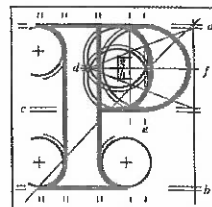


Our Case Number: ABP-311468-21



**An
Bord
Pleanála**

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

Date: 26 July 2022

Re: Proposed Riverine Pedestrian and Cycle Bridge at Station Road, Lifford, Co. Donegal
115m in length between Lifford Co. Donegal and Strabane, Co. Tyrone

Dear Sir / Madam,

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed road development and will take it into consideration in its determination of the matter.

Please note that the proposed road development shall not be carried out unless the Board has approved it or approved it with modifications.

If you have any queries in relation to this matter please contact the undersigned officer of the Board.

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

HA03

Tel	Tel	(01) 858 8100
Glaao Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	www.pleanala.ie
Ríomhphost	Email	bord@pleanala.ie

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

Niamh Thornton

From: SIDS
Sent: Monday 18 July 2022 12:20
To: Niamh Thornton
Subject: FW: ABP- 311468-21 (Roads) and ABP-311542-21 (177AE)
Attachments: Riverine Community Park DAU Meeting Minutes Final 220401-1.pdf; 177AE Riverine DNG FI.pdf

From: Housing Manager DAU <Manager.DAU@housing.gov.ie>
Sent: Monday 18 July 2022 11:11
To: SIDS <sids@pleanala.ie>
Subject: ABP- 311468-21 (Roads) and ABP-311542-21 (177AE)

I refer to correspondence received in connection with the above.

Attached are heritage-related observations/recommendations of the Department under the stated headings coordinated by the Development Applications Unit.

Regards,

Michael Murphy
Aonad na nIarratas ar Fhorbairt
Development Applications Unit
Oifigí an Rialtais
Dept. of Housing, Local Government & Heritage
Government Offices
Bóthar an Bhaile Nua, Loch Garman, Contae Loch Garman, Y35 AP90
Newtown Road, Wexford, County Wexford, Y35 AP90

Tel: 053 9117641



Your Ref: ABP- 311468-21 (Roads) and ABP-311542-21 (177AE)

Our Ref: 177AE Riverine DNG

(Please quote in all related correspondence)

18 July, 2022

The Secretary,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1

Referral under Section 51(3)(b) of the Roads Act, 1993 and under Section 226 and Section 177AE of the Planning and Development Act, 2000, (As Amended):

Applications by Donegal County Council for

- 1. Construction of a pedestrian and cycle bridge 115m in length between Lifford and Strabane (the adjacent eastern section of the proposed community park at Strabane, County Tyrone);**
- 2. Construction of a community park including pavilion, multi-function outdoor space, play areas, walkways, cycleway, landscaping, access roads and parking, amenity lighting, maintenance compound, spectator stand, accommodations works and ancillary works Station Road, Lifford, County Donegal**

A chara

The Department refers to the further information correspondence received on 13 June, 2022 with respect to the above referenced and connected applications currently before the Board.

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

Nature Conservation

The Divisional Ecologist of the National Parks & Wildlife Service of the Department met with the applicant and agents on 31 March, 2022. The minutes of that meeting are attached. The Department have no further observations to make on the further information submitted.



Underwater Archaeology

Please note that our observations/recommendations as set out in our previous submission to An Bord Pleanála (16.11.2021) remain applicable.

It is noted that the proposed development area is located 350m north-east of the Zone of Archaeological Potential for the Recorded Monument DG071-008—*Historic Town*, which is subject to statutory protection in the Record of Monuments and Places established under section 12 (Recorded Monuments) of the National Monuments (Amendment) Act 1930-2014. In addition, the River Finn and River Foyle contain significant underwater cultural heritage including around fifteen log-boats which have been recovered from the waterways.

The submitted EIAR Addendum includes a summary account of the outcome of an Underwater Archaeological Impact Assessment, which included a dive survey (22D0020) and metal detection survey (22R0081), carried out by Mr Rex Bangerter on 7th and 8th April 2022, and which was undertaken in part response to the archaeological recommendations of this Department (as co-ordinated by the Development Applications Unit, submission to An Bord Pleanála 16.11.2021). The summary statement highlights the regular discovery of logboat finds, totalling 15 in number, having taken place within the immediate environs of the proposed development area and the dive survey led to the discovery of two further logboat fragments (Find numbers 22D0020:01 and 22D0020:02). Both were found lying on the riverbed close to the northwest side of the River Foyle and it is noted that they probably floated downstream during recent flooding. Both fragments were assessed by Mr Bangerter and a preliminary record made of them prior to being temporarily relocated to a suitable sub-tidal section of riverbed outside the proposed development area.

In light of the above the following are the archaeological recommendations of this Department:

Archaeological Recommendations

1. The Mitigation Measures as described in Section 13.12 of the submitted 'Addendum Environmental Impact Assessment Report volume 2: EIAR Addendum Text Riverine Community Park Lifford-Strabane' (April 2022) shall be implemented in full.
2. As a component of the mitigation proposed, archaeological test excavations, undertaken by an archaeologist licenced under Section 26 of the National Monuments (Amendment) Act 1930-2104, shall be undertaken at the proposed locations of the western bridge abutments and other areas where ground disturbances are proposed. Test excavations are to be undertaken in compliance with a method statement submitted with an archaeological excavation licence application and with the conditions of any licence issued and are to take place to the uppermost archaeological horizons only, where they survive. Where archaeological material is shown to be present, the archaeologist shall stop works in the affected area to facilitate evaluation and shall notify the NMS, who will advise further. Please note that all features/archaeological surfaces/objects within the test trenches are to be hand-cleaned and clearly visible for photographic purposes. Having completed the work, the archaeologist shall submit a written report to the Department of Housing, Local Government and Heritage outlining the results of the test-excavations. The report shall include a comprehensive Archaeological Impact Statement and shall comment on the degree, if any, to which the extent, location and levels of all proposed works required for the development will affect archaeological materials. This shall be illustrated with appropriate plans, sections, etc. The Archaeological Impact Statement shall also include proposals for further mitigatory measures, where necessary to protect the archaeological heritage. Where archaeological material, including objects and underwater cultural heritage, is shown to be present, further mitigatory measures may be recommended by this Department;



these may include relocation and/or redesign (in whole or in part) of the development to allow for preservation in situ, excavation ('preservation by record') and/or monitoring. The applicant will be prepared to be advised by the Department of Housing, Local Government and Heritage with regard to these matters.

3. The Underwater Archaeology Unit of the Department of Housing, Local Government and Heritage and the National Museum of Ireland shall be consulted in relation to the future treatment and long-term curation of the logboat fragments 22D0020:01 and 22D0020:02 (described in the document 'Addendum Environmental Impact Assessment Report volume 2: EIAR Addendum Text Riverine Community Park Lifford-Strabane' (April 2022)). It is also recommended that in addition to the archaeological recording methodology as out in the above report, that both fragments are scientifically dated and sampled for wood identification (under licence). The results of these analysis shall be included in a final archaeological report which shall issue to this Department.
4. The services of a suitably qualified and suitably experienced underwater archaeologist shall be engaged to carry out archaeological monitoring of the construction works programme. The archaeological monitoring shall be licensed by the Department of Housing, Local Government and Heritage and a detailed method statement shall accompany the licence application. The method statement shall lay out the monitoring strategy for each location where works are proposed. A communication strategy is to form part of the monitoring strategy to ensure full communication is in place between the monitoring archaeologist and the plant operators at all times during works. The archaeological personnel undertaking the monitoring will be in a position to monitor directly all elements of the works, to ensure they have unobstructed views of the excavations/other works, and the plant and machinery operators should be prepared to facilitate the archaeological personnel in the undertaking of their monitoring work. As part of the Finds Retrieval Strategy in the methodology, all excavated material removed from the river shall be spread and metal detected (under licence) to assess the artefact-bearing potential of the deposits. Sufficient archaeological personnel shall be in place to cover all aspects of the monitoring works. Should potential archaeology be identified during the works, then the construction works shall be suspended in that location and the National Monuments Service shall be notified. Further archaeological works shall be required. These may include further archaeological assessment, test-excavations, avoidance/preservation in situ or full excavation (preservation by record). Following the completion of the archaeological works, reports detailing the outcome of the monitoring shall be forwarded to the National Monuments Service, as per conditions of archaeological licences.

You are requested to send any 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)
Department of Housing, Local Government & Heritage
Government Offices, Newtown Road Wexford Y35 AP90

Is mise le meas,

Michael Murphy,
Administration
Development Applications Unit

E2256 Riverine CP: DAU Consultation ABP-311468-21 (Roads) and ABP-311542-21 (177AE)
Summary of meeting 31st March 2022 | 14:00 to 15:00 | MS Teams

Agenda Point	Topic	Presentation Summary	Discussions and Outcomes
1	Introductions	Attendees: McAdam Design Clare Morris, Project Manager, ICT MCL Consulting David McLorinan, Project Manager, Environmental Ryan Boyle, Lead Ecologist Emily Taylor, Ecologist Conor Findlay, Ecologist DAU/EAU Emmett Johnson , Ecological Assessment Unit (EAU) NPWS, Department of Housing, Local Government and Heritage. Donegal County Council Shane Sweeney, Project Manager, Client	Apologies: None
2	Current status of NI Application	McAdam Design advised DAU of the current planning situation with the Project re Strabane application Design change in relation to main Riverine Scheme car park in Strabane side necessitated pausing of planning submission to allow for Environmental Statement and Planning Drawings to be modified. Original application had not been validated at the point of the design change. Design change resulted in the need to change various environmental assessments including Biodiversity (with appendices), Soils and Waters, Flood Risk Assessments and SuDS Designs, Landscape and Visual	DAU did not object to the EIAR Addendum and revised NIS being inclusive of wider updates implemented for Strabane due to the car park design change.

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		Application now duly made 15 February 2022 MCL advised DAU that the outcome of design change is that the current ROI application was now out of kilter with current NI application since ROI application includes out of date details of site layout. MCL advised DAU that the design change also resulted in alterations to SuDS drainage systems serving the site, which had to account for land conditions in the halting area (new location of car park). This effects the NIS which will have to be amended. MCL advised DAU that within the EIAr addendum all relevant section of EIAr and NIS will be updated to bring the application in line with the revised Strabane designs as well as dealing with the consultation responses and ABP response.	
3	An Bord Pleanála response to EIAr	MCL Advised DAU that ABP response to EIAr has expanded on the scope required by DAU in terms of content of NIS McAdam Design shared ABP response with DAU MCL asked DAU what, if any, input they have had to the ABP response Confirm to DAU that there are also areas of overlap, therefore it is important that the ABP response is also considered in these discussions to achieve agreement on the content of the revised NIS to satisfy both parties MCL checked with DAU if they are happy to discuss relevant elements of ABP response relating to NIS	DAU confirmed they coordinate development applications that are referred to the DHLGH and do not represent ABP who are the decision making authority in this instance. DHLGH are a statutory consultee and ABP must be cognisant of their observations and concerns. Given that the application is live EAU/DAU are comfortable discussing relevant nature conservation matters raised by ABP on the back of the DAU submission, so long as minutes were recorded and included in the submission to the Further Information request by ABP. EAU were happy to provide guidance in relation to content of addendum and revised NIS.

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Agenda Point	Topic	Presentation Summary	Discussions and Outcomes
		either as part of discussions relating also to their response within this meeting.	Underwater archaeology beyond remit of representative from EAU/DAU in attendance and therefore cannot be commented directly on.
4	Whooper Swans/Lough Swilly SPA	MCL advised DAU that as part of our revised submission Whooper Swans ref. NI Lough Swilly will be screened in at Stage 1 and assessed at Stage 2 within the NIS. MCL advised DAU that The original NIS screened in whooper swans wrt Lough Foyle but not wrt Lough Swilly on the basis of distance.	Consideration for the species presence needs to be shown due to their use of the site for seasonal and daily migrations. Roosting grounds i were highlighted by DAU to the south of the site that are linked to European sites; Lough Swilly and Lough Foyle SPA's. further consideration to potential impacts on this species must be considered within the screening process. MCL Agreed to include extended assessment of Whooper Swans in NIS as directed by DAU.
5	Otters (Survey)	MCL advised DAU that current otter survey actually included assessment for otter activity on the river banks and margins, through the site and extending 300m north and south of the red line limit (current report states 30m) MCL advised DAU that otter survey is currently being updated to include a search area of 1km on both sides of the river upstream and downstream of the red line site in order to extend the search to locate the holt. MCL stated that we feel that this survey extent is reasonable but may not locate a holt MCL advised DAU that results of updated otter survey will be included in revised otter report irrespective of the findings	DAU advised that reasoning to justify 1km extent of revised survey needs to be supported by peer reviewed or grey literature references. DAU advised further consideration needs to be given to the otters (e.g. artificial lay ups included in slipway design) due to the recorded data from previous survey visits illustrating high levels of otter activity on site. Should the holt not be located within the increased search area that is considered acceptable to DAU so long as the survey methodology for surveys was appropriate and the 1km distance justified. The purpose of these surveys is to eliminate risk to core Otter breeding habitat. DAU advised that current or baseline conditions (as referred to by ABP) appear to support a high level of otter activity and that this is relevant to the NIS assessment.

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			MCL Agreed to update otter report with survey justifications and new findings.
6	Otters (Mitigation)	MCL advised DAU that mitigation with respect to otters will be updated based on the results of the extended otter survey, including if necessary consideration timing of works. MCL advised DAU that revised NIS to include screening in assessment of temporary and permanent habitat loss with mitigation where possible and remedial recommendations to reinstate habitat. MCL advised DAU likely permanent loss of habitat will involve bridge landing and jetty only MCL advised DAU likely temporary loss will involve crane and construction pads.	DAU advised that mitigation needs to be better highlighted and further detailed to ensure that likely impacts will be reduced to negligible/non-significant levels. DAU advised that more detail is required with regards to loss of habitat regarding the otters, particularly along the riverbanks at the slipway and bridge landing sites. Immediate short term and long-term habitat loss should be quantified and mitigation implemented to reduce the impacts of this where possible, to include wildlife solutions. Mitigation including lay-up area, access pipework e.g. at slipway could be included for example. MCL Agreed to update otter mitigation and habitat restoration.
7	Wording of NIS	MCL advised DAU that wording in the NIS will be strengthened to provide better clarity on outcomes of screening, assessment and effects of mitigation, cumulative impacts and residual impacts.	DAU advised that wording within the NIS, specifically with regards to mitigation and proposed methodologies is clarified with clear definitions without ambiguity as far as practically possible. Illustration of all potential outcomes to be discussed and considered with more committed approaches defined. DAU advised that language should be more decisive and committed avoid language which suggests uncertainty such as "may" and "possibly" MCL Agreed to update NIS with more robust wording

Agenda Point	Topic	Presentation Summary	Discussions and Outcomes
8	Construction Designs, oCEMP	McAdam Design advised that EIAr and NIS is based on outline construction designs and sequencing produced by McAdam Design for a contractor led construction process. McAdam Design advised that a degree of flexibility must be built into these designs to enable a contractor to adopt their own construction management and phasing of works which must take into account all of the restrictions and mitigation measures within the EIAr. MCL advised DAU that the mitigation within the EIAr and NIS is designed to be applicable to anticipated construction methodologies and phasing, without having specific details on the construction and phasing. On that basis MCL advised that the EIAr includes an oCEMP, rather than an inflexible CEMP teeing the contractor to a particular construction method and sequencing arrangement, due to the nature of the construction contract.	DAU advised that further elaboration and detail would be required on construction operations for various stages of the project e.g.,: constraints on construction operation times throughout the year, operating distances from the river. Further detail would be required for the various areas of the site and development stages. The detail should be sufficient to allow an assessment of the likely risks to the QI for the European site. DAU advised that more targeted and detailed mitigations are required for areas where environmental risks are considered to be more significant. DAU advised that ABP ecologists need certainty to complete their appropriate assessment. There needs to be as much certainty as possible with regards to construction methodology, specifically with regards to bridge construction and temporary construction and crane pads within the NIS. Whilst DAU appreciate that some implementation details would be up to the contractor, where there are a number of possible construction or sequencing options, these should all be considered with specific mitigation set for each if necessary. Broad agreement that whilst the fine detail of the construction methods and sequencing may not be known at this stage, mitigation should cover all anticipated construction and sequencing events in order to bring more certainty to the oCEMP and hence the NIS.

Agenda Point	Topic	Presentation Summary	Discussions and Outcomes
9	Invasive Species Management Plan and oCEMP	MCL advised DAU that a detailed summary of the invasive species management plan was included within the oCEMP. It may be the case that this has been missed by DAU.	DAU advised that the ISMP within the oCEMP should be more prominent so that it is not missed by readers. DAU advised that AA an EIA are individual processes and cross-referencing EIAR documents within the NIS is generally discouraged and that the full ISMP should be included as an appendix to the NIS. MCL advised that some relevant assessments e.g. land contamination, flood risk are very bulky and it would not be practical to include all relevant environmental assessments as addendum to the NIS as they are already included as Appendices to the EIAR. Agreement that full ISMP is included as an addendum to the NIS but that it is not necessary to replicate all other relevant environmental assessments within the NIS if they are included within the EIAR, provided they are clearly referenced. DAU advised that the CEMP should be comprehensive and cover all likely construction activities, sequencing and events. Consideration should be given to further timing restrictions for construction works avoiding periods of high rainfall (red & orange) to avoid periods when discharges were being made from the WWTW. MCL advised that there were already considerable seasonal and other constraints for the construction works and that the compliance record for the WWTW did not seem to be weather related. Hence there would be no benefit to constraining

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Agenda Point	Topic	Presentation Summary	Discussions and Outcomes
10	Three Rivers Drainage	MCL advised DAU that detailed design for management of the Three Rivers drainage is being undertaken by McAdam Design for inclusion within the application and EIAr. McAdam Design described 2 options being considered for the management of the Three Rivers Drainage: Option 1 comprising discharge to underground stratum via a soakaway within the park, and Option 2 a discharge to the Roughan Stream. Both options include the use of an interceptor to treat the runoff waters prior to discharge. MCL advised DAU that both design options being considered are considered an improvement to the current discharge arrangements (involving direct discharge of untreated discharge water to the Foyle via a pipe) MCL advised that NIS will be updated to include consideration of measures to be implemented to protect SAC from this discharge.	developments to avoid periods when the WWTW may be discharging as an emergency measure. Broad agreement was reached to address baseline conditions within the NIS as far as possible, based on readily available information. DAU advised that if more than one option is being considered or included in the application each should be assessed in the NIS and EIAr. DAU advised that consideration should be given to cumulative effects and potential positive impacts from the proposed works. Should be assessed and screened accordingly as part of the baseline to determine the long-term outcome impacts DAU advised proposed options appeared acceptable, with Option 1 preferable, due to the inclusion of SUDs based systems but will need further assessment and screening in NIS.
11	Underwater Archaeology	NOT DISCUSSED	-
12	ABP Discussions	MCL advised DAU of ABP requirement to screen into NIS assessment of baseline site conditions wrt various items listed by DAU. MCL advised of concerns over having to assess these matters within the NIS as not all details of	<u>Unauthorised Gravel Extractions</u> DAU advised that unauthorised extraction at Islandmore had ceased by due to enforcement action taken by Donegal County Council (further details to be sought from relevant council section)

Agenda Point	Topic	Presentation Summary	Discussions and Outcomes
		each are known or openly available and screening in may lead to perceived 'gaps' in the assessment due to lack of available information / details. MCL advised that some areas of the site will be undefended from flooding. These will involve some elements of materials storage (oils, chemicals, salt etc) for maintenance (maintenance Depot) and to a lesser extent Accommodation Works Stand. The risk of pollution has been mitigated as far as possible through storage management and minimisation but some residual pollution risk remains during a flood event. On the basis of circumstances, the pollution risk is considered low due to dilution effects.	and that some restoration was being agreed with the landowner. DAU noted that other activity appeared to be high despite the current baseline. <u>WWTW Discharges</u> DAU an expected that cessation of unauthorised quarrying and upgrades to Lifford WWTW would result in improvements to baseline water quality metrics. Timing of implementation of works at WWTW will be relevant to in combination assessment. Discharge limits are not set to protect the QI of the SAC. <u>General, construction phase flooding, etc</u> DAU advised that the assessment of current and future post development baseline conditions is relevant to the cumulative impact assessment. The impacts of the development must be considered in combination with the baseline risks and pressures that contribute to current conditions. Any residual impacts from flooding events during construction and operational development phases should be considered and mitigated as far as possible, e.g. through tank bunding, safe materials storage etc. DAU appreciate that there is a degree of reasonableness in managing impact of the development during such extreme natural events.