

From: [Jonathan McNee](#)
To: [DAERA SEA Team](#)
Cc: ["Hammond, Mark"](#); [Paula McAteer](#); [Proinsias McCaughey](#); ["Gwyneth Evans"](#)
Subject: Reg 11 Scoping Report
Date: 21 February 2017 15:52:04
Attachments: [Scoping Report for Derry City and Strabane District Council 17 02 20.docx](#)
[image001.jpg](#)
[image004.jpg](#)

Dear NIEA SEA Team

As part of the preparation of the Derry City and Strabane District Local Development Plan (LDP) 2030 and its iterative Sustainability Appraisal incorporating Strategic Environmental Assessment (SEA), Council as the Responsible Authority, are required for the purposes of SEA, to consult with the Consultation Body - NIEA, under Regulation 11 of the Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004, as below

PART III

Environmental Reports & Consultation Procedures

PREPARATION OF ENVIRONMENTAL REPORT

11 (1) Where an environmental assessment is required by any provision of Part 11, the responsible authority shall prepare, or secure the preparation of, an environmental report in accordance with paragraphs (2) and (3).

(5) When deciding on the scope and level of detail of the information that must be included in the report, the responsible authority shall consult the consultation body.

Can you therefore accept this email and the attached draft Scoping document Template as our invitation to engage with yourselves in the consultation as per Regulation 11 of the EAPP Regs (NI) 2004.

This template contains several areas of draft text highlighted in red which reflects the active work in progress status of this draft Scoping Template. It is expected that a final version will not vary markedly from this consulted document. I would appreciate if you could acknowledge safe receipt of this email and its attachment.

If you have any queries, please do not hesitate to contact me.

Yours faithfully,

Jonny McNee

Senior Planning Officer - Local Development Plan
Derry City & Strabane District Council Tel: (028) 71 253 253 Extn 8404
www.derrystrabane.com

From: [Proinsias McCaughey](#)
To: ["DAERA SEA Team"](#)
Cc: [Jonathan McNee](#); [Maura Fox](#); [John Monaghan](#)
Subject: Derry City & Strabane District Council LDP - POP SA Interim Report, Formal Consultation
Date: 22 June 2017 17:30:02
Attachments: [image002.jpg](#)
[image004.jpg](#)

Dear SEA Team,

Derry City & Strabane District Council has recently published our LDP – POP document along with the supporting SA Scoping Report and informing Baseline Evidence papers, for a 12 week public consultation period which ends 5pm on 22 August 2017. Under Regulation 10 of the LDP Regulations, I am formally consulting you on this consultation and look forward to receiving your comments by the close of the above end-date. The link below will take you to our POP website where the POP document itself, SA Interim documents and supporting Baseline Evidence Papers can be accessed. Should you have any queries, please contact me, or Jonny McNee the Senior LDP Planner.

[http://www.derrystrabane.com/Subsites/LDP/Preferred-Options-Paper-\(POP\)](http://www.derrystrabane.com/Subsites/LDP/Preferred-Options-Paper-(POP))

Regards,

Proinsias

Proinsias McCaughey
Principal Planning Officer
Development Planning
Derry City and Strabane District Council
98 Strand Road
Derry / Londonderry
BT48 7NN
Tel: 028 71253 253 (Ext. 8402)
e-mail: proinsias.mccaughey@derrystrabane.com
website: www.derrystrabane.com

From: [Jonathan McNee](#)
To: ["SEATeam@daera-ni.gov.uk"](mailto:SEATeam@daera-ni.gov.uk)
Cc: [Proinsias McCaughey](#)
Subject: Derry City & Strabane District Council Draft LDP PS / SA (inc. SEA) consultation in compliance with Part III Reg 12 of EAPP Regs
Date: 18 December 2019 16:29:04
Attachments: [image001.jpg](#)
[image003.jpg](#)

Dear SEA team,

On 2nd December 2019, Derry City & Strabane District Council published their draft LDP Plan Strategy and supporting documents, including the Sustainability Appraisal (inc. the SEA) and also the HRA.

The documents can be accessed via the following link:

[https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-\(dPS\)](https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS))

In accordance with the provisions of the Environmental ASSESSMENT OF Plans and Programmes Regulations (NI) 2004, Derry City and Strabane District Council hereby gives you notice of the publication and commencement of consultation on a SA Report (inc. a Strategic Environmental Assessment) of the Derry City and Strabane District Local Development Plan (LDP 20132) – draft Plan Strategy.

The SA Report has been prepared to accompany the draft Plan Strategy and it will be available for a period of 8 weeks of public consultation commencing on 2nd Dec 2019.

The Council now seeks Expressions of Opinion regarding the SA / SEA report to be submitted preferably using the online Response Form to Planning LDP Team, Derry City & Strabane District Council, 98 Strand Rd, Derry BT48 7NN or by email to ldp@derrystrabane.com

Regards,

Jonny McNee
Senior Planning Officer
Development Planning
Derry City & Strabane District Council
98 Strand Rd
Derry / Londonderry
BT48 7NN
Tel: (028) 71 253 253 Extn 8404
email: jonathan.mcnee@derrystrabane
website: www.derrystrabane.com

Date: 11th September 2020



National Parks and Wildlife Service

90 King Street North

Dublin 7

D07 N7CV

IRELAND

By e-mail to: nature.conservation@chg.gov.ie and to: manager.dau@chg.gov.ie

Dear Sir/Madam,

Local Development Plan (LDP 2032): Draft Plan Strategy – Habitats Regulation Assessment

Derry City and Strabane District Council published its LDP draft Plan Strategy for public consultation on the 2nd December 2019, but is currently undertaking a general re-consultation exercise for these documents. As part of the LDP preparation process, the Council has also carried out a number of assessments including Sustainability Appraisal (SA), **Habitats Regulation Assessment (HRA)**, Equality Impact Assessment (EQIA) and Rural Needs Impact Assessment (RNIA). The documents are all available to view at:

[https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-\(dPS\)/LDP-Plan-Documents](https://www.derrystrabane.com/Subsites/LDP/LDP-draft-Plan-Strategy-(dPS)/LDP-Plan-Documents)

The purpose of this letter is to bring the following specific matters in relation to Regulation 43 (3) of the Conservation (Natural Habitats etc.) Regulations (Northern Ireland) 1995 (known as ‘the Habitats Regulations’) to your attention:

Regulation 43 of the Habitats Regulations, which implements a requirement of the Habitats and Birds Directives, requires an appropriate assessment to be undertaken of plans and projects which are likely to have a significant effect on an international site in Northern Ireland or Ireland, either alone or in combination with other plans or projects. This attached draft HRA Report is prepared in support of the draft Plan Strategy for Derry City and Strabane District Local Development Plan (LDP). It records the assessment of the draft Plan Strategy and its potential impacts on international sites. The National Parks and Wildlife Service, as Statutory Nature Conservation Body (SNCB) of our neighbouring jurisdiction is invited to consider and make representations on the draft HRA.

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 Derry City & Strabane District Council

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The draft Plan Strategy provides a plan-led policy framework for making day-to-day decisions to help Derry City and Strabane District Council (the Council) deliver sustainable development for employment, homes and infrastructure in a high quality environment across the Council area. It sets out how the area will change and grow until 2032. The nature of the draft Plan Strategy is that it has the potential to have a significant effect on some international sites; therefore, we are undertaking a HRA in our role as a competent authority to ensure the legal requirements of the Habitats Regulations are fully met.

A total of 23 international sites that have a confirmed or theoretical connection to the plan area were identified. On further review, it was found that 22 of these sites, of which 11 are in County Donegal, might be affected by the draft Plan Strategy. All of the Plan Strategy proposals were reviewed in Section 4, from the Overall Strategy containing the Vision and Plan Objectives, Growth and Spatial Strategy and General Development Principles and Policies, through the strategies and operational policies for Economy, Social Development and Environment, to the Place-Making and Design Vision Chapters and appendices. Following the screening of the complete draft Plan Strategy, it was found that, in the absence of mitigation, there is potential for likely significant effects to arise from ten operational policies and one appendix. These were all screened in for appropriate assessment.

Those policies screened in were assessed in Section 5. In most cases, measures were already incorporated which can be considered to be mitigation to avoid adverse effects on the integrity of international sites. In a few cases, recommendations were made to strengthen the protection afforded to international sites by these policies through amendments. Assuming that the recommended mitigation measures are all retained or accepted, and the plan amended accordingly, it is possible to ascertain that the LDP draft Plan Strategy will have no adverse effect on the integrity of any international sites. Following public consultation and Independent Examination of the LDP draft Plan Strategy, the HRA will be finalised and adopted by the Council and published alongside the adopted LDP Plan Strategy. You are invited to make any representations by the 6th November 2020.

Please confirm receipt of this letter ASAP. Should you require further information or have any queries, please contact the LDP Team at the addresses below, or by telephone to 0044 28 71 253 253.

Yours sincerely

Maura Fox

Head of Planning

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C/o Council Offices
98 Strand Road
Derry
BT48 7NN

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47 Derry Road
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From: [Jonathan McNee](#)
To: ["Manager DAU"](#)
Cc: [Proinsias McCaughey](#)
Subject: RE: Derry City & Strabane District Council - FAO Joanne Lyons
Date: 04 June 2021 13:32:04
Attachments: [image001.jpg](#)
Importance: High

Dear Joanne,

Further to previous correspondence seeking a response from yourselves in relation to our Local Development Plan and its accompanying Habitats Regulation Assessment (HRA, the Council's Planning Section has now almost finalised our legislatively required LDP Process Documents Library to demonstrate to the Department for Infrastructure (DfI NI) how we have met all the legally required steps in the preparation of our Local Development Plan. To ensure our required 'soundness' process, can I ask you by Friday 11th June 2021, at the latest, that you provide an appropriate response from yourselves or alternatively indicate that you will not be able to provide an appropriate response by then.

Apologies for pushing the issue, but the issue of legal compliance is one that will be minutely examined both by DfI and the Planning Appeals Commission (PAC) at our subsequent Independent Examination and I am keen to avoid any possibly perceived weakness in our preparation process if at all possible.

Many thanks,

Jonny

Jonny McNee

Senior Planning Officer

Local Development Plan team

DC&SDC

028 71 253 253 – x 8404

(Currently working from Home)

From: Jonathan McNee

Sent: 21 May 2021 12:48

To: 'Manager DAU'

Cc: Proinsias McCaughey

Subject: Derry City & Strabane District Council - FAO Joanne Lyons

Dear Joanne,

Further to your 8th May acknowledgement, I am sending a gentle reminder for an appropriate response from yourselves in relation to our Local Development Plan and its accompanying Habitats Regulation Assessment (HRA) under our associated transboundary obligations under the Habitats Regulations. I fully appreciate things are most likely as busy in your DA Unit as they are up here in Derry. To keep our LDP Timetable on track, a response at your earliest convenience would be greatly appreciated.

Many thanks

Jonny

Jonny McNee

Senior Planning Officer

Development Planning

Derry City & Strabane District Council

98 Strand Rd

Derry / Londonderry

BT48 7NN

From: Manager DAU [<mailto:Manager.DAU@housing.gov.ie>]

Sent: 08 May 2021 12:26

To: Jonathan McNee

Subject: FW: URGENT - Local Development Plan (LDP 2032): Draft Plan Strategy - Habitats Regulation Assessment

Dear Jonathan,

I acknowledge receipt of this consultation and will issue any response as soon as possible.

If you have not heard from DAU and wish to receive an update, please email

manager.dau@housing.gov.ie and mark for my attention.

Kind Regards,

Joanne

Joanne Lyons

Higher 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: natureconservation [<mailto:natureconservation@housing.gov.ie>]

Sent: Thursday 6 May 2021 17:22

To: Manager DAU <Manager.DAU@chg.gov.ie>

Subject: FW: URGENT - Local Development Plan (LDP 2032): Draft Plan Strategy - Habitats Regulation Assessment

Hi,

I'm not sure if this is for yourselves. If not, can you suggest who it might be for?

Regards,

Michael.

Michael O'Donnell

Designations Unit

Seirbhís Páirceanna Náisiúnta & Fiadhúlra

National Parks & Wildlife Service

An Roinn Tithíochta, Rialtas Áitiúil agus Oidhreachta

Department of Housing, Local Government and Heritage

90 Sráid an Rí Thuaidh, Baile Átha Cliath 7, D07 N7CV.

90 King Street North, Dublin 7, D07 N7CV

www.gov.ie

From: Jonathan McNee [<mailto:Jonathan.McNee@derrystrabane.com>]

Sent: Thursday 6 May 2021 16:50

To: natureconservation <natureconservation@housing.gov.ie>

Cc: Proinsias McCaughey <Proinsias.McCaughey@derrystrabane.com>

Subject: URGENT - Local Development Plan (LDP 2032): Draft Plan Strategy - Habitats Regulation Assessment

Dear Sir / Madam,

Further to several unsuccessful email follow-ups (both last year and this year) for a response to our original Sept 2020 letter (see attached), I have been advised today by the P&W switchboard that you have recently changed your email addresses due to a restructuring. Hopefully this emails arrives safely with yourselves and you can acknowledge receipt and in due course provide a written response in relation to our Local Development Plan and associated transboundary obligations under the Habitats Regulations. Our urgency is that we are preparing to deposit our draft Plan Strategy with the appropriate Government Department here in Northern Ireland and we are required to show, as part of our underpinning evidence, that we have undertaken all our required environmental / transboundary undertakings as set out in the relevant legislation. An acknowledgement and your considered response to our Sept 2020 letter will suffice in this regard.

Many thanks

Jonny McNee

Jonny McNee

Senior Planning Officer

Development Planning

Derry City & Strabane District Council

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Tel: (028) 71 253 253 Extn 8404

email: jonathan.mcnee@derrystrabane.com

website: www.derrystrabane.com

To: 'nature.conservation@chg.gov.ie'; 'manager.dau@chg.gov.ie'

Cc: Proinsias McCaughey

Subject: Local Development Plan (LDP 2032): Draft Plan Strategy – Habitats Regulation Assessment

Dear Sir / Madam,

Further to the Council's letter of the 11th Sept 2020 (see attached) in relation to Derry City & Strabane District Council's Local Development Plan (LDP 2032): Draft Plan Strategy – Habitats Regulation Assessment, I would appreciate an acknowledgement that this letter has been received and is being given due consideration by yourselves.

Best wishes,

Jonny McNee