is noted that planning permission was previously sought for this site under planning reference J/2011/0433/O for a similar project. Comments provided by consultees with regards to this previous application may be applicable to this proposal should an application to develop this site be submitted to the Planning Department.

Contaminated Land

Information available to the Environmental Health Service indicates that part of the proposed site is located in close proximity to lands previously used as a railway line. In view of this information the Environmental Health Service would advise that consideration should be given to the past land uses in the vicinity of the site and the risks they may have to end users should the applicant apply for planning permission. The applicant may wish to liaise with an Environmental Consultancy in relation to this proposal.

The applicant shall also ensure that prior to any construction commencing an appropriate health and safety plan is put in place to ensure that the health and safety implications of working with potentially contaminated groundwater and soils have been fully considered and appropriate PPE provided to all construction workers.

Invasive Species

The applicant should be made aware that there is a potential for parts of the proposed site to be populated with Japanese Knotweed and Himalayan Balsam. Prior to any works being undertaken at the site the applicant should survey the whole site for the presence of Japanese Knotweed and Himalayan Balsam and submit a management plan providing full details in relation to its eradication and/or control.

The Planning Department may wish to contact the Northern Ireland Environment Agency for further advice/guidance in relation to invasive species.

Construction Noise and Dust

Due to the sensitive nature of the site, specifically the proximity of numerous sensitive receptors to the proposed development site, the Environmental Health Service would recommend that the applicant submits a CEMP(Construction Environmental Management Plan) which should include details of mitigation measures to be implemented during the construction phase of development to control noise, vibration and dust impact upon residential amenity and protect the wider environment.

. The plan should include, but not be limited to:

- A construction method statement for each phase of development.
- Procedures for maintaining good public relations including complaint management, public consultation and liaison.
- Arrangements for liaison with the Derry City and Strabane District Council's Environmental Health Services Environment and Neighbourhoods Team.
- Deliveries to and removal of plant, equipment, machinery and waste from the site to take place within permitted hours.
- Mitigation measures as defined in BS 5228: 2009 +A1:2014 Noise and Vibration Control on Construction and Open Sites – Part 1: Noise, shall be used to minimise noise and vibration disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.

Light Pollution

Any lighting associated with the proposal has the potential to have a negative impact on the use and enjoyment of nearby residential properties. The Environmental

Health Service would advised that all lighting associated with the proposal should be optically controlled and directed in such a manner as to minimise light pollution from glare and spill. Guidance notes for the reduction of light pollution can be obtained from the institution of Lighting Engineers, Lennox House, 9 Lawford Road, Rugby, Warwickshire, CV212DZ available at <https://www.theilp.org.uk/documents/obtrusive-light/>

COVID-19

The comments provided are made in the absence of a site visit due to the ongoing Coronavirus situation and based on information available from online resources e.g. Googlemaps, Streetview, Spatial, PRONI historical maps etc.

Consultation Response

Application Ref: LA11/2020/0446/PAD*

Date of Response: 26th August 2020

In response to consultation dated 22nd July 2020 comprising Drawings 01, 02, 8No Photographs, Further Description and Pad request form, DfI Roads has the following comments:

As submitted, Drawing 02 is almost identical to the proposed layout submitted for LA11/2017/0443/PAD. The only differences appears to be comments in two yellow boxes stating site areas on the Strabane and Lifford sides of the river and a reduction in red line outline to the east.

The layout also does not reflect subsequent communications with DfI's A5WTC team in 2017 and 2019.

Therefore our 15th May 2017 response to Council for LA11/2017/0443/PAD still stands and Council is advised to contact Manny Gault, DfI Roads A5WTC SRI Project Manager to discuss the proposal.

DfI Roads and A5WTC SRI Team colleagues are available to discuss this proposal by arrangement and would request that Council, as Applicant, and its consultant team attend as well.

*Issued on behalf of DfI Roads – Western Division
Development Control Section,*

L McWilliams

26th August 2020
Date

* As a PAD request, this consultation is not subject to Council's 21 day response target.

DfI Rivers Planning Advisory Unit

FAO Sarah Barrett
Derry City and Strabane District Council
Planning Department
98 Strand Road,
Derry
BT48 7NN

44 Seagoe Industrial Estate
CRAIGAVON
Co. Armagh
BT63 5QE
Tel: 028 3839 9118

Your Ref: LA11/2020/0446/PAD
Our Ref: IN1-20-10413

Date: 12/08/2020

Dear Madam,

Re: Riverine Community Park at Park Road, Strabane.

Thank you for your consultation dated 22nd July 2020 regarding the above proposal. DfI Rivers have assessed the application and our comments are as follows:-

PPS15 Policy FLD 1 Development in Fluvial (River) and Coastal Flood Plains

Flood Map (NI) indicates that the site lies within the 1 in 100 year fluvial flood plain which has a level of 4.83.

PPS 15, FLD 1, states that the Planning Authority will not permit development within flood plains unless it meets the 'Exceptions Test'. If the Planning Authority deems this to be an exception under FLD 1 DfI Rivers would request that the applicant carries out a Flood Risk Assessment to demonstrate that all sources of flood risk to and from the proposed development have been identified; and there are adequate measures to manage and mitigate any increase in flood risk arising from the development. The Planning Authority should refer to PPS 15, Annex D, paragraph D7.

The planning authority should be aware that the Department for Infrastructure updated its Technical Flood Risk Guidance in relation to allowances for climate change in Northern Ireland on 25th February 2020.

The Flood Hazard Map (NI) shows the predicted 1 in 100 year climate change flood level to be 5.41.

The Guidance and associated documentation can be accessed or downloaded via the Department for Infrastructure's web page as follows:- <https://www.infrastructure-ni.gov.uk/publications/technical-flood-risk-guidance-relation-allowances-climate-change-northern-ireland>

PPS15 Policy FLD 2 Protection of Flood Defence and Drainage Infrastructure

The site contains a number watercourses designated under the terms of the Drainage Order Northern Ireland 1973.

1. The River Foyle flows adjacent to the western boundary.
2. The Nancy Burn traverses the site at its northern section.
3. The Park Road Drain flows adjacent to the eastern boundary.

Under 6.32 of the policy a maintenance strip is required. The applicant should contact the local DfI Rivers area staff to establish their needs. The maintenance strip should be level, marked up on all layout drawings and be protected from impediments (including tree planting permanent fencing and sheds), land raising or future unapproved development by way of a planning condition. Clear access and egress should be provided at all times

The site may be affected by undesignated watercourses of which we have no record, in the event of an undesignated watercourse being discovered, Policy FLD 2 will apply.

PPS15 Policy FLD 3 Development and Surface Water (Pluvial) Flood Risk Outside Flood Plains

PPS 15 FLD3 states that a drainage assessment will be required for all development proposals that exceed the following thresholds:

1. Residential development comprising 10 dwelling units or more.
2. A Development site in excess of 1 hectare.
3. New hard-surfacing exceeding 1000m².

As this application exceeds **point 2** of these thresholds, DfI Rivers would require the submission of a drainage assessment as part of a new consultation for our consideration. The drainage assessment should be appropriate to the scale and nature of the proposed development and the risks involved.

In carrying out the drainage assessment the applicant should acquire from the relevant authority evidence that the proposed storm water run-off from the site can be safely discharged. If the proposal is to discharge into a watercourse then an application should be made to the local DfI Rivers office for consent to discharge storm water under Schedule 6 of the Drainage (NI) Order 1973.

If it is proposed to discharge storm water into an NI Water system then a Pre-Development Enquiry should be made and if a simple solution cannot be identified then a Network Capacity Check should be carried out.

Correspondence with both authorities should be included in the drainage assessment regardless of the outcome.

Detailed guidance on the aims and content of a Drainage Assessment can be found in Planning Policy Statement (Planning and Flood Risk) – Annex D.

PPS15 Policy FLD 4 Artificial Modification of Watercourses

This policy may be applicable to this site. Under FLD 4 of Planning Policy Statement 15, artificial modification of a watercourse is normally not permitted unless it is necessary to provide access to a development site or for engineering reasons. This is a matter for the Planning Authority.

Any culverting approved by the Planning Authority will also be subject to approval from DfI Rivers under Schedule 6 of the Drainage Order 1973. These two approvals do not go hand in hand.

PPS15 Policy FLD 5 Development in Proximity to Reservoirs

Not applicable based on the information provided.

Under the terms of Schedule 6 of the Drainage (Northern Ireland) Order 1973 the applicant must submit to DfI Rivers, for its consent for any proposal to carry out works which might affect a watercourse such as culverting, bridging, diversion, building adjacent to or discharge of storm water etc. Failure to obtain such consent prior to carrying out such proposals is an offence under the aforementioned Order which may lead to prosecution or statutory action as provided for.

I trust you find the foregoing to be helpful but should you require any further information or clarification please contact me at the above address.

Please quote our reference number above on any future correspondence.

Yours faithfully,

Trevor Mills
Planning Advisory and Modelling Unit

Planning Response Team
Klondyke Building
Cromac Avenue
Gasworks Business Park
Lower Ormeau Road
Belfast BT7 2JA
Telephone: 028 9056 9604

Date: 17 December 2020

Dear Sir/Madam,

Planning Application Ref.: LA11/2020/0446/PAD

Location: Park Road
Strabane
Co. Tyrone
BT82 0AN

Proposal:

Riverine Community Park will comprise multi-functional internal and external spaces including a modern community park building, new pedestrian and cycle bridge (between Strabane & Lifford), Car parking, River walks, wetland and park space viewing and family play areas to promote enjoyment of the rich ecology of the local area. The completed project will be designed to incorporate the principles of sustainability and low environmental impact both during and after construction.

Thank you for your consultation on the above which was received by the Department on 22/07/2020.

This letter provides a single combined response for your consultation request across all of DAERA's area of environmental responsibility. Summary comments in relation to the reason for consultation are provided in the table below at Annex A, and, where appropriate, more detailed advice is enclosed and attached to this letter.

Sustainability at the heart of a living, working, active landscape valued by everyone.

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.



You should be aware that, in the absence of comment, no inference can be made on DAERA's position with regard to other environmental matters. It is the responsibility of the planning authority to ensure that all risks to the environment and requirements under environmental legislation and planning policy have been considered.

This advice and guidance will enable you to identify and consider if there are other potential risks to the environment due to impacts from the construction and operation of the proposed development and also its location.

In addition, we would also refer you to DAERA's published advice and guidance on development proposals where there is potential for effects on the natural and marine environments and fisheries interests, available at: <https://www.daera-ni.gov.uk/topics/environmental-advice-planning>.

As the Planning Authority is the competent authority under The Conservation (Natural Habitats, etc.) Regulations 1995 (as amended), this responsibility extends to the carrying out of Habitat Regulations Assessments (HRAs) before a planning decision is made.

Should you require assistance or if you wish to discuss anything further, please do not hesitate to contact the Planning Response Team using the contact details below.

Kind regards.

Planning Response Team

On behalf of DAERA

Email: planningresponse.team@daera-ni.gov.uk

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Annex A

Advice Provided By:	Summary
Marine and Fisheries Division	Marine and Fisheries Division would like the applicant to consider the points contained in the full response.
Water Management Unit and Inland Fisheries	At the pre-application stage of a development there is limited information about the circumstances, scope and nature of the project and therefore Water Management Unit can only provide 'general' advice.
Regulation Unit	It is advised that the applicant should consult the NIEA Historical Land Use layer and other available sources of information, to identify current and previous industrial land uses of the application site and in the surrounding area (within 250 meters) that may have caused the land at the site to become contaminated.
Natural Environment Division	NED recommendations regarding designated and protected sites, habitats and species.

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If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.



Coastal Development

Planning Reference No.: LA11/2020/0446/PAD

Section Reference: N/A

Key environmental considerations

Designated Sites

The proposal has the potential to have an impact on the following marine designated sites.

- Lough Foyle SPA, which is designated under the EC Birds Directive (79/409/EEC on the conservation of wild birds);
- Lough Foyle Ramsar site, which is designated under the Ramsar Convention, and
- Lough Foyle ASSI, which is declared under the Environment Order (Northern Ireland) 2002.

European Sites

In accordance with Regulation 43(1) of the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), the Competent Authority must assess how these works, either alone or in combination, are likely to have a significant effect on the *Natura 2000* sites and their selection features.

In relation to the Habitats Regulations Assessment for this plan/ project recent advice, relating to SACs which have seals as a site selection feature, recommends the following ranges should be used when screening for either Harbour (common) or Grey Seals:

- all SACs within 135km of the project should be screened for Grey Seals (*Halichoerus grypus*) and
- all SACs within 50km should be screened for Harbour Seals (*Phoca vitulina*).

In this case The Maidens SAC (designated for Grey seals) should be included in the screening process.

Coastal Development

ASSIs

Under Part IV of Environment Order (Northern Ireland) 2002; the Planning Authority shall take reasonable steps, consistent with the proper exercise of the body's functions, to further the conservation and enhancement of the flora, fauna or geological, physiographical or other features by reason of which the ASSI is of special scientific interest.

Protected Species

The proposal has the potential to impact on the following protected species

- All cetacean species, which are protected under The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended);
- Harbour (common) seal (*Phoca vitulina*), Grey seal (*Halichoerus grypus*) and Basking shark (*Cetorhinus maximus*), which are protected under The Wildlife (Northern Ireland) Order 1985 (as amended)

European protected species

Under Regulation 3(4) of The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended); every competent authority in the exercise of any of its functions shall have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions. The Planning Authority must consider whether the strict protection afforded to these European Protected Species will be breached by the development proposal.

National Protected Species

Under Article 10 of the Wildlife (Northern Ireland) Order 1985 (as amended) it is an offence to intentionally or recklessly capture, injure or kill a wild animal included in Schedule 5 of this Order and/ or intentionally or recklessly disturb the harbour (common) seal (*Phoca vitulina*), grey seal (*Halichoerus grypus*) and basking shark (*Cetorhinus maximus*). Under Planning Policy Statement 2 Natural Heritage 2, 5.3, 'the presence of species protected by legislation is a material consideration when a planning authority is considering a development proposal that if carried out, would be likely to result in harm to the species or its habitats. Planning permission will only be granted for a development proposal that is not likely to harm any

Coastal Development

other statutorily protected species and which can be adequately mitigated or compensated against'.

It is unlikely that a cetacean will travel to this location, however seals have been known to enter river systems in search of food. Therefore the presence of marine mammals should be taken into consideration when assessing potential impacts of noise created during construction. Care must also be taken to ensure animals do not become trapped as a result of any works occurring within the aquatic environment.

Marine non-native species

Where works are required below the high water mark, consideration should be given to the potential impact of marine non-native species. Any vessels used for the proposal should be subject to robust biosecurity measures to avoid the release or spread of non-native marine species.

Environmental information required

Proposals should include robust assessments of potential impacts to marine habitats and species. Any potential impacts should be avoided and or mitigated using best practice design and construction methods.

Where mitigation is required, this should be given in full detail at application stage.

Further guidance

Marine Licensing

The applicant should be made aware that all construction or deposition works below the Mean High Water Spring Tide (MHWST) mark are subject to licensing under the Marine and Coastal Access Act 2009. As elements of the construction in this proposal are on/in or above the licensable area, for example, the proposed footbridge; contact must be made with the Marine Licensing Team, DAERA Marine and Fisheries Division, 1st Floor, Klondyke Building, Gasworks Business Park, Cromac Avenue, Belfast BT7 2JA, Tel: 028 90569247 to apply for a Marine Construction Licence.

Coastal Development

Marine and Fisheries Division would welcome attendance at any pre-application discussion meetings to provide guidance to the applicant with the licensing process and with scoping any potential considerations which may need to be included in an EIA if required.

The applicant should be aware that it is an offence under the Marine and Coastal Access Act 2009 to carry out a licensable marine activity except in accordance with a marine licence granted by the DAERA Marine and Fisheries Division. Conviction of such an offence may incur a fine of up to £50,000 and/or two years imprisonment.

Fisheries

The applicant is reminded of Section 47 of the Fisheries Act (NI) 1966, which covers the applicant's responsibilities relating to penalties for pollution and the consequences of causing or permitting the release of any deleterious material into any waters.

Standing Advice

The applicant's attention is also drawn to the following links which provide advice to be considered:

- [Planning in the Coastal Area](#)
- [Standing advice for development that may have an effect on the water environment \(including groundwater and fisheries\)](#)
- [Marine Wildlife Licensing](#)
- [Marine Wildlife Disturbance](#)
- [Marine Biosecurity Planning Guidance](#)
- [Marine Map Viewer](#)

Natural Heritage.

Section Reference: CB29156-1.

Planning Reference No. LA11/2020/0446/PAD

Consultation Date: 17 December 2020.

Considerations.

NIEA Natural Environment Division (NED) has only carried out a desktop assessment. Please note that this proposal may be subject to the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended), known as the Habitats Regulations, the Wildlife (Northern Ireland) Order 1985 (as amended) and the Environment (Northern Ireland) Order 2002 (as amended).

Explanatory Note.

NED acknowledges receipt of AnnexA Pre Application Discussion Model Request Proforma, Description of the Proposed Development, site photographs, drawings 01 and 02.

Designated Sites.

From the data NED currently holds:

The application site is within the River Foyle and Tributaries Area of Special Scientific Interest (ASSI) and the River Foyle and Tributaries Special Area of Conservation (SAC), hereafter referred to as designated sites, which are of international and/or national importance and are protected by the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended) and/or the Environment (Northern Ireland) Order 2002 (as amended).

NED response does not provide a full assessment of the information provided for Pre-Application Discussion purposes. The proposal has potential to indirectly impact the designated site features. Shared Environmental Service provides Habitat Regulations Assessments for Derry City and Strabane District Council (DCSDC)

NED advises it is likely that at full planning application stage that the further information below will be requested by the competent authority to enable a determination of the potential impacts on the designated sites.

1. An outline Construction Environmental Management Plan should be submitted by the applicant / approved contractor. Such measures should be incorporated in method statements which should identify the perceived risks to the aquatic environment, identify potential pollution pathways, and the mitigation measures to be employed which will negate the risk to any aquatic environment. For example:

- Site Drainage Management Plan; including Sustainable Drainage Systems (SuDS), foul water disposal and silt management measures;
- Pollution Prevention Plan; including
- A suitable buffer between location of any refuelling, storage of oil/fuel, concrete mixing and washing areas and any watercourses or surface drains present on site or adjacent to site.

- Regular inspections of machinery on site.
- Emergency spill procedures in place.
- A suitable buffer between location for storage of excavated spoil and construction materials and any watercourses or surface drain present on site or adjacent to the site.
- A Water Quality Monitoring Plan.
- An Environmental Emergency Plan.

This list is not exhaustive but should merely be used as a starting point for considerations to be made.

Other Natural Heritage Issues.

NED notes that the site contains buildings, grassland, hardstanding, hedgerows, scrub, woodland and part of the River Foyle.

NED recommends that at full planning application stage DSDC request the information below.

Further Information.

1. An extended Phase 1 Habitat Survey which includes surveys which comply with NIEA Specific Requirements which comply with NIEA Specific Requirements detailed below for badgers, bats, birds, lizard, newts, otters, including a bat roost potential survey.
2. An outline Construction Environmental Management Plan.
3. Details of proposed sewage treatment.

Further Guidance.

NIEA Standing Advice General can be found at: <https://www.daera-ni.gov.uk/articles/standing-advice-0>

NED survey specifications and other planning related advice can be found at: <https://www.daera-ni.gov.uk/articles/site-surveys>

NED refers the applicant to Standing Advice on bats at: <https://www.daera-ni.gov.uk/sites/default/files/publications/daera/DAERA%20Standing%20Advice%20-%20NED%20-%20%20Bats%20-%20November%202017.pdf>

NIEA Natural Environment Web Viewer
<https://www.daera-ni.gov.uk/services/natural-environment-map-viewer>

NED recommends that all survey works comply with British Standard 42020:2013, which came into effect on 31 August 2013. The British Standard provides recommendations and guidance for those engaged in planning and development, whose work might affect or have implications for conservation, or the enhancement of biodiversity.

Drainage & Water

Planning Reference N°: LA11/2020/0446/PAD

Section Reference: WMU/PC/ 31952-1

Baseline

Water quality baseline information can be obtained from NIEA's online information request web viewer: <https://www.daera-ni.gov.uk/articles/information-requests>

Key environmental considerations

At the pre-application stage of a development there is limited information about the circumstances, scope and nature of the project and therefore Water Management Unit can only provide 'general' advice.

Water Management Unit would direct the attention of the applicant / agent to all the Agency's Standing Advice guidance documents.

The following DAERA Standing Advice documents will be particularly relevant to this application:

- DAERA Standing Advice on Pre-Application Discussion Advice
- DAERA Standing Advice on Pollution Prevention Guidance
- DAERA Standing Advice on Commercial or Industrial Developments
- DAERA Standing Advice on Culverting
- DAERA Standing Advice on Abstractions and Impoundments
- DAERA Standing Advice on Sustainable Drainage Systems
- DAERA Standing Advice on Discharges to the Water Environment

All DAERA Standing Advice documents are available at: <https://www.daera-ni.gov.uk/publications/standing-advice-development-may-have-effect-water-environment-including-groundwater-and-fisheries>

A hydromorphology guidance booklet can be downloaded from the following link which the applicant may find useful: <https://www.daera-ni.gov.uk/publications/surface-water-alterations-handbook>

Environmental information required

Water Management Unit would request that any future consultation clearly demonstrate the following:

- How foul sewage will be dealt with;

- Clearly demonstrate how surface water will be dealt with both during the construction and operational phases;

A drainage plan should be submitted which should clearly show all surface water and foul drainage (using separate colours for each), as well as the siting of any proposed rainwater attenuation tanks, interceptors, sumps and silt traps with their associated drainage channels. The destination of all drainage should be clearly stated and identified (i.e. where it is proposed to discharge to foul sewer, combined sewer, surface water sewer, underground stratum or waterway etc).

- The application must clearly demonstrate compliance with all the relevant precepts contained in DAERA Standing Advice on Pollution Prevention Guidance.

A Construction Environmental Management Plan (CEMP) or Construction Method Statement (CMS), for works in, near or liable to affect any waterway as defined by the Water (Northern Ireland) Order 1999 should be submitted to ensure effective avoidance and mitigation measures have been planned for the protection of the water environment.

The potential threats to the aquatic environment during both the construction and operational phases from the likes of cement, concrete, grout, fuels/oil/hydrocarbons and suspended solids from earthworks must be fully considered, and suitable mitigation and pollution prevention measures commensurate to the perceived risks must be identified.

- Clear details of all works in / near or liable to affect a waterway*.

* The applicant should note the definition of a 'waterway' as defined under the Water (Northern Ireland) Order 1999:

"Waterway" includes any river, stream, watercourse, inland water (whether natural or artificial) or tidal waters and any channel or passage of whatever kind (whether natural or artificial) through which water flows.

In this Order any reference to a waterway includes a reference to the channel or bed of a waterway which is for the time being dry.

Further Guidance

If, after scoping their proposal against the Standing Advice, the applicant requires proposal-specific advice then Water Management Unit will be happy to provide comment at that stage.

The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment.

The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter

Land, Soil & Air

Planning Reference: LA11/2020/0446/PAD

Location: Park Road ,Strabane, Co. Tyrone, BT82 0AN

Consideration

Regulation Unit (RU) is supportive of pre-application discussions (PADs) and requests that the applicant should consult the Environmental advice for planners available at:

<https://www.daera-ni.gov.uk/topics/environmental-advice-planning>

<https://www.daera-ni.gov.uk/articles/contaminated-land>

This provides guidance as to what specific information is required for a given development type and includes 'The Practice Guide – Re-developing land affected by contamination' that includes detail on required reports and minimum reporting requirements etc.

NIEA Regulation Unit is concerned with development types involving the following environmental considerations:

- Contaminated land and groundwaters
- Management of waste moved onto or off the application site

Please note that developments may include a number of development types requiring a range of associated information.

It is advised that the applicant should consult the NIEA Historical Land Use layer and other available sources of information, to identify current and previous industrial land uses of the application site and in the surrounding area (within 250 meters) that may have caused the land at the site to become contaminated. NIEA's Land Use layer is available to view and search using the following link: <https://www.daera-ni.gov.uk/publications/historical-landuse>

Should potential contaminating activity be identified then a Preliminary Risk Assessment (PRA) should be provided, as a minimum, to further identify land contamination issues for the application site.

It is recommended that all risk assessment and risk management work follows the UK technical framework as described in the Land Contamination: Risk Management (LCRM) guidance available at <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

Should a PAD meeting be convened on this application and/or applications associated with this development proposal the Planning Authority should contact the Land & Groundwater Team within the Regulation Unit via LGWinfo@daera-ni.gov.uk in relation to attendance.

Appendix 4-4

East Donegal Coursing Club Letter of Consent

**East Donegal Coursing Club
Lifford
County Donegal**

Donegal County Council
County House
The Diamond
Lifford
County Donegal
F93 Y622

SUBJECT TO CONTRACT/CONTRACT DENIED

WITHOUT PREJUDICE

Re: Letter of Consent re Riverine Community Park, Lifford, County Donegal (the Project)

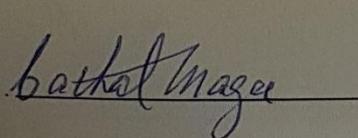
Dear Sir/Madam,

We are the owners of the lands shown outlined in red on the map attached hereto (the Lands) which are intended to form part of the Project. Donegal County Council has engaged with us in relation to the Project and its plans to submit a planning application to An Bord Pleanála shortly.

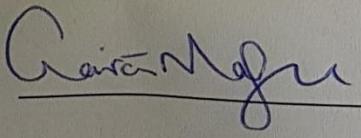
The Project as currently planned will require use of the Lands and we irrevocably confirm our consent to Donegal County Council including the Lands as part of the application (or any further application) to An Bord Pleanála in respect of the Project or any part thereof.

This does not imply any intention to dispose some or all of the Lands. This letter is issued solely for the purpose of facilitating the application to An Bord Pleanála in respect of the Project.

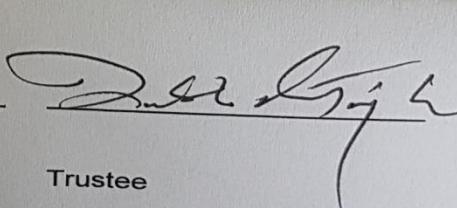
Yours faithfully,



Trustee



Trustee



Trustee

East Donegal Coursing Club

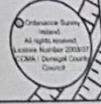
ITM Co-ords - E: 6340207.5557



PLOT NUMBER	Area (ha)	Area (ac)
PLOT 2A	4.7151	11.651

County House, Lifford, Co Donegal
 Tel: (074) 9153900 Fax: (074) 9141793

Dwg. No: DCC/RIV/LAND/002A	OS Map No(s): 0181 A (1:2500), 0181 B (1: 0181 C (1:2500), 0181 D (1:
Date: July 2021	Drawn:
Scale: 1:2000 @ A3	Rev:



ITM Co-ords - E: 633615.9576, N: 898515.6281